



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**7<sup>th</sup> October 2025**

**Vol. IV No. 88**

## THE HANSARD

**Tuesday, 7<sup>th</sup> October 2025**

The House met at 2.30 p.m.

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

### PRAYERS

### QUORUM

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

*(The Quorum Bell was rung)*

Serjeant-at-Arms, you may now stop the Quorum Bell. I think we have Quorum now that Hon. Jalango has arrived.

### MESSAGE

#### NOMINATION OF A PERSON FOR APPOINTMENT AS MEMBER TO THE SALARIES AND REMUNERATION COMMISSION

Hon. Members, pursuant to the provisions of Standing Order 42(1), I wish to report to the House that I have received a message from His Excellency the President regarding the nomination of a person for appointment as member of the Salaries and Remuneration Commission.

In the message, His Excellency the President conveys that in exercise of the powers conferred by provisions of Article 232(b) of the Constitution and Section 710 of the Salaries and Remuneration Commission Act, Cap. 412D, and Sections 3 and 5 of the Public Appointments Parliamentary Approval Act, Cap. 7F, he has nominated Hon. (Eng.) Michael Thoyah Kingi for appointment as a representative of the Public Service Commission to the Salaries and Remuneration Commission. The President now seeks the approval of the nominee by the House, pursuant to Article 252(B) of the Constitution.

Hon. Members, Standing Order 45 provides that upon receipt of the notification of nomination for appointment, such nomination shall stand committed to the relevant Departmental Committee for consideration.

In this regard, I hereby refer the message from His Excellency the President, together with the curriculum vitae and other testimonials of the nominee, to the Departmental Committee on Labour for consideration. It is important to note that whereas Section 8 of the Public Appointments (Parliamentary Approval) Act, Cap 7F, requires the Committee to which such nomination is referred to consider the matter and table the report to the House within 28 days, Section 711 of the Salaries and Remuneration Commission (SRC) Act, Cap 412D, provides for a shorter period being 14 days.

In this regard, the Committee is expected to undertake the approval hearings and submit its report within the timeline of 14 days as provided by the Salaries and Remuneration Commission (SRC) Act, Cap 412D. Conscious of the fact that the 14<sup>th</sup> day falls within the period when the House will be on short recess, I direct the counting of the days ceases during the recess period and resumes when the House first sits after recess.

To this end, the Committee is expected to immediately commence their approval process, notify the nominee and the general public of the time and place for holding the approval hearing. Thereafter, upon conclusion of the approval hearing, the Committee should Table its report on Tuesday, 4<sup>th</sup> November 2025 to enable the House to consider the matter within the prescribed statutory timeline.

Thank you, Hon. Members.

Next Order.

## PAPERS

**Hon. Deputy Speaker:** Hon. Owen, on behalf of the Leader of the Majority Party, kindly give me a minute to recognise schools whose learners are present in the galleries. They have to leave early.

*(Several Hon. Members were upstanding)*

Hon. Members on their feet, I will give you a minute to take your seats.

Hon. Members, I wish to recognise learners from the following schools. They are seated in the Public Gallery: Olkiriane Secondary School from Narok South Constituency, Narok County; Christ the King Catholic Parochial from Embakasi East Constituency, Nairobi County; and, Ryan Academy from Kamukunji Constituency, Nairobi County.

Seated in the Speakers Gallery we have learners from Bishop Mahon Teacher's Training College from Turkana Central Constituency, Turkana County; and, officials from the Kenyan Network of Cancer Organisation, Starehe Constituency, Nairobi County. On behalf of the substantive Speaker and the entire House, I welcome you to the National Assembly.

Thank you.

*(Applause)*

**Hon. Deputy Speaker:** Hon. Owen, you may proceed on behalf of the Leader of the Majority Party to lay papers.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Deputy Speaker. On behalf of the Members of Parliament I welcome all the schools and guests to this honourable House.

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

1. The Annual Public Debt Management Report for financial Year 024/2025 from the National Treasury and Economic Planning;
2. Report to Parliament on all New Loans contracted by Government from 1<sup>st</sup> May 2025 to 31<sup>st</sup> August 2025 from the National Treasury and Economic Planning; and,
3. Annual Report of the Independent Electoral and Boundaries Commission (IEBC) for the period ended 30<sup>th</sup> June 2025.

I hope Hon. (Dr) Oundo will look for the New Loans contracted by Government from 1<sup>st</sup> May 2025 to 31<sup>st</sup> August 2025 from the National Treasury and Economic Planning Report and read it. I know he is one person who loves reading.

As I lay these papers, I would like to draw the attention of the Members to the first two Reports. Many times, we lay Reports and Members do not read them. These two reports, the Annual Public Debt Management Report and Report to Parliament on all New Loans contracted by Government 1<sup>st</sup> May 2025 to 31<sup>st</sup> August 2025, are very important. We should read them so that when we contribute to debate, we are aware of the contents of the new loans and public

debts. Hon. Members will not go to television stations to say things that are not in the loan book.

I beg to lay.

**Hon. Deputy Speaker:** Next Order.

## QUESTIONS AND STATEMENTS

### REQUESTS FOR STATEMENTS

#### PERSISTENT CONFLICTS FACING CONSTITUENTS OF NORTH HORR

**Hon. Speaker:** Hon. Aden Wario, Member for North Horr. Are you ready? You may proceed.

**Hon. Adhe Guyo** (North Horr, KANU): Hon. Deputy Speaker, pursuant to provision of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the persistent conflicts facing constituents of North Horr.

Since August 2022, the people of Shurr, Hawaie, Balesbura, Bisik, Sarimo and Qorqa communities in North Horr have experienced over 15 attacks by armed militia who reportedly reside in Loiyangalani and Laisamis sub-counties. These attacks have resulted in injuries, loss of lives, livestock, and destruction of property worth millions of shillings. It is disheartening that these increased attacks come at a time when the region has made significant progress in curbing and resolving inter-communal tensions as illustrated by peaceful co-existence between the Gabra, the Dasnach, and Borana communities which have had long-standing conflicts. Such progress has been made possible by inclusive dialogue between leaders and strengthening of traditional conflict resolution mechanisms. The persistent attacks have severely disrupted peace restoration efforts and significantly impacted development and economic activities in the area.

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

1. A report on the status of an investigation into the attacks against the constituents of North Horr particularly in Shurr, Hawaie, Balesbura, Bisik, Sarimo, and Qorqa communities, including the arrests made so far.
2. The long-term measures being implemented to restore and sustain long-standing security and peace and root causes of the conflict in the region.

Thank you.

**Hon. Deputy Speaker:** That stands committed to the Departmental Committee on Administration and Internal Security. Is any Member of the Committee here? Hon. Rasso, when do you anticipate to give a response?

**Hon. Ali Raso** (Saku, UDA): Thank you very much, Hon. Deputy Speaker. I come from the area and I am cognisant of what Hon. Wario has presented. As a Committee, we will give a response in two weeks.

**Hon. Deputy Speaker:** Before we move to the next Request for a Statement, I know a few Members have asked when shall we have the Petition relating to cancer read out. Hon. Nyikal, I will have it back in the Order Paper in a short while once its typing is ready. I know that some of our guests here, the Kenya Network of Cancer Organisation, actually want to witness the Petition being read out. So, it will be coming very soon.

Let us proceed to the next Request for a Statement by Hon. John Kaguchia.

#### DEMISE OF MR. SIMON WARUI IN POLICE CUSTODY

**Hon. Kaguchia John** (Mukurweini, UDA): Thank you, Hon. Speaker. Pursuant to Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the unfortunate death of Mr. Simon Warui while in police custody in Central Police Station, Mombasa County.

Reports indicate that Mr. Warui, a 26-year-old Kenyan citizen of ID No. 37118817 who went missing on 14<sup>th</sup> September 2025 in Umoja I area of Nairobi County, died under unclear circumstances while being held in a police cell in Mombasa. This incident has caused public outrage and raised concern regarding the reasons for transportation of Mr. Simon Warui from Nairobi to Mombasa, and the circumstances leading to his death.

There is possible negligence, excessive use of force, or lack of accountability within our policing system. Such incidents undermine public trust in the National Police Service and cast doubt on Kenya's commitment to upholding the rule of law, justice, and the sanctity of life as guaranteed under Article 26 of the Constitution.

It is deeply concerning that individuals placed under police custody for protection and due process of law sometimes end up losing their lives under circumstances that remain unexplained. This not only erodes public confidence, but also raises human rights concerns that should be addressed urgently.

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

1. Clarification on the circumstances under which Mr Warui disappeared from Umoja 1 Estate in Nairobi, the reasons for his detention, and isolation in police custody.
2. The official post-mortem findings on his death.
3. The status of investigations launched and the actions being taken against officers or agencies involved in the incident.
4. Measures taken by the Ministry to ensure greater oversight, transparency, and accountability in the management of police cells and treatment of detainees across the country.
5. Plans in place to guarantee that similar incidents do not recur, including strengthening internal disciplinary mechanisms and collaboration with the Independent Policing Oversight Authority (IPOA).

I also wish to note that Mr Simon Warui hails from Mukurweini Constituency, and this matter is of great concern not only to Kenyans but also to the people of Mukurweini Constituency, Nyeri County, and the nation at large.

**Hon. Deputy Speaker:** Chairperson, Departmental Committee on Administration and Internal Security, Hon. Raso.

**Hon. Ali Raso** (Sako, UDA): Thank you, Hon. Deputy Speaker. What is on the lips of Kenyans is the issue of police brutality and impunity. What is unacceptable is for people in lawful custody to die or be killed. We will respond to the House in two weeks.

**Hon. Deputy Speaker:** The next Request for a Statement is by the Member for Turkana County, Hon. Cecilia Ngetit.

#### WITHHELD KCSE CERTIFICATES FOR SECONDARY SCHOOL LEAVERS

**Hon. Cecilia A. Ngiti** (Turkana County, UDA): Thank you, Hon. Deputy Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Education regarding withheld Kenya Certificate of Secondary Education (KCSE) certificates.

It is always the hope of secondary school leavers that after four years of hard work and perseverance, they will obtain their KCSE certificates and get the opportunity to realise their dreams. However, thousands of students who sat for KCSE examinations dating back as far as 2013 remain stranded due to withheld certificates, mainly because of unpaid school fees.

This situation has become a major impediment to their efforts to continue with education or pursue employment opportunities that require presentation of the certificates. The most affected are students from less fortunate families, particularly among nomadic pastoral communities, who complete secondary education with huge school fees arrears.

In response to a growing number of complaints from students and parents who have been denied access to their certificates, the Ministry of Education issued firm instructions to all secondary schools across the country to release all pending KCSE certificates without the condition of clearing unpaid fees.

Through a circular dated 1<sup>st</sup> April 2025, the Ministry of Education directed all County Directors of Education to enforce the order without delay, emphasising that continued withholding of certificates contravenes the Kenya National Examination Council Act, Cap 214A. The directive is part of the Government's effort to protect students' rights and ensure that financial difficulties do not block their prospects, especially for those from poor backgrounds.

Regrettably, many Form Four leavers continue to be denied their certificates despite the directive from the Ministry.

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

1. Measures being taken by the Ministry of Education to ensure that all withheld KCSE certificates are released to affected school leavers, bringing an end to this longstanding problem and enabling them to continue with education or pursue employment opportunities.
2. Actions being taken by the Ministry of Education against any school that fails to comply with the directive on release of certificates, and to prohibit schools from withholding the documents for any reason.

Thank you.

**Hon. Deputy Speaker:** Chairperson, the Departmental Committee on Education, you seem distracted by the Deputy Leader of the Majority Party. A request for a Statement has been read out relating to the withholding of school certificates.

**Hon. Julius Melly** (Tinderet, UDA): Thank you, Hon. Deputy Speaker. I will bring the response in the next two weeks.

**Hon. Deputy Speaker:** The next Request for a Statement...

*(Hon. Gedion Ochanda spoke off the record)*

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

**Hon. Gedion Ochanda** (Bondo, ODM): Not really a point of order, Hon. Deputy Speaker. I only wish to add some emphasis as the Chairman was responding regarding the time within which they will respond. I wanted to mention a few things. First, if you look at how school fees are currently structured, the real issue is not fees as such, but money for food, particularly lunch programmes in day schools. The costs schools incur mainly cover food. If you put Government capitation aside, what remains is largely for meals. Now, the challenge is this: if the Ministry orders certificates to be released, those students and their parents will not have paid for the food they consumed, which was supplied by local vendors—those who provide vegetables, maize, and other items. This situation must be examined seriously. If

schools are ordered to release certificates without settling those debts, what happens to the suppliers?

Second, in some schools, once this directive was issued, parents became slower in paying even the meal contributions, because they know certificates will still be released. Balancing this is difficult. Certificates must be given out immediately after students complete school, but the issue of unpaid food debts remains unresolved. As the Chairman looks into this matter, I believe the Ministry must consider how to balance these contradictions.

Thank you.

**Hon. Deputy Speaker:** Tomorrow, we have the Cabinet Secretary for Education appearing before the House. Perhaps this can be raised as a rider question. Hon. Melly, you can address it when you bring the answer. Hon. Owen?

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Deputy Speaker. This matter has been before this House. I actually raised it earlier, and a decision was made and approved. There is already a circular to that effect. If the same question is raised again and a Statement is demanded, then calling the Cabinet Secretary to respond on something that already has a clear directive... I think the issue is not the decision itself but its implementation. The question should be: why is the Cabinet Secretary failing to implement an existing circular?

**Hon. Deputy Speaker:** The Member for Turkana, Hon. Cecilia Ngiti, has stated that schools are acting contrary to the circular. She has even quoted its date. We are fortunate that the Cabinet Secretary for Education will be here tomorrow. Hon. Cecilia can raise the matter as a rider so that it can be addressed conclusively.

**Hon. Owen Baya** (Kilifi North, UDA): What we will get is mere rhetoric. The Cabinet Secretary will explain himself and all that, but the problem will persist. I previously suggested in this House that we must delink tuition from examinations. They are handled by different entities. The Kenya National Examinations Council should have its own process, and results should be released directly to students, not to schools. We know schools only hold results because of unpaid fees. As Dr Ochanda rightly said, students must pay for meals, but what options do principals have to recover debts if students leave without paying? The only leverage they have is to withhold the results.

**Hon. Deputy Speaker:** We shall have the occasion to ask the questions tomorrow.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Deputy Speaker, if we distinguish examinations and tuition, we will get a panacea to it. Otherwise, it will just be the same vicious cycle. The same question will be asked and the same answer will be given, but nothing will happen. Our country should not move that way. We would like to see action taken on this matter. Hon. Melly should ensure it is enforced. Let him not just answer to some public utterances. He should ensure it is enforced so that students stop missing university opportunities because of fees.

**Hon. Deputy Speaker:** We will have a more productive discussion tomorrow as opposed to the speculation we are doing now, but we will definitely ensure we give permission to Hon. Cecilia. Let us proceed to the next Question.

**Hon. Rahim Dawood** (North Imenti, Independent)): On a point of order, Hon. Deputy Speaker.

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

**Hon. Rahim Dawood** (North Imenti, Independent): Thank you, Hon. Deputy Speaker. I agree with Hon. Baya. We should link the Kenya National Examinations Council (KNEC) to eCitizen and de-link it from the Ministry of Education to enable students print out their certificates instead of going to the schools to pick them.

**Hon. Deputy Speaker:** Thank you. Let us proceed to the next Request for a Statement by the Member for Wajir West, Hon. Yussuf Farah. Is he here? Oh, there you are.

STATUS OF OIL AND GAS  
EXPLORATION IN WAJIR COUNTY

**Hon. Yussuf Farah** (Wajir West, ODM): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Energy regarding the status of oil and gas exploration in Wajir County.

In 2014, an exploratory oil and gas drilling exercise in Wajir County indicated the presence of significant amounts of natural gas deposits, with preliminary estimates suggesting a potential of gas resources in Sala-1/Bogal area. However to date, the residents are yet to receive any information on the status of exploration or development of the resources identified. The affected communities remain uncertain on the developments, how the county stands to benefit from the exploration, and the safeguards in place to ensure transparency, environmental protection, and equitable sharing of potential revenues.

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

1. The status of oil and gas exploration in Wajir County, including appraisal results and any proven reserves.
2. Plans in place to develop oil and gas resources in Wajir County and how the plans fit into the country's energy strategy.
3. Measures being put in place to ensure residents benefit from the exploration.
4. Long-term plans put in place to ensure environmental safeguards and mitigation strategies to protect the ecosystem and livelihoods of area residents.

I thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Is the Chairperson of the Departmental Committee on Energy here? Give him the microphone.

**Hon. Lemanken Aramat** (Narok East, UDA): Thank you, Hon. Deputy Speaker. Give us two weeks to respond.

**Hon. Deputy Speaker:** Thank you. Next is Request for a Statement by the Member for Kwale County, Hon. Fatuma Masito.

UNPAID TERMINAL DUES FOR  
EMPLOYEES IN KWALE COUNTY

**Hon. Fatuma Masito** (Kwale County, ODM): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Labour regarding employees' payment of terminal dues and arrears and unfair labour practices by Amani Tiwi Beach Resort formerly known as Tiwi Beach Resort.

Hon. Deputy Speaker, Article 41(1) of the Constitution provides that every person has the right to fair labour practices that include the right to fair remuneration and the right to reasonable working conditions among others. Despite the above-stated constitutional safeguards, Amani Tiwi Beach Resort has allegedly continued to subject its employees to unfair labour practices. The Kenya Union of Domestic, Hotels, Educational Institutions and Hospital Workers (KUDHEIHA Workers), Ukunda Branch, has severally received complaints by staff of the resort on the violation of workers' rights, disregarding employment laws, unfair termination and non-implementation of the Collective Bargaining Agreement.

The union instituted legal proceedings against the resort in the Employment and Labour Relations Court of Kenya at Mombasa, under Case No.E032 of 2023. The Court ruled in favour of the union, directing that 133 employees who had been unlawfully terminated be paid their



terminal dues. Regrettably to date, the affected individuals have not received the payments as ordered by the Court.

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

1. A comprehensive report on steps taken to ensure that Amani Tiwi Beach Resort complies with the judgement made on 29<sup>th</sup> February 2024.
2. The reasons behind the continued failure by the hotel to pay terminal dues and arrears to the affected employees and an indication of when the payments will be made.
3. The measures put in place to provide appropriate redress and compensation to the affected employees for the unfair treatment and unlawful termination by Amani Tiwi Beach Resort.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Departmental Committee on Labour. Hon. Alice Ng'ang'a, how long will it take to respond to this Request for a Statement?

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Thank you, Hon. Deputy Speaker. Five minutes.

**Hon. Deputy Speaker:** Sorry?

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Five minutes. Is it a Request for a Statement?

**Hon. Deputy Speaker:** No. Hon. Masito has requested for a Statement from...

**Hon. Alice Ng'ang'a** (Thika Town, UDA): After two weeks!

**Hon. Deputy Speaker:** Yes. Two weeks from now.

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Thank you.

**Hon. Deputy Speaker:** It is actually the Chairperson of the Departmental Committee on Labour, Hon. Chonga, and not the Departmental Committee on Social Protection. Is he here? Anyway, Hon. Alice has given an undertaking on his behalf.

*(Hon. Omboko Milemba spoke off the record)*

Yes, Hon. Omboko. Are you giving an undertaking on behalf of your Committee?

**Hon. Omboko Milemba** (Emuhaya, ANC): Yes. Thank you, Hon. Deputy Speaker. On behalf of the Chairperson of the Committee, we are seriously concerned with the Request for a Statement. We shall give an answer in the next two weeks.

**Hon. Deputy Speaker:** Lastly, we have a request for a Statement by the Member for Nandi Hills, Hon. Bernard Kitur. I thought I saw him but he seems to have stepped out.

Hon. Members, as we wait for him, allow me to go back to Petitions and read the Petition because it is now ready.

**Hon. Aden Mohammed** (Wajir East, JP): Thank you, Hon. Deputy Speaker. I rise under Standing Order 44 (2) (c). On 4<sup>th</sup> June 2025, I requested for a Statement from the Departmental Committee on Administration and National Security regarding the scope of immigration at Wajir International Airport. To date, I have not received a response, and I would like to ask that the Committee provides one.

**Hon. Deputy Speaker:** Hon. Raso, the Member is referring to a Request for a Statement that has not been responded to. When do you plan to bring the response since it is overdue?

**Hon. Ali Raso** (Saku, UDA): Thank you, Hon. Deputy Speaker. We will have a tête-à-tête with the Member, and we will respond in one week.

**Hon. Deputy Speaker:** Hon. Members, I would like to re-order the Order Paper. We will first address Orders Nos. 8 and 9. After that, we will return to Petitions and proceed with the Requests for Statements.

## MOTION

### CONSIDERATION OF REPORT ON THE VIRTUAL ASSET SERVICE PROVIDERS BILL

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Virtual Asset Service Providers Bill (National Assembly Bill No. 15 of 2025).

*(Moved by Hon. Kuria Kimani on 2.10.2025)*

*(Resumption of consideration interrupted on 2.10.2025)*

*(Question put and agreed to)*

## BILL

### *Third Reading*

### VIRTUAL ASSET SERVICE PROVIDERS BILL (National Assembly Bill No. 15 of 2025)

**Hon. Deputy Speaker:** Mover.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I saw, at least, three Members led by Hon. Abdul, walking out when you were on your feet. When the Speaker is on their feet, Members should watch their movement.

Hon. Deputy Speaker, I beg to move that the Virtual Asset Service Providers Bill (National Assembly Bill No. 15 of 2025) be now read a Third Time. I also request Hon. Naomi Waqo to second.

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

*(Question proposed)*

**Hon. Members:** Put the question!

*(Question put and agreed to)*

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

## MOTION

### CONSIDERATION OF REPORT ON THE KENYA ROADS (AMENDMENT) (NO. 3) BILL

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Kenya Roads (Amendment) (No. 3) Bill, National Assembly Bill No. 34 of 2025.

*(Moved by Hon. TJ Kajwang' on 2.10.2025)*

*(Resumption of consideration interrupted on 2.10.2025)*

*(Question put and agreed to)*

## **BILL**

### *Third Reading*

KENYA ROADS (AMENDMENT) (NO. 3) BILL  
(National Assembly Bill No. 34 of 2025)

**Hon. Deputy Speaker:** Mover! Hon. Kaluma is not present.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, he requested me to do this for him.

I beg to move that the Kenya Roads (Amendment) (No. 3) Bill, National Assembly Bill No. 34 of 2025, be now read a Third Time. I also request Hon. (Dr) Nyikal to second.

**Hon. (Dr) James Nyikal** (Seme, ODM): I second.

*(Question proposed)*

**Hon. Members:** Put the question!

*(Question put and agreed to)*

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

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I beg your indulgence regarding Order No.10 on Committee of the whole House, on the Privatization Bill (National Assembly Bill No. 36 of 2025). I kindly request that we step this down for today because several Members have approached me about their need to file amendments. We should allow them until the close of business today to submit any further amendments concerning this Bill. Any Member wishing to file amendments must do so with your approval by the end of business today. We can consider this Bill at a later date.

**Hon. Deputy Speaker:** Leader of the Majority Party, allow the Clerk to read out the Order and then you can conclude on that point.

## **COMMITTEE OF THE WHOLE HOUSE**

THE PRIVATIZATION BILL  
(National Assembly Bill No. 36 of 2025)

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. I apologise for jumping the gun. As I indicated earlier, several Members have approached me and your office, expressing their wish to file further amendments on the Privatization Bill. Therefore, I invite all Members who wish to file amendments to do so by the close of business today for approval. We will revisit this business at a later time.

I thank you.

**Hon. Deputy Speaker:** Please, indicate the time and date.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): By the close of business today, 7<sup>th</sup> October 2025, up to midnight. After that, as they say, may you forever remain quiet or until we have another Bill touching on the same issue.

*(Bill deferred)*

**Hon. Deputy Speaker:** Thank you, Hon. Members. I hope that is clear. Let us go back to Petitions first before Statements because we have guests from the Kenya Network of Cancer Organisation. They have been here from the beginning to listen to their Petition. Allow me to read their Petition while they are still present, then we can return to our other business. It is only considerate to do so.

## PETITION

### ACCESS TO HEALTHCARE BY CANCER PATIENTS IN THE COUNTRY

**Hon. Deputy Speaker:** Hon. Members, Article 119 of the Constitution accords any person the right to Petition Parliament to consider any matters within its authority. Further, Standing Order 225 (2) (b) requires the Speaker to report to the House any Petition other than those presented by a Member to the House.

In this regard, I wish to report to the House that my Office has received a petition from the Kenya Network of Cancer Organisation (KENCO), which represents over 70 civil society groups and thousands of cancer patients in Kenya.

The organisation is seeking to highlight systemic failures experienced through the Social Health Authority (SHA), and to call for urgent reforms in the cancer care financing. Various challenges have been encountered by cancer patients through SHA in the following ways: reduced and inadequate cancer benefit packages, bureaucratic delays and system failures, poor communication and lack of transparency, service suspensions due to pending bills, overseas treatment policy changes, underfunding of SHA funds, and emotional and mental strain.

The KENCO further contends that the universal and fair health coverage remains far from a reality for cancer patients. It requires urgent reforms; otherwise, cancer patients will continue to experience needless delays, overwhelming costs, and unavoidable deaths.

The KENCO concludes by praying that the National Assembly does the following:

1. Ensuring an enhancement of oncology benefits, which was cut from KSh600,000 per individual under the National Health Insurance Fund (NHIF) to KSh400,000 per household under the SHA.
2. Commissions an independent audit of SHA funds, reviewing benefit structures, creating reforms for fairness and sustainability in cancer care financing, and ensuring adequate allocation of funds to the Primary Health Care Fund and the Emergency, Chronic, and Critical Illnesses Fund.

3. Makes any other order or direction it deems fit in addressing the plight of the petitioners.

Given the nature of the prayers sought by the KENCO, I hereby commit this matter to the Departmental Committee on Health for consideration, especially as the Committee is seized of similar matters. The Committee is required to consider the matters contained in the prayers of the organisation, conduct an enquiry, and report its findings to the House and to the petitioners.

Further, the Committee will also be expected to provide policy and legislative interventions to be actualised by the House to bring this matter, which keeps recurring, to a close.

As I conclude, I wish to recognise the presence of 10 officials of the KENCO seated in the Speaker's Gallery, and may I ask them to rise for the House to recognise them.

*(Members of the KENCO stood in their places)*

*(Applause)*

Thank you.

Yes, Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. First, allow me to thank KENCO for that very timely Petition. I must also commend you for committing that particular Petition to the Departmental Committee on Health. The issues that they have raised are very pertinent, and they will be better addressed by the specific Departmental Committee rather than the Public Petitions Committee.

I want to request that even as we consider those, and Hon. Nyikal, the Chairman of the Departmental Committee on Health, is here, he will bear me witness that at least in the recent past, we have done well to try and allocate further resources, especially to the Primary Healthcare Fund and the Emergency, Chronic and Critical Illness Fund. We have about Ksh21 billion, but that money is not enough. As a House that allocates funds to SHA, the Ministry of Health, and to other health facilities, we must help Dr Nyikal and the Ministry to allocate more resources to the Critical and Emergencies Fund, as it has been petitioned.

The treatment of cancer, diabetes, hypertension, and other critical illnesses falls under the Emergency, Chronic and Critical Illness Fund. Therefore, irrespective of how much is provided for under the mainstream SHA package, if we have further resources under the Emergency, Chronic and Critical Illness Fund, these patients can access more benefits.

I agree that the current package may seem generous, but the cost of treating cancer is extremely high, not only in our country but worldwide. We must do everything possible to support our cancer patients and ensure that the packages they benefit from at SHA are improved, perhaps increasing from the current Ksh400,000 to at least Ksh1,000,000.

I urge the Chairman of this Committee, Hon. Nyikal, to work expeditiously to ensure that he recommends the levels to the Ministry and SHA. Hon. Nyikal, being a medical doctor himself, is well apprised of these matters. Having served as Director of Medical Services, he understands how expensive cancer treatment can be.

He also needs to ensure that the cost of cancer treatment is standardised. Hon. Nyikal can tell you that the cost of chemotherapy in one health facility in the country, in the capital, in Nairobi, is prohibitively expensive as compared to a mission hospital out in our rural areas yet it is the same treatment; the drugs, treatment regimen, and variation. I would also ask Hon. Nyikal, along with his Committee, to look into this. We need to standardise the treatment so that it does not matter where you come from in this country. Whether you are in Nairobi,

Marsabit, Kwale or Kikuyu, you should receive the same level of treatment in our health facilities for cancer.

Once again, let me thank the cancer organisation for their boldness and diligence not only in speaking out there, but also in bringing your Petition to the right place. These Members here, who are not only your representatives, but also the people charged with the responsibility of having the power to pass, now have your Petition. It is in the right hands of Dr Nyikal. We will do all it takes to support your Petition and the enhancement of the cancer care facilities across the country. I know the Government has committed to building several cancer centres across the country, in Kisii, Meru, Nyeri, and many other places, and allocating more resources towards cancer treatment.

I thank you for your diligence and your boldness. You are great Kenyans. I thank you.

**Hon. Deputy Speaker:** Hon. Nyikal, maybe you can just confirm to them the time frame within which you hope to finish looking at their Petition. And also the assurance that they will have a chance to appear before the Committee.

**Hon. (Dr) James Nyikal** (Seme, ODM): Thank you, Hon. Deputy Speaker. I also thank KENCO for bringing this Petition. Even before I look at the Petition, from what you have read, I am aware that there is a discrepancy between the benefit package for cancer and the tariff thereof, and the cost of cancer in the country. The cost of treating cancer is much higher than the tariff.

In the Social Health Insurance Fund (SHIF), they are covered for inpatient care, but it runs out; therefore, it is expected that the Emergency, Chronic, and Critical Illnesses Fund should take over. As the Leader of the Majority Party was saying, we have put about Ksh8 billion in that Fund, excluding the Primary Health Care Fund. We need to examine why there are so many discrepancies in cancer treatment costs. Again, this Petition fits within the SHA issues that the Committee is now involved in.

In my view, it gives us a chance to address the issue of cancer and how it can be taken care of using the Primary Health Care Fund and the Emergency, Chronic, and Critical Illnesses Fund can be used to support the SHIF package. We are seized of this matter and will look at it. We will report to this House on what can be done about cancer and all other issues that relate to the Social Health Authority (SHA) in the provision of healthcare in the country. In fact, immediately after this, I will have an audience with them. Some Members are at the gate. We will address them on the process that this matter will follow within the Committee.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Makali, do you have a point of order?

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Thank you very much, Hon. Deputy Speaker. I just want to comment on this Petition. Let me join my colleagues in appreciating the Petitioners for this important Petition. I have a few observations.

I agree with those who are saying that we need to increase the budgetary allocation because this is the Budget-making House. More critically, this being a network of cancer organisations, we need to supplement the Government's efforts in encouraging Kenyans to go for cancer screening. As the saying goes: "Prevention is better than cure", so we need to encourage more Kenyans through the network to go for early testing and screening, so that we can treat cancer at the early stages.

I submit, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** In conclusion, I just want to assure our guests, the Kenya Network of Cancer Organisations (KENCO), that the matter is now within the Departmental Committee and we remain committed to improving the available care. Each Member has sworn to uphold the Constitution, including Article 43, which gives each Kenyan the right to the best possible medical care attainable. That is something that the House is committed to. We shall continue to work towards it.

Challenges with regard to a new programme are often unknown until implementation. We appreciate that you brought that feedback to the National Assembly. You have our commitment that we will continue to improve. As many of you know, I am a committed fighter against cancer and have held many medical camps in Uasin Gishu County. In fact, we have a big cancer walk on 18<sup>th</sup> October 2025 and you are all welcome to join us.

Hon. Members, let us go back to Statements. We only had one Request for a Statement remaining before we go to the responses. There was a Request for a Statement by Hon. Bernard Kitur, Member for Nandi Hills. Is he back? He is on his way.

**Hon. Dorice Donya** (Kisii County, WDM): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Donya, do you have a point of order?

**Hon. Dorice Donya** (Kisii County, WDM): Thank you, Hon. Deputy Speaker. I have presented three Requests for Statements on tea bonuses. To date, I am yet to receive a response from the Chairperson of the Departmental Committee on Agriculture and Livestock. I recently saw in the news that farmers were paid bonuses of Ksh10 per kilo. When I presented the Request for a Statement, the farmers had been paid bonuses of Ksh22. The farmers from Kisii and Western told me that, at least, they had someone taking care of their concerns. We are currently yet to receive a response, but the farmers have been paid bonuses of Ksh10 per kilo. The farmers are now blaming us as the cause of their bonuses reducing by half.

We have different types of workers such as teachers, nurses, and sex workers. Sex workers are paid more money than the tea bonuses given to our farmers. I urge our farmers to stop farming and go do whatever will generate higher income.

*(Hon. Owen Baya spoke off the record)*

I will not entertain any point of order as I am also on a point of order. We are aggrieved on this issue of tea bonuses. There is nothing to be proud of. The Cabinet Secretary for Agriculture and Livestock Development should come to the House and give us a response on why the tea farmers, especially those from Kisii, Kericho, and Western, were paid peanuts. In fact, they were abused. I have no better language to express my concerns about what they have done to our tea farmers. I need that response or else I will not leave this House. I will sleep here. The Chairperson of the Departmental Committee must answer.

**Hon. Deputy Speaker:** The Vice-Chairperson, Hon. Brighton, is here. Let us listen to him speaking on behalf of the Committee. The complaint is very clear. The Member has issued three Requests for Statements, which have not been responded to. Give him the microphone. He is already on his feet.

**Hon. Brighton Yegon** (Konoin, UDA): Thank you very much, Hon. Deputy Speaker. Hon. Donya's concerns are genuine. I also requested for a Statement on the same as an interested party. The Ministry issued a written response, which was also channelled to Hon. Donya. However, we were not satisfied with it. We had scheduled a meeting so that we could invite Hon. Donya and three other interested Members.

**Hon. Deputy Speaker:** Hon. Vice-Chairperson, since you and three other Members also requested for Statements and have not received them, maybe Hon. Donya can come up with a substantive Question and the Cabinet Secretary can come on a Wednesday and respond to it. There are now more than seven requests for statements.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Deputy Speaker, the Ministry responded in writing, but the answers were unsatisfactory. Therefore, we invited the Ministry officials to appear before the Committee. We also intended to call Hon. Donya and two other Members who had an interest in the same matter. It seems as though matters have been overtaken by events. Since this is a contemporary issue, we will still invite the Ministry, the Kenya Tea

Development Agency (KTDA), the Tea Board of Kenya, and other concerned stakeholders to appear before the Committee, so that we can address this issue accordingly.

**Hon. Deputy Speaker:** You can summon all the other stakeholders, but Hon. Donya is still at liberty to ask a Question for the Cabinet Secretary to answer on the Floor of the House.

**Hon. Lillian Siyoi** (Trans Nzoia County, UDA): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Siyoi, what is your point of order? Let Hon. Donya finish her contribution, then we can proceed.

**Hon. Dorice Donya** (Kisii County, WDM): Hon. Deputy Speaker, I thank Hon. Yegon. He said that the Ministry sent three vague written responses. I want to take this matter to the courts, which I believe will serve us better than the Cabinet for Agriculture and Livestock Development. I need lawyers, which Parliament has enough of. I do not need the Cabinet Secretary for Agriculture and Livestock Development. Hon. Kaluma is a capable lawyer.

I do not want to engage with the Cabinet Secretary for Agriculture and Livestock Development. Let us do it judicially, so that the farmers can get justice.

*(Hon. Owen Baya stood in his place and spoke off the record)*

**Hon. Deputy Speaker:** Hon. Siyoi was on her feet. She had already risen on a point of order. Hon. Baya, I am the only person who can give you the Floor. I am giving the Floor to Hon. Siyoi. Proceed, Hon. Siyoi.

**Hon. Lillian Siyoi** (Trans Nzoia County, UDA): Thank you, Hon. Deputy Speaker. I also rise to support that issue. The agriculture sector is doing well and we need to promote our farmers. Giving subsidies on fertiliser was a big win for the farmers. After what has happened, I have seen farmers uprooting their tea plantations. That is not a good indicator for the farmers or the country. I come from Trans Nzoia County, a maize-growing region. The biggest problem we have is the prices of our produce. Currently, harvesting is ongoing. The harvest is very good but at the end of the day we will have bad prices for our produce. We need to regularise this pricing. Now that we have given the farmers subsidy, let us give them the best price so that we promote the agriculture sector.

Thank you, Hon. Deputy Speaker.

**Hon. Owen Baya** (Kilifi North, UDA): On a point of order, Hon. Deputy Speaker.

*(Hon. Owen Baya rose in his place)*

**Hon. Deputy Speaker:** Hon. Baya, you should request to speak respectfully. You should not stand by force. That borders on bullying the Speaker. I will not allow you to do that. You have to apologise or else you will not catch my eye. You may prosecute your point of order in under a minute.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Deputy Speaker, I apologise.

**Hon. Deputy Speaker:** Hon. Baya, I know you as a gentleman so when you heckle I get worried.

**Hon. Owen Baya** (Kilifi North, UDA): I am sorry, Hon. Deputy Speaker. I support Hon. Donya to some extent. I would also like to grow coffee and tea in Kilifi County and I want better prices. But Hon. Donya should not cede the authority of this House to the Judiciary. She has said that since her Request for Statement has not been responded to in this House, she will proceed to court. She has a right to do that, just like anybody else here, but she cannot cede the authority of the House to the courts. That is not procedural. Hon. Deputy Speaker, you should ask Hon. Donya to withdraw that statement. She can go to court but she should not say that on the Floor of the House. We have three arms of government and that principle must be



protected by this House, the courts and the Executive. It is not proper that once your issue has not been responded to on the Floor of the House, you proceed to court. I would like to tutor Hon. Donya, who is a very good legislator, that she should not make Parliament look weak. Hon. Donya, I repeat, never make Parliament look weak.

**Hon. Deputy Speaker:** Hon. Baya, she is perfectly within her constitutional right to say that she wants to take that step. I also do not think that she is making Parliament look weak. The Committee and the Cabinet Secretary, by not responding to her Request for Statement, are the ones weakening Parliament. I do not think it is Hon. Donya. She is trying to make Parliament do its work.

I will give this chance to Hon. Kaguchia followed by Hon. Ng'eno.

**Hon. Kaguchia John** (Mukurweini, UDA): Thank you, Hon. Deputy Speaker. Hon. Baya is developing bad manners by gagging Members. Hon. Donya has every right to raise the issue of payment of tea bonus.

From the Government reports and statistics provided, I notice that the tea earnings increased from Ksh185 billion to Ksh215 billion. It is very shocking that even after such a huge increment this year, the farmers received less bonus. It is very important for us to understand where the difference in increment went to. Why did this increment not get to the farmers' pockets as it should be? I fully support that Hon. Donya's Request for Statement be responded to without any hesitation so that we can get a way forward on this matter. It seems that there are some people who are taking advantage of farmers. The Deputy Leader of the Majority Party could have some idea of what is happening. I suggest that next time, Hon. Baya should only stand when we are discussing issues to do with fish, not coffee and tea.

*(Applause)*

*(Laughter)*

Thank you very much, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Ng'eno, prosecute your point in a minute.

**Hon. Johana Kipyegon** (Emurua Dikirr, UDA): Hon. Deputy Speaker, I do not know if Members understand the gravity of this matter. Since the tea bonus was announced – about a month ago – there has been a lot of anxiety, especially from farmers in the southern part of Rift Valley and Western. The tea bonus for farmers in Nyamira, Kisii, Bomet, Kericho, Narok and Nandi counties is devastating. As we speak, most of the farmers are uprooting their tea. They have stopped the collection of tea in their regions. Some of them have declared that there is no more tea-picking and selling until this matter is settled. I do not think that summoning the Cabinet Secretary is enough. This House should take a very serious step and either form an *ad hoc* committee or something that can relook into this matter of tea bonus. Our farmers are suffering. People are now comparing the price of one egg to the price of one kilogramme of tea; or sex workers' earnings vis-à-vis tea bonus.

This matter is so grave. It should be dealt with the seriousness it deserves. The Vice-Chair of the Departmental Committee on Agriculture and Livestock is one of the victims. He is also suffering. It is time we requested this House to form a special committee that can look into this matter. Hon. Kaguchia mentioned that the bonus rose from Ksh185 billion to Ksh215 billion. It is not right that in this day and age, farmers earn a bonus of as low as Ksh10 per kilogramme yet picking tea and transporting it to buying centres is more expensive. As a House, we need to find a way of settling this matter once and for all.

Thank you, Hon. Deputy Speaker.

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

**Hon. Francis Sigei** (Sotik, UDA): Hon. Deputy Speaker, I stand, as Member for Sotik, to support Hon. Donya. Hon. Baya neither understands what it means to be a tea farmer nor their suffering. The Vice-Chair of the Departmental Committee on Agriculture and Livestock is one of the most affected. We share one factory with his constituency—Mogogosiek Factory which was paid Ksh12. There is a lot of pain and suffering among our farmers. My farmers in Sotik, Kapkatet and Boito are suffering. Something must be done. I am a farmer myself and I feel bad about what is happening. Farmers in our region were paid Ksh12 yet those in Central Kenya got Ksh60. Do we leave in the same country? Are we serving the interest of the suffering tea farmers—those who go to the buying centres from 7.00 p.m. until midnight then we pay them Ksh12? Where is our allegiance?

The KTDA must be disbanded. It is not our agent anymore. We are really suffering and something must be done. When Hon. Donya says that she will go to court, it is not because she likes it. It is because her people are suffering. Our people are equally suffering. The Government must do something. We cannot continue like this. As representatives of the people, we must do something. I support that we form an *ad hoc* committee to address this issue.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Members, I will allow more Members to contribute to this. Hon. Dickson Maungu, you had requested to speak but allow me to recognise our guests first before I give you the opportunity.

Hon. Members, I wish to introduce to you a delegation of the following senior citizens from Turbo Constituency who are seated in the Speaker's Gallery: Mr. Samuel Kimetto Kiprugut, Mrs. Magdalene Rugut and Mr. Julius Ngetich. I want you to give them a round of applause.

*(Applause)*

These are the parents of our First Lady, Her Excellency Rachel Ruto and they also vote for me. That is more reason why you should clap for them. Their Member of Parliament is Hon. Janet Sitienei who arranged for their travel here. You are welcome to the Houses of Parliament. *Karibuni.*

Hon. Maungu, did you still want to say something?

**Hon. Kangogo Bowen** (Marakwet East, UDA): On a point of order, Hon. Deputy Speaker.

**Hon. Dick Oyugi** (Luanda, DAP-K): Hon. Deputy Speaker...

**Hon. Deputy Speaker:** Hon. Kangogo, what is your point of order?

**Hon. Dick Oyugi** (Luanda, DAP-K): I have not said anything.

**Hon. Deputy Speaker:** Let me just allow him to go on with his point of order. It had better be relevant.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Deputy Speaker, what we are ventilating on is what Hon. Donya raised, that there was a statement she requested and the answers given were not satisfactory. Even if there were some Members who wanted to joyride on that point, it is maybe two or three, otherwise, there is no debate about tea on the Floor of the House. We are digressing too much from the Order Paper.

**Hon. Deputy Speaker:** I think as representatives of the people who deal with anything that concerns them, it is important for the public to know that we are concerned and that Members have raised concern or else we shall look like we are not empathising at all with their plight. However, let us keep it brief in under a minute. Hon. Maungu, then we have two more people. I will allow Chairman of the Departmental Committee on Agriculture and Livestock to say something and then we can close. Proceed.

**Hon. Dick Oyugi** (Luanda, DAP-K): Thank you, Hon. Deputy Speaker. I want to bring to your attention an act that was not Parliamentary. My sister, Hon. Donya, while trying to articulate her issue which was very right, moved to the dispatch table and threw a bottle of water towards Mhe. Baya targeting his head. That almost...

**Hon. Deputy Speaker:** Hon. Maungu, you are crying more than the bereaved. It is Hon. Baya who is bereaved and he has not said anything.

**Hon. Dick Oyugi** (Luanda, DAP-K): Had it been Hon. Baya had thrown it to Hon. Donya...He was intimidated. Are you protecting the female gender against the male gender? I felt that was an affront to the male gender in the House.

**Hon. Deputy Speaker:** He will speak for himself. He is always very articulate and loud. If he has not spoken, he has decided to hold his peace. Neither did the Serjeant-at-Arms notice. We shall proceed.

**Hon. (Dr) John K Mutunga Kanyuithia** (Tigania West, UDA): I am on the Floor.

**Hon. Deputy Speaker:** No, Hon. Mutunga you are last.

**Hon. Hilary Kosgei** (Kipkelion West, UDA): Thank you, Hon. Deputy Speaker. I join Members of the tea-growing areas in sympathising with this very grave payment that came. I congratulate Hon. Donya for being a true people's representative. The people of Kisii and Kericho where tea is grown deserve that their issues must be addressed. I support the forming of an *ad hoc* Committee of Parliament to investigate the tea chain, from the farm to the tea auction in Mombasa. There are cartels that have come back to the tea sector and are killing it.

I am requesting you to allow the formation of an *ad hoc* Committee that will look thoroughly into the issues and bring them to the Floor of this House for the purpose of Kenyans and to also give hope to the tea farmers of this country. Thank you.

**Hon. Deputy Speaker:** Hon. Wangwe, you had a point of order. Now you have moved away from your desk. I should give Hon. Mutunga a chance.

*(Hon. Dorothy Muthoni spoke off the record)*

Hon. Dorothy, I will give you a chance. Do so briefly under one minute and then Hon. Mutunga.

*(Hon. Rahim Dawood spoke off the record)*

I think she will speak for you. You are from the same region.

**Hon. Dorothy Muthoni** (Nominated, UDA): Thank you, Hon. Deputy Speaker. Kudos to Madam Dorice Donya for bringing this very important statement to this House. This is a matter of national importance. In the tea growing areas, Meru being one of them, farmers there are not only crying, but they do not even know how they will repay the money they had borrowed to take care of their tea farms. I join Members who have said we establish an *ad hoc* Committee that will investigate this matter thoroughly until we put it to rest, starting from the farmer to the tea factories up to the auction to establish where the farmers' money went. We cannot sit here and...

**Hon. Deputy Speaker:** Hon. Brighton, switch off your microphone.

**Hon. Dorothy Muthoni** (Nominated, UDA): We can not sit here and destroy the good work that our Government is doing. Subsidised fertiliser is already with the farmers, but somewhere along the way, farmers do not get value and returns for their sweat. This is very sad and I join other Members in saying let us do thorough investigations. Thank you.

**Hon. Deputy Speaker:** Hon. Dawood, you are the last one I will allow to speak on this topic. Make it in under a minute. Hon. Members and Hon. Bowen, the reason I allowed it is

because at the moment, I know many tea farmers who are bordering on suicide, in depression and hospitalised, because they have suddenly lost all their life savings.

**Hon. Rahim Dawood** (North Imenti, Independent): Hon. Deputy Speaker, my point of order was for Amb. Sigei when he said the Central region is getting the most, but he should know that even in Meru there are tea factories which are getting Ksh25. You should not balkanise us that as Central, we are getting the most. We get Ksh50 or Ksh25. There is a disparity everywhere. I request you to ask Hon. Sigei to withdraw the remarks he made regards Central getting more.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Mutunga. What is your point of order, Hon. Kaluma and Hon. Wangwe? Hon. Wangwe was the one to go first.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Hon. Deputy Speaker, there is a difference between Central Kenya, Eastern Region and Mount Kenya Region. My brother is referring to Central Kenya and yet he is talking of Meru, which is in Eastern Region. The debate was about Central Kenya. Meru is in Mount Kenya Region, but not Central Kenya. The provinces as arranged initially do not include Meru. Meru is in Upper Eastern.

**Hon. Deputy Speaker:** Hon. Mutunga, let me allow you to put closure to this. Make it brief.

**Hon. (Dr) John K Mutunga Kanyuithia** (Tigania West, UDA): Thank you very much, Hon. Deputy Speaker. To my very respected friend, Hon. Kaluma, it is important for you to know that the centre of Kenya is Isiolo which is next to Meru. That is if you look at Kenya from all corners.

Hon. Donya asked a question and it was answered. However, she and many of us felt it was not sufficient and then we requested for a further explanation of the answer. The answer has still not satisfied most of us here. Tea is grown in 19 counties in this country. As we speak, we should speak hope to the farmers. It takes about three years for somebody to start picking tea and about seven years for someone to optimally benefit from a tea bush. When we watch farmers uproot tea up to the roots and not just cut at the surface, we need to speak hope to them because all is not lost.

One or two of us have said that we should do away with the Kenya Tea Development Agency (KTDA). I have absolutely no linkage with the KTDA. I pronounce myself on that. But, let me tell you and this House something. The KTDA is lauded as the best smallholder tea management firm in the world. It is quoted in the East, North and South. Therefore, we should not destroy our best. We should explore what the problem is. We had problems in coffee and we formed a coffee caucus. I urge Members in this House to come out strongly and form a tea caucus to look into the issues affecting tea pricing in different parts of this country. I think that is the best approach because a caucus will be lifelong; it will not be a one-off activity.

Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Members. We will now continue with Statements. This is the third and last time I am calling out for the Request for Statement by the Hon. Bernard Kitur.

## REQUEST FOR STATEMENT

### EXTENSION OF ELDORET-SHAMAKHOKHO ROAD

**Hon. Bernard Kitur** (Nandi Hills, UDA): Thank you, Hon. Deputy Speaker. Pursuant to the provisions...

**Hon. Deputy Speaker:** No. First, apologise.

**Hon. Bernard Kitur** (Nandi Hills, UDA): I sincerely apologise, Hon. Deputy Speaker. I stepped out. I did not know my turn was coming that fast. Sincere apologies for that.

Pursuant to provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the expansion of the Eldoret-Shamakhokho Road.

The Eldoret-Shamakhokho Road is a major transport corridor which links Eldoret to Kisumu, and serves as a key route for the movement of goods and passengers between the North Rift and Western Regions. The road, which was designed in the late 1960s, is no longer able to cater for the volume of traffic between the two regions. This has led to frequent congestion and has been reportedly linked to the rise in road accidents, some of which have resulted in fatalities. The Eldoret-Shamakhokho Road is important for trade, transport and regional connectivity. It is imperative that the Ministry of Roads and Transport enhances its capacity and safety of the motorists.

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

1. Immediate measures that the Ministry has taken to ensure that the Eldoret-Shamakhokho Road can adequately handle the increasing traffic volumes.
2. Expected timelines for expanding the Eldoret-Shamakhokho Road to support the fast-growing volume of traffic.

Thank you.

**Hon. Deputy Speaker:** Chairperson for the Departmental Committee on Transport and Infrastructure, are you here? I can see you, Hon. GK. When will you respond to the issue of the Eldoret-Shamakhokho Road?

**Hon. George Kariuki** (Ndia, UDA): We will respond in two weeks' time.

**Hon. Deputy Speaker:** Okay, thank you. We still have two other Statements which are not on the Order Paper but had been approved – a Statement by Hon. Alice Ng'ang'a on National Youth Opportunities Towards Advancement (NYOTA) Project, and another a Statement by the Hon. Ruweida of Lamu. Proceed, Hon. Ng'ang'a.

## STATEMENTS

### LAUNCH OF NYOTA PROJECT

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Thank you, Hon. Deputy Speaker. Pursuant to the provisions of Standing Order 44(2)(d), I wish to make a statement apprising this honourable House on the launch of the National Youth Opportunities Towards Advancement (NYOTA) Project.

His Excellency the President, having determined that the youths are the future of this great nation, has launched the second phase of the NYOTA Project. This initiative stems from the President's desire to empower the youths of this country through various approaches, including supporting of start-up businesses and other ventures. Having noted that the first phase of the programme had not reached the intended youths in the grassroots and villages across the country, the President launched the second phase last Friday, 3<sup>rd</sup> October and further directed that NYOTA be rolled out yesterday in all the 47 counties. The President's objective in the second phase is to reach vulnerable youths from remote areas and ensure that equity is achieved with all areas being represented.

The NYOTA Project is a five-year Government of Kenya initiative financed by the World Bank Group. It is expected to invest a total of Ksh5 billion shillings during the five years of funding. It seeks to enhance youth employability, employment opportunities and saving culture among vulnerable and unemployed youths across the country. The project is

coordinated by the State Department for Youth Affairs and the Creative Economy, and implemented through a multi-agency framework involving National Industrial Training Authority (NITA), National Employment Authority (NEA), the Micro and Small Enterprise Authority (MSEA), National Social Security Fund (NSSF), and the State Department for Labour and Skills Development.

The NYOTA Project aligns with Vision 2030, the Bottom-Up Economic Transformation Agenda (BETA), and the National Youth Development Policy (NYDP), positioning youths as key drivers of economic transformation. This project targets 820,000 vulnerable and unemployed youths aged between 18 and 29 years and up to 35 years for Persons with Disabilities, with form four education and below. The project's overall goals are to:

1. Address youth unemployment and under-employment.
2. Expand income-generating opportunities.
3. Foster savings and entrepreneurship.
4. Build long-term economic resilience through youth-led growth.

The National Youth Opportunities Towards Advancement (NYOTA) Project will be delivered through four integrated interventions. These include: Improving youth employability, business enterprise support, youth savings support, and support for employment system and digital employment.

This programme will also undertake the Master Craftsmen onboarding and mobilisation. Here, a nationwide Master Craftsmen onboarding exercise will take place from 6<sup>th</sup> to 17<sup>th</sup> October 2025. This programme aims to identify skilled artisans across all counties, sensitise them on NYOTA Project, and facilitate youth transition to employment post-apprenticeship. Given that most NYOTA beneficiaries will work in the informal sector, Master Craftsmen are critical to linking training with employment.

Following the directive by the President, the Ministry of Youth Affairs, Creative Economy and Sport will conduct a second countrywide youth intake from 6<sup>th</sup> to 12<sup>th</sup> October 2025. This will be done to reach vulnerable youth from remote areas and balance county representation. The following are the targets per each intervention:

1. Under the on-the-job experience, 62 youths per ward are to be enrolled.
2. Under business support, 70 youths per ward are to be enrolled.
3. Under the recognition of prior learning, 130 youths per county are to be enrolled.

We urge the youths of this country to take advantage of the six-day window to enrol and be on-boarded with the project. It is the opportunity of a lifetime. To apply, youths ought to dial \*254# and select NYOTA.

The President has adopted a whole-of-government approach and directed all Principal Secretaries to spearhead a national-wide grassroots leaders sensitisation programme of the project in all 47 counties that began yesterday. Additionally, he has sought the involvement of all leaders from Executive, Legislature and county governments. He has urged them to be engaged and involved in mobilisation and sensitisation of youth and other stakeholders. This will ensure smooth delivery of the project and its successful implementation, and give sufficient chance to every young person to benefit from the Project.

In conclusion, the NYOTA Project is a flagship Presidential directive, and a cornerstone of the government's commitment to addressing youth unemployment and promoting inclusive economic growth. With the support of this House, we can empower our young people with the skills, opportunities, and financial tools they need to transform their lives and contribute meaningfully to national development. Your goodwill and support in the mobilisation will be critical to ensuring its success and sustainability. I conclude by appealing to Hon. Members to mobilise and link up Master Craftsmen in their respective constituencies with the Sub-County

Youth Development Officers, and in reaching out to the youths targeted at the ward and county levels, in support of this noble exercise.

Thank you.

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

*[The Temporary Chairman (Hon. Omboko Milemba) in the Chair]*

*(Loud consultations)*

**The Temporary Speaker** (Hon. Omboko Milemba): Order, Hon. Members. Can we have order in the House? There is a meeting in front of the Clerks-at-the-Table. Can it end?

*(Loud consultations)*

Order, Hon. Members. Is this a Kenya Women Parliamentary Association (KEWOPA) meeting? Dissolve it, please. The Statement which has been given by the Chairperson of the Departmental Committee on Social Protection should be of great interest to you, Hon. Members. The NYOTA Project is in your constituencies. I know that there are Hon. Members who do not even know those who are benefiting from the it, the ones who are not benefiting and the proper choice of the beneficiaries.

Therefore, let me allow two reactions on this Statement. It should interest you. Let me give the first chance to the Member for Kiambaa because he was the first one to express interest. Proceed.

**Hon. Njuguna Kawanjiku** (Kiambaa, UDA): Thank you, Hon. Temporary Speaker. Let me take this opportunity to contribute to comment on the Statement as I congratulate the Chairlady of the Departmental Committee on Social Protection, Hon. Alice Ng'ang'a, for that Statement. I also congratulate her for making sure that we are able to start implementing the NYOTA Project that the government has initiated, especially to benefit the youths from constituencies.

In every ward, there will be 70 beneficiaries, each of whom will receive about Ksh50,000 to help them ensure that their businesses are enabled. It will also facilitate them by making sure that they are able to procure and support their businesses. The government has been supporting many programmes that are, in one way or the other, associated with young people. However, it is accused of not supporting young people. We call up on all the young people, wherever they are within the Republic of Kenya, especially in the five wards of my constituency, to grab this money and set up small businesses. This is an opportunity for young people who run small businesses within the wards and constituencies like art and craft, farming and agribusinesses.

Many people are saying that Ksh50,000 is little. However, Ksh5,000 or Ksh1,000 can completely change the lifestyle of a young person within the constituency as long as they know what they are doing. Therefore, we call upon the young people within the Republic to take the money because it has been disbursed. This is their time to grab this opportunity so that they support their businesses.

I support the Statement, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. Hon. Maungu.

**Hon. Dick Oyugi** (Luanda, DAP-K): Thank you very much, Hon. Temporary Speaker. Allow me to join my colleagues in recognising that the NYOTA Project is very creative and enabling. However, we have a few challenges in regard to how these recruitments are being done.

We need to have about 70 young people in every ward. How will they be identified? Recently, we had officials from Nairobi who came down at the constituency level to train the young people, so that they could be empowered. However, identifying these people was a challenge because some of them applied in the right way but they are based in Nairobi, and not at home. Identifying them so that they could attend the project's training was a challenge. It is good that Members of Parliament are also involved in this project, so that we can identify, whip and encourage young people who are entrepreneurial in nature to access the funds. My only concern is how the young people are being identified and recruited so that the programme can help them.

I believe that if young people are empowered by Ksh50,000, it will go a long way in enabling them to do whatever kinds of businesses they deserve.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. KJ

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Temporary Speaker, I must thank you for prompting Hon. Members to be attentive and listen to what Hon. Alice Wambui has said in this House today.

There is a saying that says we never inherit the world from our ancestors; we borrow it from our children. The children we are talking about are young people at a time of great turmoil, disruption and when we are having the conversation on Generation Z. We may never blame our youths for some of the things that we see, if we are not stepping up to the plate and offering the opportunities that are available to our people.

A sum of Ksh5 billion has been allocated to NYOTA Project to be absorbed by our young people, which is a great initiative. I call upon every leader to go back to their villages, mobilise the young people and let them know that if they are between 18 and 29 years, here is a great opportunity for a very underserved population, even among the youth. We have some elite youths who have graduated from universities and colleges. However, this one is specific to Form 4 leavers who have not benefited from any other government programme.

Finally, I must thank the President for tidying up funding within the youth space. There has been so many efforts seeking to alleviate the problems that young people face. If, we, as the leadership, take this NYOTA Project as seriously as we should, we are going to have an affordable housing moment, Social Health Authority (SHA) moment and a great moment on funding that is available to young people, skills training, job development and even recognition of prior learning for those who are not satisfied. To the people of Dagoretti South Constituency, if you are between 18 and 29 years old, and a Person with Disability (PWD), you are being called upon to step up to the plate and dial \*254#. Please, register in this Project.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. You have made your point.

**Hon. John Kiarie** (Dagoretti South, UDA): I must thank Hon. Alice Wambui for bringing this Statement to the House.

Thank you very much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): To the two Hon. Members whom I will give a chance to contribute, make it very short. This is not the main business we have today.

Before then, allow me to acknowledge the presence of the following schools in the Public Gallery:

1. Ewangan Primary School from Kajiado East Constituency, Kajiado County.
2. Ewangan Junior Secondary School from Kajiado East Constituency, Kajiado County.

Let me call upon the Member for Kajiado East Constituency, Hon. Kakuta Maimai, to welcome these students. Is he in the House?



**Hon. Kakuta Maimai** (Kajiado East, ODM): Yes.

**The Temporary Speaker** (Hon. Omboko Milemba): Please give him the microphone.

**Hon. Kakuta Maimai** (Kajiado East, ODM): Hon. Temporary Speaker, thank you for giving me the opportunity to welcome our students from my constituency to the House of Parliament. I would like to encourage and welcome them to this supreme House.

We are very grateful to have you here. I am very happy because our teachers brought these students to expose them to Nairobi City, as well as the National Assembly. These students come from very remote villages in my constituency. I would like to encourage them to study hard because the sky is the limit. If they do so, it is possible to eventually have one of them here. Welcome. *Karibuni sana*. Study hard. As your Member of Parliament, I will continue to work hard to make sure that you have good infrastructure and a conducive learning environment that will make you leaders of tomorrow.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Oundo.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Temporary Speaker. Let me also comment on the NYOTA Programme. Our youth in this country who did not have the ability to go to universities and the premier colleges and those who are disposed towards entrepreneurship and business have been routinely left out. Uwezo Fund and the Youth Enterprise Fund have been good. Any addition that enables them to acquire skills and give them entrepreneurship training, that enables them to make good in business and entrepreneurship should be a welcome process.

Let us be factual to the people of Kenya. This Programme was rolled out in May and boys and girls registered through Safaricom. Because of corruption of the data, the process is being repeated. The mistake is happening again. We are going through the same service provider without having an alternative.

I can tell you, for example, that when the training was conducted in Funyula, about 70 percent of the participants were not boys and girls from Funyula Constituency. This is because when they were asked to fill where they come from, anybody from anywhere would fill. Quite a number of those who were supposed to attend did not come because when they were called, some said they were in Mombasa, some in Lunga Lunga and some in Nairobi. So, it defeats the process of identifying local boys and girls between the ages of 18 and 29.

I urge again, whichever State Department is given this responsibility, to rethink clearly. Whoever indicates on Safaricom that they come from a particular area may not necessarily come from that particular area. We therefore urge that the government looks at the entire process of identifying these young people so that it can only benefit the locals at the local level.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Hilary. I think you may be the last one because that is not the main business today.

*(Loud consultations)*

**The Temporary Speaker** (Hon. Omboko Milemba): Order, Hon. Members. In fact, be reminded that it was I who brought NYOTA to the attention of Members. So, please, treat me with a lot of kindness.

Proceed, Hon. Hilary.

**Hon. Hilary Kosgey** (Kipkelion West, UDA): Thank you, Hon. Temporary Speaker. We are treating you with a lot of kindness. This is a very serious matter of national importance. Since we got elected, the idea of our impatient youth has been always a cry for them to be given an opportunity to do business. Now this idea has provided itself perfectly through this World Bank-sponsored project of NYOTA. The constituency where I come from has four wards. And

in every ward, 75 youth are supposed to get this business support of Ksh50,000. This means that 300 youth will get a whopping Ksh15 million to do start-ups or to expand existing businesses.

So, this is an online application that knows your identity card and the ward you come from, and the constituency you come from, immediately you enter. The business of Members of Parliament is to mobilise our youth to register within that age bracket and to answer simple guiding questions. After dialling \*254#, they go to the NYOTA option on number 4, and it guides them on where to go. This is a project that is estimated to last for five years at a cost of Ksh20 billion.

All we are asking the World Bank is to now start using local consultants. The World Bank is being unfair to our local consultants in this project. It approves very fast foreign consultants and takes a lot of time – between 7 and 11 months – to onboard local consultants. These are the local consultants who are supposed to be available in every part of the constituencies and every part of the Country.

I ask the young people of Kipkelion West to enrol today.

**The Temporary Speaker** (Hon. Omboko Milemba): Make it brief. Okay, I will give a few more, but make it very brief. Take one and a half minutes. Hon. Mayaka, be very brief.

**Hon. Irene Mayaka** (Nominated, ODM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to also add my voice on the NYOTA Programme. The first thing that I really want to encourage the youth of this country to do is to register since a USSD code is being used. So, it makes the process very easy. There are three very important aspects of this Programme. There is the programme for 70,000 youths who are going to be trained on the job. There is the one for 100,000 youth who can get access to 50,000 for businesses. There is a programme for 600,000 youth to be trained on how to use AGPO and the procurement process.

I want to encourage the young people of Nyamira County and the whole country at large to take advantage and access these services as soon as they are able to. This is because in this time and age where there are no jobs available, we want to encourage the young people to also own their own businesses and become their own employers and be able to have their own projects to work out there.

With those few remarks, I support this Programme.

**The Temporary Speaker** (Hon. Omboko Milemba): Yes, Hon. Member.

*(Loud consultations)*

Let him proceed.

**Hon. Josses Lelmengit** (Emgwen, UDA): Thank you, Hon. Temporary Speaker. I thank the President for coming up with this NYOTA Programme where at least the youth of this country will get an opportunity to do business. This programme covers youths aged between 19 and 35 years. I am excited because yesterday we had a programme for updates on the same NYOTA Programme in Kapsabet, which was led by the Principal Secretary, Dr Belio in Nandi County. This is an opportunity for our youth who are young entrepreneurs to at least follow the steps and ask for funding.

Most of the time the youth say they do not have capital. But this is a chance. You start small as you grow your business. So, I want to ask all the youth out there, especially in Emgwen constituency where they had registered close to 1,700. Just register. You have an opportunity between now and 12<sup>th</sup> of this month. You register through that NYOTA programme and answer simple questions on the aptitude test. When you follow, that is a nice way of choosing and determining who is going to become a beneficiary.

Finally, I thank the Ministry for using the technology. Right now, in this digital space, we need to use technology, get the data correctly so that we can choose the correct people who will qualify for it.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Bisau, one minute.

**Hon. Bisau Kakai** (Kiminini DAP-K): Thank you, Hon. Temporary Speaker. The intention of NYOTA is very good, but the process, the selection... The use of USSD is correct. What is very critical is to ensure also that the grassroots leaders, the people's representatives, are involved. Here we are looking at the Members of County Assembly (MCAs), the Member of Parliament, so that we can have it successfully implemented.

To sum it up all, yes, the Government is doing what is correct by supporting our youth. Despite the good intention, we have to ensure that the entire cycle is well articulated and well maintained through the local leadership. I also want to encourage the youth in Trans-Nzoia to go ahead and register. I know the process took place two days ago with no involvement of the local leaders. But I think now that the issue has been opened up, we encourage them to ensure that they get out good numbers and ensure that actually they apply so that they can get capital to do their businesses.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Basil, one minute.

**Hon. Robert Basil** (Yatta, WDM): Thank you, Hon. Temporary Speaker. I want to join my friends to support this initiative. The NYOTA Programme is one of the best programmes, particularly when it comes to seed capital for the young people all over the country. We need to align this NYOTA Programme with Technical and Vocational Education and Training (TVET), so that those who are trained from TVET can use the money to apply the skills acquired in TVET institutions.

I also want to take this particular moment to encourage youth from Yatta Constituency to register. Considering that I have Wi-Fi hotspots in my constituency, this is a good moment for the youth to use this opportunity to apply for NYOTA money. The only concern I have is the criteria used to select beneficiaries. We need to make it as explicit as possible and sensitise as many youths as possible so that they can benefit from this great initiative, which is going to build the resilience of so many young people who are grappling with unemployment.

Thank you, Hon. Temporary Mr. Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. Engineer.

**Hon. Thuddeus Nzambia** (Kilome, WDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I will be very brief on this matter. I would like to encourage the youths and tell them that this Fund can really help them and ask them to be very honest because you remember the Hustler Fund issue, what really happened. Most of the people who applied, the young ones, never refunded the money and most of them went underground. They will now not have an opportunity to benefit from the NYOTA fund because I have seen it, it is clear that if you truly applied for the Hustler Fund and never refunded the money, it means you will not benefit from this Fund. So, I do not know how we are going to handle the matter so that even those who benefited from at least Ksh500 can refund the same and benefit from this Fund, which is Ksh50,000.

The same problem has also affected our UWEZO Fund because most of the groups which benefited from this Fund, from seven or eight years ago, before some of us came to Parliament, most of them wound up the groups and they never refunded the same. So, we find we have a lot of problems getting the revolving fund moving forward. Therefore, I would advise the young generation to be also very positive on this Fund and make sure that they are also disciplined when it comes to refunding the money.

Thank you.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well, Engineer, you have made your point. Hon. Millie is the last one to speak on this matter. We will then move to the next Order because I have given sufficient time for Members.

Proceed.

**Hon. Johanna Kipyegon** (Emurua Dikirr): Thank you, Hon. Temporary Speaker. I would also like to weigh in on this particular matter knowing very well that we have passed the age limit of youth but we normally carry along our youths in our constituencies. Sometimes the biggest problem that we have in our constituencies, in our villages, in our counties is the question of unemployment, and especially unemployment amongst the youths who never finished university and those who never went to college, where the only opportunity they have is either to be recruited by the National Police Service, Kenya Defence Forces (KDF), Kenya Prison Service, et cetera. You know how limited those opportunities are. This programme comes in a long way to assist our youths who are unemployed, our youths who are within that average age, and those are the most vibrant youth. We have tried so many things in this country. We have tried UWEZO Fund, an empowerment initiative that is on-going currently, and so many others, but this one is the most supreme. We have even tried the Hustler Fund, but most of the people who benefited threw away the mobile phone SIM cards they used to access the money and disappeared with the money. This initiative will go a long way to help the youths. The program is giving a good amount of money that will help our youths to do business and prosper in life.

I support in totality and ask our youths to enrol.

**The Temporary Speaker** (Hon. Omboko Milemba): Lastly, Hon. Millie. Allow me to close it there, Members. As a moderator, I think we have given it enough time.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Thank you, Hon. Temporary Speaker for giving me this opportunity. May I take this opportunity to add my voice in appreciating the programme as a very good initiative. I had actually initiated a similar programme in my constituency called “My Time”, which is called the Mbita Youth Training, Innovation, Mentorship and Entrepreneurship Programme. The only difference is that NYOTA has more money than I have, and so it will actually go a long way in achieving the objectives that I had for my youths. One of the things I like about it is the component of training of young people and acknowledging the fact that we have very many young people who have finished high school and some even have gone up to university and do not have jobs. For a lot of the young people in the past, we relied on formal employment but we must learn that given the way the economy is doing, we will be relying a lot more on self-employment by the youth.

I think one of the things that this Programme needs to focus on very strongly is the issue of monitoring so that the money is not wasted. An amount of Ksh50,000 may sound very little to some of us but to a young person, that is a lot of money. My deputy is telling me that some of the money will be used on *jaba*. I wrote yesterday that there is a song in the Luo community called *chamo chamu jaba nindo*. The musician swallows *jaba* and sleeps. There is a musician who is crying. The wife has left him, and the only thing he can take is *jaba*.

Hon. Temporary Speaker, if we do not train our youth so that they know that this is their future, then it might go the same way that the other funds have gone. How I wish that the other funds could be consolidated into something like this – especially the initiatives that affect the youth. I wish too that would give priority to young women, because there is a presumption that when you say youth, that youth is male. We do not usually think that there are youth that are also women, but I also wish that we could do something similar for women, so that it is not only loans but that we also enhance the grant for women. This is because a lot of times people struggle to make a choice between giving money for business when a child is at home and is not able to go to school. Do you pay the school fees or do you do business? Otherwise, this is a good initiative. I thank Hon. Alice, who is also my classmate at Daystar University. We have

become young again at heart. We are doing very well in pursuit of PhD in Leadership and Governance.

With those remarks, I support the initiative.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. We now go back to Statements.

The last one will be by Hon. Ruweida.

## GENERAL STATEMENT

### EQUITABLE GOVERNMENT ATTENTION TO LAMU EAST

**Hon. Ruweida Mohamed** (Lamu East, JP): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 43 (1), I rise to make a General Statement on a perceived imbalance in the treatment of Lamu East Constituency, which for far too long has been left out of the national picture. Lamu East remains relegated to the margins, denied visibility, opportunities and even basic presence of State Departments, while the neighbouring Lamu West continues to receive preferential share of official visits, Parliamentary delegations and government services.

Hon. Temporary Speaker, this sustained neglect is not just a matter of oversight. It points at a deeper failure to uphold the principle of equity enshrined in our Constitution. Of greater concern is that even Committees of this House have, time and again, preferred to undertake its activities in Lamu West, leaving out Lamu East. In addition, all State Departments and government offices are stationed in Lamu West, excluding residents of Lamu East from direct access to key government services and development opportunities. The concentration of presence and activities in one part of the county has created a sense of exclusion and unequal treatment among the people of Lamu East. It is my view that the resulting imbalance between Lamu East and Lamu West runs contrary to the constitutional obligation of fairness and equitable development across all regions.

Hon. Temporary Speaker, as a House, we have a duty to ensure that the constituencies represented in this House do not feel sidelined. I also urge the Executive, the Judiciary, independent commissions and state corporations to give equal attention to Lamu East in their visits, programs and service delivery. I further implore Parliament, led by this House itself, to set the pace by ensuring that its committees and delegations deliberately extend their work to Lamu East, reaffirming the principle of inclusivity and national cohesion.

Thank you, Hon. Temporary Speaker. Ninaomba kuongezewa muda kidogo.

**The Temporary Speaker** (Hon. Omboko Milemba): Dakika moja tu.

**Hon. Ruweida Mohamed** (Lamu East, JP): Asante Mhe. Spika wa Muda. Sababu wanayotoa wakienda Lamu Magharibi ni ghali kusafiri. Lakini bado kuna watu wanaoishi huko.

Kamati nyingi zikizulu wanasema ni vigumu kwenda kule kwa vile wanaogopa bahari. Ninaomba Jumba hili la Bunge lichukue hilo jukumu. Wakija *for public participation* au kwa chochote kinachofanyika Lamu wapewe ndege aina ya helikopta iwasafirishe kule. Usafiri usikue sababu ya watu wangu kutofikiwa. Pia, wale wakubwa wa kata ndogo za Lamu Mashariki, kama Kashia, Mhasibu na wengine wote ambao hawakai eneo Bunge langu la Lamu Mashariki watoke ofisini ili watoto wetu waandikwe kazi. Isiwe wanakaa Lamu Mashariki na kwangu watu wanaumia. Mpaka sasa mtu wa kwangu akitaka kupata stakabadhi ya kuzaliwa, inamchukua Ksh8,000 kutoka Kiunga na Ksh3,000 mpaka Kizingitini kuja Lamu Magharibi ili achukue *birth certificate*. Inaniuma sana.

Mhe. Spika wa Muda, wewe ni mwalimu. Unajua madhara ya kutokua na cheti cha kuzaliwa. Wanafunzi hawajumuishi kwa *National Education Management Information System (NEMIS)*.

**The Temporary Speaker** (Hon. Omboko Milemba): Tafadhali, kuwa mfupi kwa sababu ni wewe mwenyewe uliyeandika ombi la Kauli. Tafadhali malizia.

**Hon. Ruweida Mohamed** (Lamu East, JP): Mhe. Spika wa Muda, ninataka wewe na watu wajue kuwa kama mwanafunzi hajaandikishwa kwa NEMIS hatapata pesa ya *capitation* na vitabu. Akikosa hivyo vyote na anafanya mtihamu mmoja na wanafunzi wote Kenya na majibu yatakuwa D-(Minus) ama E. Hayo matokeo yanachangia upotofu wa usalama. Asante.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Member, you had the opportunity to present all that in a request for Statement, and the House would still have appreciated the entire speech. Thank you.

Let us move to the next Order, which is the response to Statements. The first one we begin with is a response to Hon. Mark Mwenje, Member for Embakasi West, followed by Hon. Ali Wario, Member for Garsen, and Hon. Rahim Dawood, Member for North Imenti, by the Chairperson of the Department Committee of Defence, Intelligence and Foreign Relations, on the inclusion of various sub-counties in the upcoming Kenya Defence Forces (KDF) recruitment exercise. Is the Chairperson in the House? Proceed.

## STATEMENTS

### INCLUSION OF VARIOUS SUB-COUNTIES IN KDF RECRUITMENT EXERCISE

**Hon. Nelson Koech** (Belgut, UDA): Thank you, Hon. Temporary Speaker. I want to respond to the Member for Garsen, Hon. Ali Wario; the Member for Embakasi West, Hon. Mark Mwenje; and the Member for North Imenti, Hon. Dawood Rahim, respectively. Pursuant to the provisions of Standing Order 44(2)(c), they requested a Statement from the Cabinet Secretary for Defence concerning the upcoming Kenya Defence Forces recruitment. The Members specifically sought clarification on the following:

1. Inclusion of candidates from Tarasa and Kokane sub-counties in the upcoming Kenya Defence Forces recruitment programme.
2. The criteria used by the Kenya Defence Forces in designating recruitment centres in Nairobi City.
3. Inclusion of Imenti East sub-county in the upcoming Kenya Defence Forces recruitment.

Hon. Temporary Speaker, the Committee has engaged with the Ministry of Defence regarding the concerns raised by the Hon. Members. Therefore, I wish to respond to these issues as follows:

The KDF carries a constitutional mandate of safeguarding the sovereignty and territorial integrity of the Republic. To sustain this mandate, KDF regularly replenishes its ranks to offset attrition, expand units and integrate specialised capabilities. Recruitment is guided by the Constitution of Kenya, which mandates that national security organs reflect the nation's diversity and inclusivity, offering young citizens the opportunity to serve with discipline, patriotism, and pride.

The upcoming nationwide recruitment exercise is scheduled to commence on 13<sup>th</sup> October 2025, covering all 412 sub-counties over a period of two weeks, as provided for by the Ministry of Interior and National Administration. To uphold public trust, KDF has launched an online recruitment management system to ensure transparency, fairness and merit-based selection. Members are advised that, due to the presence of conmen, no calling letters will be

issued manually. People have been paying money to crooks out there who provide them letters that look very much like those that are issued by the KDF, only to get to the training centre and get turned away, giving our military a bad name.

Those letters are manufactured by crooks who take money from innocent Kenyans seeking recruitment, but they are turned away during the exercise. That will not happen this time around. This is because biometrics will be taken, and as I stated, no calling letters will be issued manually. Biometrics and electronic data will be captured in the centres, preventing post-exercise manipulation. To simplify this for Hon. Members' understanding, those who will be recruited at the centres will have their data captured, and a message will be sent to them indicating when to report. They will report without any letters. So, the conmen who are fond of issuing letters during recruitment will definitely not have a field day this time around.

Regarding Hon. Ali Wario's inclusion of Tarasa and Kokane sub-counties, as of August 2025, the recognised administrative units of Tana River County are Galedyertu, Bangale and Tana Delta. Although Tarasa is not listed as a sub-county, it is recognised as one of the three divisions within the Tana Delta and duly considered. I hope Hon. Wario has captured that. Candidates from Tarasa and Kokana will not be at a disadvantage. They will be considered based on their division of domicile.

Let me respond to Hon. Mwenje on the criteria used to designate recruitment centres in Nairobi County. The matter is in court, and both parties appeared today. Tomorrow, they will also appear and a ruling will be made in the course of the week. So, I will not delve much into this matter. However, let me raise this issue with Hon. Mwenje. KDF selects centres based on accessibility, fairness and efficiency. In Nairobi County, Nyayo Stadium, Moi International Sports Centre, Kasarani, and Jamhuri Grounds are designated due to their central location, ease of access, spacious facilities that enable efficient accommodation, transport connectivity, and a proven record of hosting successful recruitment exercises in the past.

The choice of these centres is guided by logistics, expected turnout, and demographic equity, informed by 2019 Kenya census data from the Kenya National Bureau of Statistics (KNBS). For the comfort of Hon. Mwenje and Members, the KDF Act 2012 only designates recruiting centres as county headquarters. However, to ensure fairness, they relocated it to the sub-county level. However, the Act stipulates that it should be done at the county's headquarters.

Hon. Temporary Speaker, on the inclusion of Imenti East sub-county, a request for a Statement by Hon. Rahim Dawood, as of August 2025, Meru County administrative units include: Meru Central, Igembe South, Igembe Central, Igemba North, Tigania East, Tigania West, Tigania Central, Buuri East, Buuri West and Imenti North. Candidates from Imenti East will not be disadvantaged. They will be considered from their division of domicile.

In conclusion, the Cabinet Secretary assures the people of Kenya that no location will be disadvantaged, as all divisions are represented in proportion to their population and demographics. The Ministry of Interior and National Administration continues to update gazetted administrative units, which informs KDF planning for subsequent recruitment drives. The 2025 KDF recruitment drive is a strategic investment in Kenya's unity and security, conducted in a transparent and inclusive manner. It reaffirms KDF's commitment to safeguarding sovereignty and nurturing a patriotic generation ready to serve.

As I conclude, I would like to add one more point. I wish to urge Members, particularly those concerned, that it is sometimes quicker and easier to engage directly as Members. I am very available for this exercise, which will take a month. Some of the issues being raised can be easily addressed by a phone call to the Ministry, allowing for a quick response. When we engage through these exchanges, it often takes longer due to bureaucratic delays. By the time the matter reaches the Ministry and returns, a response that could have been immediate ends up being delayed.

I therefore request Members that, where possible, we handle this matter outside Plenary, to ensure that all the questions you have raised are addressed as quickly as possible. Most of the cases now emerging are similar in nature. It is either: An administrative unit that has been left out, centres that have been misspelt, or people feeling disadvantaged. I wish to assure Members that I am available, as is the Ministry of Defence, to respond to all your questions. For better service to Members, and because this is a highly contentious issue, I will be available throughout the month for any questions you may have. Let us sit down and build a consensus to ensure that we can have a transparent process as possible.

Thank you very much, Hon. Temporary Speaker. I submit.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. Is Hon. Mwenje in the House? If the three of you are present, then each Honourable Member should have just one turn. Beginning with Hon. Mwenje.

**Hon. Mark Mwenje** (Embakasi West, JP): Thank you, Hon. Temporary Speaker. Let me begin by expressing my utmost disappointment with the response I have received. This matter has indeed gone to court, and all 19 Members of Parliament from Nairobi are the petitioners. This came as a result of our engagement and to pick up where Hon. Nelson Koech left off, we wrote a letter. I am glad he is here today. We had not been able to find him for quite some time.

We wrote a letter as 19 Members of Parliament. The first challenge we faced was that you cannot deliver a letter to Ulinzi House, at the Department of Defence, because you are not even granted access. We managed to gain entry, served the letter, and requested a response within seven days. Seven or eight days later, there was no response from the Cabinet Secretary. Members of Parliament from Nairobi then held a press conference. That is when the Department of Defence decided they wanted to engage us.

Now, let us examine the response that has been given. The Cabinet Secretary said there are 412 sub-counties. They have the list; they know the total number of sub-counties. In Nairobi alone, the population is approximately 5.5 million. For the record, Nairobi has 17 constituencies and 18 sub-counties. Kasarani Constituency, which is one of the largest, has two sub-counties.

In the response from the Cabinet Secretary, it is stated that out of 17 constituencies and 18 sub-counties, there will only be three recruitment centres. In the remaining 273 constituencies, since we have a total of 290 and have removed 17 from Nairobi, recruitment will take place in 273 constituencies. But when it comes to Nairobi, that is where the line is drawn. That is where we are told that people from Embakasi West, Embakasi East, Makadara, and other areas should gather at Nyayo Stadium, line up, and be recruited.

Let me remind him of the numbers in Nairobi. We have 5.5 million people. Which other county can boast of such numbers? Even in terms of voters, we have over 3 million. Who else has such numbers? How, then, can the Department of Defence justify having only three centres in Nairobi, given that we supposedly lack facilities?

In Embakasi West, there is no stadium. In Embakasi East, there is no stadium. In Kibra, there is none either. However, when it comes to police recruitment, it is conducted in the 17 sub-counties of Nairobi. They have only combined one in Kasarani, but the recruitment still happens. When it came to prison constables, they were recruited in the 17 sub-counties of Nairobi. Now, when the Cabinet Secretary says we do not have facilities in Nairobi, is she trying to tell me that in the other 273 constituencies, bearing in mind that they are not venues, because in Kiambu, there are 12 constituencies, but about 16 recruitment areas. Are there stadiums in all those areas? We know where recruitment takes place. In Githunguri, Kiambu, or Thika, it is usually held in an open field that has been marked out, and people run there. What is this special thing that exists elsewhere that we in Nairobi do not have?



The Cabinet Secretary stated that the Act allows for recruitment at the county level. Then why not change the advert to make it fair for all of us and recruit at the county level, only 47 centres, and see if that will be accepted? Why would you say the Act dictates this and implement it only in Nairobi, but apply something different elsewhere? This is why we are against this plan. It sets a bad precedent. Police recruitment is done at the sub-county level. Teachers are recruited at the sub-county level. Even the NG-CDF and KeRRA projects are executed at the sub-county level. We even have our own Deputy County Commissioners in each sub-county.

If the Cabinet Secretary is allowed to proceed with this, it is only a matter of time before all the gains we have made in Nairobi begin to erode. I will not delve into the legal details because the matter is currently under consideration. However, I must state clearly that this is discrimination against Nairobi. The 3.5 million voters we have in Nairobi, soon to be 4 million, will remember this. We will remind them of how we were treated. As for Cabinet Secretary Hon. Tuya, we are aware that she dislikes Nairobi, and we will consider that.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Order, Hon. Mwenje. If you need to discuss anyone, you must bring a substantive Motion. Is Hon. Ali Wario also interested in this matter? Be brief, because there are three of you.

**Hon. Ali Wario** (Garsen, ODM): Thank you, Hon. Temporary Speaker. I thank the Chairman for the response, but it is not satisfactory. Garsen Constituency is 16,000 square kilometres. Initially, before this administration took office, we had only one sub-county, called the Tana Delta. The Cabinet Secretary, Hon. Tuya, was once in this House and served on the Speaker's Panel. She led many sessions in this Parliament. Before this statement, we wrote letters to her. I even sent mine through WhatsApp. My letter was received at the Department of Defence headquarters. There was no response to either the letter or the WhatsApp message. Yet she was in this House.

The tail-end of Boni Forest is in Garsen Constituency. We have suffered greatly under *Al Shabaab*. If you travel from Malindi to Garsen, you will encounter a KDF roadblock due to security concerns. It is unfortunate. We have one Government under one flag, which is aware of the gazetted sub-counties in our country, led by His Excellency, President William Samoei Ruto. Unfortunately, the KDF states it is unaware of the gazetted sub-counties.

Tarasaa Sub-County in my county is fully operational and is served by a Deputy County Commissioner. Kokane Sub-County is 11,000 square kilometres, which is more than half the size of Garsen Constituency. Those people are being marginalised. The gazetted recruitment centres in Kore are 176 kilometres away from Garsen Town. How can a youth travel from that end to Garsen Town? That is a huge shame.

It is never too late. I appreciate the National Police Service (NPS) because it has added Kokane and Tarasaa sub-counties to the list of recruitment centres. The Kenya Prisons Service did the same. We have suffered the brunt of the *Al Shabaab* attacks. They killed many police officers in Gamba Police Station in my Constituency.

I urge the Chairperson to revert to the Ministry of Defence and the Cabinet Secretary to ensure that justice is served to the youth of Garsen Constituency, and to include Kokane and Tarasaa sub-counties in the list of recruitment centres. You cannot tell the residents of Garsen Constituency that they will be served through the divisions. There was no division in Kokane. I thank His Excellency the President for facilitating the delineation of sub-counties because Garsen is a vast area whose inhabitants were being unjustly treated. There is no single person from Kokane Sub-County serving in the KDF or the NPS.

This answer is very shallow. Thank you very much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): You have made your point—finally, Hon. Dawood.

**Hon. Rahim Dawood** (North Imenti, Independent): Thank you, Hon. Temporary Speaker. The Chairperson of the Committee is my good friend. I have served with him. However, this Statement is not good enough. He has just mentioned that he is always available. I have tried to get in touch with him over the last two weeks, but I have been unable to reach him. I do not know where he was and would not want to guess.

As Hon. Mwenje said, I wrote a letter and took it to Ulinzi House, but I was not allowed inside because it is a military installation. It was tough. I talked to the Principal Secretary, who asked me to send the letter to him and the Cabinet Secretary via WhatsApp. I even spoke to the Cabinet Secretary.

My sub-county was gazetted in 2022. The Ministry insisted that it had to be operationalised, which was done on September 9<sup>th</sup>. I took the same letter to the NPSC. At that point, the recruitment exercise was only three days away. The NPSC issued an addendum in the newspapers, which listed Imenti East Sub-County as a recruitment centre. I put it to the Chairperson, Hon. Koech: If the NPSC could do an addendum within three days, why can the KDF not do the same? Are the two agencies not part of the same Government? The KDF should follow the example of the NPSC and issue an addendum.

In the unlikely event that they do not do so, can the Chairperson inform us whether Imenti East Sub-County will receive a double allocation? If my people in Imenti East are forced to go to Imenti North for the recruitment exercise, can we get a double allocation of the possible recruitment slots? However, I would prefer it if an addendum were done. The Chairperson is capable. He may be our next Cabinet Secretary or President. I believe he can do it.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Many Members asked this question when the Statement was raised. I also know that the matter is in court. But let me give the Chairperson the right of reply. Be very brief. We shall not go beyond that. I urge the Chairperson of the Committee to hear what the Members are saying on behalf of Kenyans. If somebody has to travel 176 kilometres to get to a recruitment centre, then this is a serious matter. I am also aware that even my own Emuhaya Constituency does not have a recruitment centre. We need fairness, but we would appreciate your response. You need to make it easy for Kenyan youths.

Proceed, Hon. Chairperson.

**Hon. Nelson Koech** (Belgut, UDA): Precisely, Hon. Temporary Speaker. First, allow me to apologise to the Members who tried and could not find me for the last two weeks. I was out of the country in the United States of America (USA) for the United Nations General Assembly (UNGA). I came back last weekend. I have also been in the constituency to catch up on what I was unable to do during that period. My apologies for that.

Hon. Mwenje, I genuinely feel your frustration. I am your colleague. The Cabinet Secretary and the Principal Secretary are former colleagues of ours. In fact, both of them were on the Speaker's Panel. We raise these issues because we want fairness for the people that we represent. I understand.

In your wisdom, as Members of Parliament from Nairobi, you have decided that a fair arbiter will be the court, which is perfectly okay. I want to allow that process to continue, as I have been informed that the judgment will be handed down before the end of the week. Regardless of the court's decision, I want to assure you that this issue will be addressed. In fact, I have been agonising about speaking to the court on how constituencies in Nairobi will conduct the recruitment exercise. There will be designated recruitment centres in Lang'ata, Embakasi East, Embakasi West, Dagoretti and other constituencies. If you were in the queue in Lang'ata Constituency, there is no way you would end up in the queue in Embakasi East Constituency, so that we have recruits from all the sub-counties.

Beyond that, Hon. Mwenje, we all come from a constituency. My children also come from Belgut Constituency. We all come from a specific constituency even before we end up in Nairobi. Some feel that those who would have been recruited in Nairobi should be recruited in their original home. Nonetheless, I share your frustration and that of your colleagues. I promise you that the matter will be adequately addressed.

Hon. Mwenje, regarding being turned away from the military headquarters, that is a protected area. Even though you are a Member of Parliament, there is a procedure for getting there. That is why I was telling you that it is not easy. The Constitution stipulates that the Chairperson of a committee serves as the link between Parliament and the Executive. That is my role on your behalf. I promise to listen to you and the people you represent. I will ensure that you are fairly heard, as the Hon. Temporary Speaker said. If you are talking about 70 kilometres...

**The Temporary Speaker** (Hon. Omboko Milemba): 176 kilometres.

**Hon. Nelson Koech** (Belgut, UDA): Yes, 176 kilometres. Your consistency is vast. It is an issue that I promise, in fact, I request that when I finish this statement, the three Members sit with me outside. I will make calls and see what can be addressed.

**The Temporary Speaker** (Hon. Omboko Milemba): Very good, so please make it brief and I will allow it.

**Hon. Nelson Koech** (Belgut, UDA): Is that fair enough? Hon. Dawood, I think the best approach is to step out, let me understand the issue, make a call, and see if there are any changes we can make at this point, rather than going back and forth with questions. Hon. Temporary Speaker, I submit.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well, Hon. Members, I will not open it up as I had earlier explained.

#### INCOMPLETE WORKS ON SOLAI SUBUKIA ROAD (D366)

**The Temporary Speaker** (Hon. Omboko Milemba): Let us move to the next response to a statement. This one is a reply to Hon. Samuel Gachombe. It is about incomplete works on Subukia Road No. D366 by the Chairperson of the Departmental Committee on Transport and Infrastructure. Is Hon. Gachombe in the House? In his absence, I will advise that the report be submitted. Where is the Chairperson of the Departmental Committee on Transport and Infrastructure? Proceed. Just bring the report to the Table and it will be handed over to him.

*(The Statement was laid on the Table)*

The next reply is addressed to Hon. Wanjiku Muhia, Member for Kipipiri. It is on the non-completion of Gilgil-Machinery Road in Kipipiri Constituency. Again, it is by the Chairperson of the Departmental Committee on Transport and Infrastructure.

#### NON-COMPLETION OF GILGIL MACHINERY ROAD IN KIPIPIRI CONSTITUENCY

**Hon. George Kariuki** (Ndia, UDA): Thank you, Hon. Temporary Speaker. The Member for Kipipiri, Hon. Wanjiku Muhia, MP, requested a statement regarding the non-completion of access sections on the Gilgil-Machinery Road in Kipipiri Constituency. In her request, she sought the following:

1. A report on the scope of works for the construction of Gilgil-Machinery Road in Kipipiri Constituency, including a confirmation of the inclusion of the adjoining access road to Lereshwa Secondary School, National Cereals and

Produce Board (NCPB) depot, the Lereshwa Chief's Office, Kahiga Centre, and the surrounding constituencies.

2. The justification for the deviation from the original scope of works and the exclusion of these access roads despite earlier commitments to incorporate them in the scope of works.
3. A concrete plan and timelines by the Ministry to ensure that the unconstructed access roads initially committed to be done are entirely constructed.
4. Steps being taken by the Ministry to ensure that all constituencies receive equal treatment in infrastructural development

Hon. Temporary Speaker, the Committee received a response from the Ministry of Roads and Transport on 30<sup>th</sup> September this year, which I now wish to make.

Regarding the report on the scope of works for the construction of the Gilgil-Machinery Road in Kipipiri Constituency, including the confirmation of the inclusion of the adjoining access road to Lereshwa Secondary School, NCPB depot, the Lereshwa Chief's Office, Kahiga Centre, and surrounding constituencies. The Ministry submitted that the said road involved upgrading 23 kilometres of road to bitumen standards linking Nakuru and Nyandarua counties through Gilgil and Kipipiri.

The works included the construction of a 6.5m carriageway with 1.5m shoulders, the improvement of major junctions, the provision of a parking levy, and drainage at Langa Langa Town. Construction of access and minor junctions, a bridge over the Malewa River, a box culvert across the Rito Gilgil River, and other drainage structures. The project was jointly funded by BADEA (the Arab Bank for Economic Development in Africa), which contributed 66.85 percent, and the Government of Kenya, which contributed 33.15 percent, with its scope agreed upon through consultations. Access roads were not part of this project and including them would have breached the contract and financing agreement.

Regarding the justification for the deviation from the original scope of works and the exclusion of these access roads, despite earlier commitments to incorporate them into the scope of works, the Ministry clarified that the Gilgil-Machinery Road was designed and constructed within its original scope and, as such, they are not aware of the alleged diversion. Furthermore, the affected and constructed access roads fall under the jurisdiction of the County Government of Nyandarua. However, the Kipipiri Constituency Roads Committee may still prioritize the roads for maintenance within the annual Roads Maintenance Levy Fund (RMLF) provisions, having obtained consent from the County Government.

Additionally, the Ministry stated that it is committed to ensuring fairness and equity in the privatization of road infrastructure development, in line with the Government's policy of providing an equitable sharing of national resources.

Hon. Temporary Speaker, I submit.

**The Temporary Speaker** (Hon. Omboko Milemba): Yes, Hon. Member for Kipipiri.

**Hon. Wanjiku Muhia** (Kipipiri, UDA): Thank you, Hon. Temporary Speaker. I thank the Chairperson of the Departmental Committee on Transport and Infrastructure for responding on time, as he had promised within two to three weeks.

As per my questions, it is laughable that the Ministry can claim the access roads were not part of the design. This is because, in my statement, I did indicate that the Ministry and all Road officers came to my constituency and engaged with the community. They informed them that they would be constructing access roads to the National Cereals and Produce Board and to Lereshwa Secondary School. For clarification, Chairperson, as the Kipipirians are watching, it is Lereshwa Secondary School, located in a hilly area. In fact, they were observed by the community marking the Kahiga Centre and the Chief's Office. The community sat down with the road officers and they were informed that we would undertake the road project, with the following items given priority during its completion.

Why did I suggest that the Ministry should confirm fairness on all roads in the country? It is because, personally, I have a road that provides access to a particular school in another part of my constituency. So, the Ministry cannot say that access was not part of the design? They should have stated that the same Ministry will return to Kipipiri, sit with the community, apologise for having misled them, and confirm that the access roads to the said schools were not part of the original design. Why do I say this, Hon. Temporary Speaker? As a politician and the representative of the people, I bear the political burden, and the community believes that I am unable to push their issues even when the Government comes, sits down and promises them.

These are just a few of the many promises that the current Government keeps making to the community. So, if the money is not available, I suggest either you rule or, in your wisdom, guide the House so that it is on record how the Kipipirians will be informed that the said designs were not in the budget because the community sat with the chief. The community sat down in a meeting. The Chief, Mr Mwangi Wanyaga, who is currently retired, chaired it. They were promised that these access roads would be in place. Otherwise, I remain with the burden of explaining why they have not been constructed.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Chairman, let me hear Hon. Oundo and then you speak on it. Hon. Oundo, contribute for one minute.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Temporary Speaker. I stand to sympathise with my colleague because when road designs are made, they must accommodate every aspect of the road. Those of us who are old like you, remember the story of Kipipiri where electricity poles were dropped and taken away immediately after the by-election. I hope they are not punishing the people of Kipipiri because of my good friend here, Hon. Wanjiku Muhia.

Thank you.

*(Laughter)*

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Chairman

**Hon. George Kariuki** (Ndia, UDA): Thank you, Hon. Temporary Speaker. Hon. Wanjiku Muhia has done very well in lobbying for her people to get this project. However, the only mistake she has made in her Statement is to allege that the ministry misled the people of Kipipiri. That is not fair to the ministry. There is no way a government officer will wake up, prepare to go to a region and make unnecessary promises. Unless she provides to this House proof that the ministry misled her constituents, she needs to apologise and withdraw that statement.

**The Temporary Speaker** (Hon. Omboko Milemba): What are you going to do? Let us leave sideshows.

**Hon. George Kariuki** (Ndia, UDA): This is not a sideshow, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Allow me to speak to this Statement because at the end of the day, we want service to the people. Apologies notwithstanding, what are you going to do about the said matter as the Chairman? That is all I am waiting for. Proceed. I will give you another opportunity.

**Hon. George Kariuki** (Ndia, UDA): Apologies notwithstanding, I have a lot of interest in Nyandarua County. I work very well with Members of Parliament from there. I also know that there are many other senior government officials from Nyandarua County who work closely with Members of Parliament. We will work with Hon. Wanjiku Muhia to ensure that the people of Kipipiri Constituency are served well by the Government. However, we urge her

to also support the Government of the day. When she is out there, she should say good things about the Government. It is not bad to criticise the Government, but do it objectively and fairly.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): At least I have heard something. Hon. Muhia, you will have a sitting with the Chairman to see how your constituents can be served.

Finally, let us hear from Hon. Muhia for one minute.

**Hon. Wanjiku Muhia** (Kipipiri, UDA): Hon. Temporary Speaker, I can neither apologise nor withdraw my statement because when the roads are being constructed, there is always public participation between the community and the ministry, whether they are donors, road officers or representatives of the ministry. During this public participation, the community agreed on how the roads would be constructed. This was done in a meeting which was chaired by our Chief whom I schooled with. The community asked if they could construct the access road to Lereshwa Secondary School which is on a hilly place. If you are taking food to the school, it has to be carried by hands.

It is difficult for teachers to walk to the schools, especially when one is pregnant. It is a sad situation, but I appreciate that we shall speak with the Chairman. I always support the good deeds of the Government. As the Member for Kipipiri, there is a history of poles that were brought and we were told that electricity would be connected, but we did not get it. I apologise because the people of Kipipiri cheated Moi that they would vote. From then, they got saved. They are not cheating President Ruto now that they will not vote for him. Indeed, they are telling him that they will not vote for him. Because we pay taxes, rendering services is mandatory in every constituency.

**The Temporary Speaker** (Hon. Omboko Milemba): Mind your language. Cheating is unparliamentary. Hon. Muhia, I do not want to overextend it.

**Hon. Japheth Nyakundi** (Kitutu Chache North, UDA): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): What is your point of order, Hon. Japho? What is it? It is Hon. Japheth. Hon. Japho is a slang.

**Hon. Japheth Nyakundi** (Kitutu Chache North, UDA): Thank you, Hon. Temporary Speaker. Is it in order for Hon. Muhia to put the name of the President in matters which do not concern him? The budget on the construction of roads is made in this House. It is implemented by Kenya Rural Roads Authority (KeRRA), Kenya Urban Roads Authority (KURA) and Kenya National Highways Authority (KeNHA). Is it in order to put the name of the President where he is not concerned?

Thank you.

**Hon. Owen Baya** (Kilifi North, UDA): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Deputy Leader of the Majority Party, what is it?

**Hon. Owen Baya** (Kilifi North, UDA): We have been here long enough to understand Members of Parliament who will come back and those who will not. Hon. Muhia cannot run away from failure by invoking the name of the President and saying that he will not be voted for. Actually, it is bad manners to discuss the President without a substantive Motion. Therefore, Hon. Muhia, you have failed the people of Kipipiri Constituency. You neither attend Parliament nor committee sittings. You do not follow up their matters in this House. She has no business to try to offload her failures by saying the President has not done some things and the people will not vote for him.

The people of Kipipiri will not vote for you. They will vote for the President, but not you. I have been in this Parliament long enough to know who will come back and who will not. One of those Members who will not come back is Hon. Muhia.

**The Temporary Speaker** (Hon. Omboko Milemba): Order, Deputy Leader of the Majority Party.

*(Several Members stood in their places)*

Take your seats, Hon. Members. Deputy Leader of the Majority Party, you are neither a magician nor God. In fact, the only person who used to attempt to do what you are doing also went away and you know it very well. Without further ado, I was dealing with a Statement which was dealt with very well by the Chairman. We will move on.

Next Order.

## MOTION

### ADOPTION OF SEVENTH REPORT ON AUDITED ACCOUNTS FOR SELECTED STATE CORPORATIONS

**The Temporary Speaker** (Hon. Omboko Milemba): Is the Chairman of the Public Investments Committee on Social Services, Administration and Agriculture in the House? Proceed, Hon. Chairman.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House, adopts the Seventh Report of the Public Investments Committee on Social Services, Administration and Agriculture on its examination of financial statements of the following State Corporations, laid on the Table of the House on Wednesday, 13<sup>th</sup> August 2025.

- (i) National Syndemic Disease Control Council (Formerly National Aids Control Council) for Financial Years 2017/2018 to 2023/2024;
- (ii) National Social Security Fund for Financial Years 2021/2022 to 2023/2024;
- (iii) National Cancer Institute of Kenya for Financial Years 2019/2020 to 2023/2024; and
- (iv) Child Welfare Society of Kenya for Financial Years 2015/2016 to 2018/2019.

Hon. Temporary Speaker, at the outset, allow me to state that we relied on various instruments to come up with this Report that details the four outlined agencies. In this matter, we relied on the Public Finance Management Act, 2012; the Public Audit Act, 2015; the State Corporations Act, 1986; the Public Procurement and Asset Disposal Act, 2015; the National Assembly Standing Orders; and the National Assembly (Powers and Privileges) Act, 2017. We looked at a few issues, which I want to separate into two — general and specific issues. General issues are those that cut across the four agencies, which we summarised as follows.

The first issue that cuts across the four agencies is the lack of possession and ownership documents on land and buildings. I will single out two agencies for the purpose of presentation: the Child Welfare Society of Kenya which has 19 parcels of land of undetermined value and without title deeds, and the National Social Security Fund (NSSF) which had one of its land title deeds revoked by the National Land Commission through the *Kenya Gazette*. The title had initially been issued to a private developer, but the parcel was later declared to have been reserved for public purposes.

Generally, what do we say about these issues? In our recommendation, we state that within three months upon adoption of this Report, the accounting officers of the respective

state corporations should liaise with the principal secretaries of the respective state departments in the line ministries and the National Land Commission to fast-track the process of acquiring title deeds, resolve ownership disputes, and ensure legal actions are taken against private individuals who have illegally acquired public land.

The other issue that cuts across the four agencies is the delay in availing documents to the Auditor-General. The Committee observed that some accounting officers do not avail complete and reconciled financial and accounting records. Availing documents is one thing, the other is that the documents must reconcile, because issues were raised by the Auditor-General during the audit process. Article 226 of the Constitution of Kenya and Section 68(2) of the Public Finance Management Act, 2012 both require that financial and accounting records be presented within three months after the close of the financial year. Section 62 of the Public Audit Act, 2015 obligates accounting officers to provide the required documents for audit, failure to which they are sanctioned.

The National Cancer Institute of Kenya submitted its financial statements for the year ended 30<sup>th</sup> June 2021 to the Auditor-General on 16<sup>th</sup> November 2021, which is one and a half months after the deadline of 30<sup>th</sup> September 2021. That is a case in which an agency decides to shoot the timelines. As a good lawyer, Hon. Temporary Speaker, you understand the ruling and determination of timelines as discussed and dispensed with by the Supreme Court. This was contrary to Section 47(1) of the Public Audit Act, 2015 which states that financial statements required under the Constitution, the Public Finance Management Act, 2012, and any other legislation, shall be submitted to the Auditor-General within three months after the end of the fiscal year to which the accounts relate. The general recommendation of the Committee is that any accounting officer who fails to submit or provide the required information for audit should be prosecuted for the offence pursuant to Section 62(2) of the Public Audit Act (Cap. 412B).

The other issue that cuts across, which we witnessed and observed, was delayed accountability of imprests. Section 71 of the Public Finance Management Act (Cap. 412B) and the attendant regulations require that organisations surrender imprests within seven days upon conclusion of the assignment for which the said imprest was issued. Such cases were noted in the National Syndemic Disease Control Council, in which the Council made advances to staff amounting to Ksh2,258,770 between 2000 and 2019. These advances were issued as imprests to former employees who have since left the organisation, and the recoverability appears doubtful.

The NSSF had in its books unsurrendered imprests amounting to Ksh3,819,564 as of 30<sup>th</sup> June 2024, contrary to Regulation 93, Part V of the Public Finance Management (National Government) Regulations, 2015. Our recommendation to that effect is that within six months of the adoption of this Report, the accounting officer who fails to take necessary steps to ensure that all outstanding imprests within their jurisdiction are recovered from the due date should be surcharged the full amount due. This is because the accounting officers are the ones assigned to recover the money. So, if they demonstrate a fair attitude towards that, behaving in a lazy manner, then it is them who should be surcharged.

The other cross-cutting issue we found out was irregular board meetings, allowances, and composition of board committees. We noted that, irregular allowances were paid to board members either by incorporating more members than legally stipulated, holding more meetings than allowed, or without approval by the State Corporations Advisory Committee (SCAC), the Public Service Commission, the National Treasury, or the Salaries and Remuneration Commission (SRC) for that matter. This was noted in the NSSF, in which the Fund paid Ksh68,782,807 for trustees' emoluments being payment for 14 full board meetings and nine finance, investments and social security committee meetings, which exceeded the maximum number of six meetings approved in the Office of the President Circular Reference No. OP/CAB.9/1 dated 11<sup>th</sup> March 2020.



The other issue we noted as an observation was long outstanding receivables. The Committee noted, in the accounts of the four agencies, that there were challenges in recovering outstanding debts. This was coupled with a lack of collection or recovery mechanisms, lack of effective debt management policies, poor record systems, and lack of coordination between debtors and the recipient entities. Such cases were cited in the National Syndemic Disease Control Council, which has long outstanding receivables of Ksh81,560,092, whose recoverability is doubtful. The NSSF also has a similar issue of long outstanding receivables. In this case, a pending tax receivable amounting to Ksh935,901,481 relating to tax refunds comprising overpaid tax of Ksh493,257,327 and Ksh411,646,389, making up a total of Ksh904,903,716, inadvertently paid to the Kenya Revenue Authority in 1997 after the Fund became income tax exempt in 1996. The tax refund, due from the Kenya Revenue Authority, was not supported by any acknowledgement from the Kenya Revenue Authority.

Hon. Temporary Speaker, there is also the cross-cutting issue of long outstanding payables. The Committee noted that the Public Finance Management (PFM) Act, Cap 412A provides that any pending bills form the first charge in the subsequent financial year budget. Some state corporations experience challenges in paying their outstanding debts. This is occasioned by poor budgetary controls and lack of proper documentation to support the payables for that matter. A case in point is the National Syndemic Disease Control Council (NSDCC), whose long outstanding payable to suppliers and service providers amounts to Ksh11,693,611. The NSDCC has not explained why the long outstanding payables have remained unsettled.

Our final recommendation on this matter is that within three months, upon adoption of this Report, all entities with outstanding payables should prepare a report detailing how the payables arose, reasons for non-payment, measures taken to repay the debts and reasonable timelines when such debts should be settled. A copy of such a report should be submitted to the National Treasury and the Auditor-General, as well, for review.

Hon. Temporary Speaker, allow me to move the House to the specific agencies as outlined in my opening remarks. I will begin with the NSDCC, formerly the National AIDS Control Council. For the Financial Year 2017/2018 through to Financial Year 2023/2024, we observed, particularly, in the Financial Year 2017/2018, that there was an issue on cash and cash equivalents as detailed by the Auditor-General. The observation states that the accounting officer during consideration of the audit process, where the audited entity and the auditors are in constant correspondence, errors and variances point to inaccuracies in financial statements. This could as well be indicators of weak internal controls where transactions are deliberately omitted to perpetuate a fraud. Petty cash is the root cause of fraud and where there is no reconciliation, the Committee observed that most of the issues were touching on reconciliation. Figures were picked and cheques issued, but at the end of the year, the reconciliation did not add up. That is why the Auditor-General picked it as an issue during the audit process and several such issues were cited and picked by the Auditor-General, who was able to explain to the Committee how it happened.

We recommend that the accounting officer be reprimanded because he knows the law. The law is resident in the regulations in Section 90(3) of the PFM Act, national Government Regulations, 2015 which require the accounting officers to ensure any discrepancy is noted during bank reconciliations exercise are investigated immediately and appropriate action taken, including updating the relevant cashbook. The law requires that accounting officers reconcile their cashbooks monthly. Twelve months down the line, if reconciliation has not been tallied, it definitely allows that the accounting officer is the compromising entity in that transaction. That is why we are reprimanding the accounting officer for that purpose.

In the following year, we took note of the contingent liability. Under that, we noted that disclosure of Ksh10 million in contingency liabilities indicated that the Council was exposed

to possible financial obligations if the claims were to materialise, which may strain the Council's financial position. There was a figure of Ksh10 million under contingent liability, which definitely put the organization in a more precarious level.

We also noted that while the management had expressed satisfaction with the adequacy of the disclosed amount, the Committee noted that no detailed justification was provided regarding the basis for the estimated liability and whether provisions for potential settlements were considered. For us to put a figure under contingent liability and give a summary of what it is about, it was just a blatant figure put into the financials at Ksh10 million. The accounting officer failed to pay the dues in time. The payees eventually going to court is a point of poor governance, financial management, procurement and contract management, leading to negatory expenditure in the form of court fees.

At the end of the whole year, we saw that the figure which had been provided under contingent liability was eventually discussed in court. So, we could not even open much about the issue. But still, what was not provided was the legal fees. At the end of the day, those parties that went to court were lawyers, and they will be paid in defence of the case that sued the organisation. Therefore, we recommended that within three months upon adoption of this Report, the accounting officer of the agency to submit to the National Treasury a detailed report on setters of trade payables pending court cases and provision of contingent liabilities made in respect of each case.

In the Financial Year 2020/2021, the same agency had an issue on receivables from non-exchange transactions, which the Committee observed similar to the observation in the 22<sup>nd</sup> Report of my predecessor, the Public Investments Committee (PIC). The issue was that the Council had taken several steps to improve its financial systems, including automation of financial processes through adoption of Enterprise Resource Planning (ERP), hosting regional accountants to handle the Council's finances and the use of mobile money for financial trade, where disbursements were made. The Committee observed that no approval from National Treasury had been obtained to write off the debts and no documentary evidence was submitted to prove that the several steps taken by the Council to improve their financial systems yielded any value for the money expended.

In our recommendation on the same about the non-exchange transactions, we said that within four months upon adoption of this Report, the accounting officer of the Council should prepare and submit the National Assembly a Status Report of the debts and steps taken to ensure accountability of funds disbursed, especially, in cases where it enters into partnership with different agencies.

The final issue we observed in relation to this agency in the Financial Year 2023/2024 is failure to submit car loan and mortgage financial statements. The Committee noted that the accounting officer was in breach of Section 68(2)(k) of the Public Finance Management Act, Cap. 412. That requires the officer to prepare annual financial statements for each financial year within three months after the end of the financial year and submit them to the Auditor-General for audit, and in the case of a national Government entity, forward a copy to the National Treasury.

Hon. Temporary Speaker, allow me to move the House to the second agency, which is National Social Security Fund (NSSF), for the Financial Years 2021/2022 to 2023/2024.

We noted variances in opening balances of the Financial Year 2021/2022. There were minimal variances that were not reconciled in the Fund amounting to Ksh136,422, between the opening and audited closing balances, indicating non-compliance with International Public Sector Accounting Pronouncements (IPSAS 1), which is an international standard for the presentation of financial statements, which requires that opening balances of the current period must align with the closing balance of the previous period.

Hon. Temporary Speaker, in audit, when you pick a figure of Ksh136,422, you cannot just look at the face value of that figure because it could unearth more than what is stated. The difference was a result of a discovered casting error. Adjustments were made in the Financial Year 2021/2022 and opening balances were submitted on 27<sup>th</sup> May 2022. However, the auditors based their report on financial statements that were submitted earlier and audited before those adjustments were effected.

Going back to the auditors once an audit has been completed is not allowed. It is not permissible in proper practice as far as institutions are concerned. Therefore, going back to the auditors after they had gone through the accounts was a breach of the law. Therefore, the Committee reprimands the then accounting officer for failing to appropriately communicate the amendments to the financial statements to the Auditor-General for audit review and eventual reporting, leading to unreconciled balances that were questionable to the Auditor-General.

In the same year, we noted the issue of non-performing investments in quoted equities. The Fund continues to hold investments with no returns, whether by way of dividends or capital appreciation. Therefore, value for money on the investments worth Ksh408,752,504 had not been achieved. The market value of those investments has been eroded by inflationary effects in the economy without any corresponding gain in terms of interest or capital gains. The Committee observed that the management's holding of non-performing investments contradicted the principles of sound financial management and prudent use of public resources as outlined in Article 201(d) of the Constitution.

We recommend that within three months of the adoption of this Report, the accounting officer and the Board of the Fund should review the investment policy to align it with the principles of sound financial management and prudent use of public resources as outlined in Article 201(d) of the Constitution and the National Social Security Fund (NSSF) Act. A copy of the completed and approved investment policy should be submitted to the National Assembly and the Auditor-General within this period for review.

We also noted non-performing investments, particularly the Hazina Plaza (Polana) Mombasa Building. This issue was discussed in the 22<sup>nd</sup> and 23<sup>rd</sup> Reports of the Public Investments Committee on Social Services, Administration and Agriculture. The Fund did not involve the Ministry of Lands, Public Works, Housing, and Urban Development in the renovation of the building and instead contracted Techno Holdings Limited to renovate it.

The Committee also noted that the NSSF won the court case relating to the ownership of the Hazina Plaza (Polana) Mombasa Building. This property was purchased by the Board of Trustees in 1992 at Ksh450 million and had a net book value of Ksh530 million as at 30<sup>th</sup> June 2020. This case was properly analysed and Members should keenly look at it. The building cost Ksh450 million in 1992, but in 2009, the NSSF advertised its sale at Ksh300 million as the reserve price. The valuation report from the Ministry of Lands, Public Works, Housing and Urban Development as at the time of advertisement was not provided for audit. Therefore, someone came up with a figure for advertisement purposes.

We suggested that within three months of the adoption of this Report, the accounting officer of the NSSF should prepare and submit a valuation report of the Hazina Plaza (Polana) Mombasa Building to the National Assembly and the Auditor-General for review and reporting in the subsequent audit cycle.

For the Financial Year 2022/2023, we noted the issue of budgetary control and performance. The Fund incurred Ksh7,328,971,740 against an approved expenditure budget of Ksh7,001,625,222, resulting in an over-utilisation of Ksh327,346,518, or five per cent of the budget. The Fund also under-collected Ksh6,952,674,683, or 17 per cent against the approved budget. The Fund based its revenue projections on weak assumptions.

We recommend that the accounting officer must at all times ensure that budgets are realistic, achievable, and adhere to the annual work plan and revenue collection schedules.

For the Financial Year 2023/2024, we observed the revocation of irregularly issued land title deeds. The revocation of irregularly issued title deeds was addressed in the 22<sup>nd</sup> Report of the Public Investments Committee, in which the Committee made the following observations.

The National Land Commission (NLC) revoked the title deed held by the NSSF via a Gazette Notice dated 1<sup>st</sup> April 2010 and did not directly inform the Fund about the revocation. The reasons for the revocation were not given to either the NSSF or the Committee at the time of allocation. The allocation of the land to the Judiciary predated the revocation of the title deed held by the NSSF, which meant that two valid title deeds existed for the same parcel of land before the revocation of the NSSF title deed. We agreed with the recommendations enshrined in the 22<sup>nd</sup> Report, although the issue was raised again in the Financial Year 2023/2024.

In the same year, we also observed a loss on realisation of investments. The Fund, through its contracted fund managers, sold low-yield bonds at an average of 12.38 per cent and re-invested the proceeds into higher-yielding bonds at an average of 17.47 per cent. We also observed that the Fund outsourced the investment process to fund managers who have a discretionary investment mandate.

We recommend that within three months of the adoption of this Report, the Fund should develop and submit to the National Assembly a prudent investment policy anchored on a properly diversified portfolio, spreading its investments across different asset classes, sectors, and geographies, using different investment styles to guide it to invest its funds, which are not for the time being required to be applied for the purpose of the Fund, in accordance with the provisions of Section 37 of the Retirement Benefits Act, Cap. 197.

The second issue observed under investments in Government Bonds was that Bonds were purchased at a premium. The Committee observed that the Fund had outsourced the investment process to fund managers with a discretionary investment mandate. The purchase and sale of Government Treasury Bonds in the secondary market are subject to market forces, including prevailing interest rates, and demand and supply dynamics. Out of the total premium of Ksh500 million, the Fund gained an accrued interest of Ksh255 million, leading to a net premium of Ksh245.7 million, out of which Ksh159.5 million was the premium paid to the Central Bank of Kenya (CBK) for the Bond purchased in the primary market. The Committee upholds the recommendation as detailed in the earlier paragraph.

On the sale of bonds at a discount price under trading bonds, the Committee noted that, indeed on the discount bond, the Fund had outsourced the process of investment to fund managers who I insist have a discretionary investment mandate. The purchase and sale of Government Treasury Bonds in the secondary market is subject to market forces, including prevailing interest rates, demand and supply dynamics. The investment decisions undertaken by the fund managers generated a return of 13.5 per cent from the assets managed by the fund managers which was much higher compared to previous years when the Fund generated returns lower than 4 per cent. Therefore, we insist and uphold our early recommendation as detailed above.

The other issue that we observed as outlined by the Auditor-General was bonds purchased at premium but sold at discount. The Fund outsourced the process of investments to fund managers who have a discretionary investment mandate. The purchase and sale of Government Treasury Bonds in the secondary market is behavioural depending on the interest rates, demand and supply dynamics.

In conclusion, the Committee observed that the investment decision made by the Kenyan National Social Security Fund (NSSF) during the Financial Year 2023/2024 resulted into better performance with an investment return of 12 per cent.

The third agency we dealt with was the National Cancer Institute of Kenya in the Financial Years 2019/2020 and 2023/2024. We observed that there were unsupported travelling and subsistence expenditures. Although the management provided payment vouchers and supporting documents for the expenditure of Ksh2,557,800 during their time of appearance before the Committee, they failed to provide the same during the audit. The question is: where were they? These documents were there when they appeared before the Committee and they tabled the payment vouchers. However, during audit, these documents were not made available. This contravenes Section 62(1)(b) of the Public Audit Act Cap 4 and 2(b) which states that: “A person shall not, without justification, fail to provide information required under the Public Audit Act.”

The Committee also observed unsupported expenditure. The organisation incurred some expenditure which were not supported at all. Having expenditure that is not supported outside the budget that was prepared by the agency and approved by the board contravenes the Public Audit Act, particularly Section 80(4) of the Public Procurement and Asset Disposal Act 412(c).

In the Financial Year 2022/2023, the Committee observed that there were undisclosed outstanding imprests. The Financial Statements that were prepared and submitted for audit were inaccurate by excluding outstanding imprests amounting to Ksh8,141,287 million. This implies that the receivables were understated. The accounting officers, especially the heads of finance, deliberately left out some expenditures and certain imprests that they failed to account for. They omitted them from the financial statements, believing the auditors would not detect the discrepancies during the audit process. However, this time, they were not lucky. The auditors identified the figures, and we made the following recommendations.

Before I move to the recommendations, the Committee made a second observation. The imprest holders failed to surrender the imprests issued to them within the stipulated period, thereby contravening Section 93(5) of the Public Finance Management (PFM) Regulations, 2015. The first issue was the failure to surrender the imprest. The second issue was the omission of the imprest from the financial statements. Therefore, the Committee recommends that within three months of the adoption of this Report, the Inspector-General of State Corporations should surcharge the then accounting officer for the outstanding imprest amounting to Ksh8,141,287, with interest at the prevailing Central Bank of Kenya rate, and submit evidence of recovery to the National Assembly. The accounting officer was aware of these matters. He allowed the Director of Finance to omit the figures from the books and also permitted staff to leave without surrendering the imprest. It is therefore his responsibility to ensure that the money is returned to the National Treasury.

For the Financial Year 2023/2024, the Committee noted weaknesses in internal controls and risk management. The institute had not established a risk management policy, a finance and accounting manual, an asset management policy, a transport management policy, an information technology plan, or a disaster recovery plan. Furthermore, the audit committee and internal control charters had not been approved or operationalised. This organisation is operating in the dark. It has no plan. And if you do not plan, you are planning to fail. An institution of this level lacking a risk management policy, a finance and accounting manual, and operational guidelines is a disaster. Moreover, the organisation has no disaster recovery plan. Should data be lost, what measures are in place? None. They could simply claim data was lost through fire or tampering, which is unacceptable in the 21<sup>st</sup> Century.

The Committee therefore recommends that within three months of adoption of this Report, the institute should furnish the National Assembly with an update on the establishment of the risk management policy, finance and accounting manual, asset management policy, transport management policy, information technology plan, and disaster recovery plan, as well

as on the operationalisation of the audit committee and internal audit charters. These must be prepared and submitted to the House.

My last agency in this Report is the Child Welfare Society of Kenya. This is a very important agency, though many Kenyans are unaware of its existence. It is the only agency established to address matters concerning children, issues of child abuse, trafficking of children in and out of the country, and other related concerns. The Society handles extremely sensitive matters involving children. For the Financial Year 2015/2016, we made an observation under property, plant, and equipment that, although the Society reported progress in acquiring ownership documents, the pace has been slow. The Society operates across the country, yet very few people are aware of it. I even came to know of it when auditing its accounts. Without ownership documents, the Society's safe houses and parcels of land remain exposed to the risk of being grabbed, ownership disputes, and liabilities or contingencies that may arise from legal processes and court cases. Without mentioning the parties, this organisation has very many cases in court against people who are anticipating to grab their land. Most of their land is in very good estates like Karen and Muthaiga and Kenyans have a good appetite for visiting any land that seems or appears to be unoccupied.

We recommended that within three months upon adoption of this Report, the accounting officer in collaboration with the Principal Secretary for Social Protection, the Principal Secretary for Lands and the National Land Commission should put caveats on the land owned to protect them from risk of illegal transfer and dealings. Some of their prime parcels of land have no caveats. Some of the land parcels neighbour animal farmers and livestock keepers, like yourself. The livestock do not have a boundary therefore; they cross to graze in that land. Thereafter, habitation of the children into that land becomes a problem because the livestock keepers keep moving in and out of the land. We recommended that they should put a caveat and a fence along the properties, which they have not done.

The other issue you noted about the agency was unreconciled variance in receivables in 2018/2019. The reported receivables of Ksh6,136,717 differed with a ledger balance of Ksh7,196,241, resulting to an explained variance of Ksh1,059,524. However, the submission of the management was that the variance resulted from loan deductions not posted, but the final ledgers and account figures balance was misleading since the auditors verified the final accounts and hence the audit query arose. Therefore, in our recommendation, we reprimanded the accounting officer for misleading submission to the Committee. Failure to keep proper records, concealing or wrongfully destroying information that is required to be recorded is an offence, prescribed and punishable under Section 197 of the Public Finance Management (PFM) Act, Cap 412.

Hon. Temporary Speaker, any concealing of information or purporting to destroy information is punishable and that is why we reprimand the accounting officer for such an issue. With that, allow me to appreciate Members of my Committee, the Vice-Chair and the distinguished colleagues who have taken a lot of their time. When you look at the years we are discussing in the 7<sup>th</sup> Report, they are quite a number. They have taken time, burnt the midnight oil and sat for long hours to examine the accounts, review and interrogate the leadership of the various agencies. I also thank you, Hon. Temporary Speaker, for giving us this opportunity to air and report back to the House deliberations by our Committee.

I thank the Clerk of the National Assembly for seconding or allowing the Director of Audit Committees to coordinate our Committee very well. Our reports are flowing because we have a very able secretariat. If there is a dispute or a difference in mind or deeds with your secretariat, it is not easy to work under such an environment. Allow me to also thank my colleagues and invite as many as possible to contribute to this Report. Let us consume the information from the Auditor-General, who seconded three of her staff, whom I want to thank

for participating and taking long hours with our Committee. I particularly appreciate the Member for Kwanza for his time and willingness to second my Report.

I beg to move and ask the great Member of Kwanza, Hon. Ferdinand Wanyonyi, to second.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Ferdinand Wanyonyi.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Hon. Temporary Speaker, the details in this Report are clear. The Public Investment Committee is one of the six watchdog Committees in Parliament. I will not repeat what the Chairman mentioned in his presentation. As a Committee, we review the Auditor-General's Reports to ensure that public resources are utilised effectively.

I take this opportunity to thank the Chairman, Hon. Wangwe, for a great presentation. We went through many reports and spent long hours considering them. The issue of land is particularly emotive in this country. We reviewed some institutions that do not possess title deeds. It is concerning that some accounting officers are sitting on this information and should be reprimanded for failing to explain why they have not acted as expected.

With those few remarks, I second this important Motion and hope that the House will have enough time to examine the report and ensure accountability to the public.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Wangwe, are you an accountant or an auditor by profession? No wonder you are so thorough and professional.

*(Question proposed)*

Let us have the Deputy Leader of the Majority Party.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Temporary Speaker.

I want to thank the Chairman, Hon. Wangwe, for a job well done and for the detailed presentation. This is what we expect from Chairpersons.

I also want to acknowledge the Committee, including my friend, Hon. Ferdinand Wanyonyi, the great man from Kwanza—who is a fourth-term Member of Parliament—for being part of the team.

However, I have noted certain issues in this Report. Having listened to the Chairman's presentation, it is clear that the parastatal heads are engaging in activities that ruin the organisations. An audit is what makes us understand whether appropriation is healthy or not. Through an audit that we can determine whether there is misappropriation of funds.

When we listen to audit reports like this, where recommendations are being made that the Chief Executive Officer (CEO) be surcharged, and you could hear that word many times, it points out that there is mismanagement. The sad thing that happens is that there is mismanagement and the audits point it out, but the CEO is only surcharged and they retain their position. What happens after is that they will continue to pilfer and continue to ruin that organisation so that they recoup the surcharge.

If a CEO has not managed government cooperation well, he should be shown the door. Additionally, they should not only be surcharged, but also taken to court, so that we get justice for the people of Kenya...

**The Temporary Speaker** (Hon. Farah Maalim): I do not know whether the system is the same as it used to be before this new Constitution came into force. During the early days, there was also a provision to recommend that this person should not hold a public office anymore. It was not only surcharging. That, more or less, was the norm. Every CEO knew that that would be the end of their stint in the public sector if they did not correct.

Proceed.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, that is what should happen. If you are a CEO and you have been surcharged, you should not continue to hold public office. If an audit committee or the Auditor-General recommends that you should be surcharged, it is a sign that you are mismanaging the organisation. The sad thing these CEOs who have been talked about here, probably still hold office, and they would be moved from the corporation they have pilfered to another. Eventually, they will want to become Members of Parliament. They will come here and attempt to do dishonourable things.

As a nation, this is what we need to guard. CEOs of corporations are the frontliners of government operations. If they mismanage organisations, they should be taken to the back burner and not be allowed in management.

Secondly, in this position that I hold...

**Hon. Ferdinand Wanyonyi** (Kwaza, FORD – K): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): What is your point of order, Hon. Wanyonyi Ferdinand? Give him the microphone.

**Hon. Ferdinand Wanyonyi** (Kwaza, FORD – K): I just want to inform my colleague. I need to be on record that we have...

**The Temporary Speaker** (Hon. Farah Maalim): Do you want to inform him?

**Hon. Ferdinand Wanyonyi** (Kwaza, FORD – K): Yes.

**The Temporary Speaker** (Hon. Farah Maalim): Is he willing to be informed?

**Hon. Ferdinand Wanyonyi** (Kwaza, FORD – K): He is listening.

*(Hon. Owen Baya spoke off the record)*

All I am saying is that we have given a timeline in each case. After three months, the House will make a decision. Those who do not follow the recommended actions will be reprimanded. I just want to let my colleague know we have been very specific in each case.

**The Temporary Speaker** (Hon. Farah Maalim): And certain resources to be recovered from them.

**Hon. Owen Baya** (Kilifi North, UDA): I expect that in those three months, those reports will move to the Committee on Implementation. It has a duty to take care of the nation and report back here that they have reprimanded a certain CEO, and recommended that they be removed from their position because of mismanagement. That is what we need.

I lay a lot of Papers for corporations in this country. That is why I want to thank the Chairman, Hon. Wangwe for the good and thorough work that he has done. My point is, we review the accounts of these corporations and get money from this Parliament, money which would have been used for other good things, but since every state corporation gets Ex-Chequer, and we appropriate one that runs into hundreds of billions of shillings for them. If you look at the money appropriated to these State Corporations, they run into hundreds of billions of shillings. We give them money to buy cars, run operations and pay salaries. What happens to all this money when put together? It is wasted. There is no value for money. The only way we can save taxpayers' money is to ensure that if you mismanage a State Corporation, we should not give you money in the next Budget. The Appropriation-in-Aid (A-in-A) which they receive....

**The Temporary Speaker** (Hon. Farah Maalim): Is that not your role as a Member of the National Assembly?

**Hon. Owen Baya** (Kilifi North, UDA): I am saying this because the Chairman of the Committee is here.

**The Temporary Speaker** (Hon. Farah Maalim): As the National Assembly, you hold the purse.



**Hon. Owen Baya** (Kilifi North, UDA): When the Public Investments Committee on Social Services, Administration and Agriculture is preparing budgets for these State Corporations next time, because you have done the audit, you should write to the Chairpersons of the Departmental Committees and tell them that a particular state corporation should not be given money because it wasted the last budget. That is the only way we can save state money and taxes.

Hon. Wangwe has a point.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Emmanuel Wangwe, proceed.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Thank you, Hon. Temporary Speaker.

With all due respect to my senior leader here, this is a House of records. When he directs that I write a letter or information to a Departmental Committee, it is horizontal communication which cannot work for our Committee. Instead, it has to come here vertically and sanction that committee through the report. Therefore, as my leader on the other side, he should just give direction rather than, again, delegating it to me or my Committee to do what he can do in his position.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Baya.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, I am not shy from directing this House that state corporations which lose money should not be given money in the next budget. Chief Executive Officers (CEOs) who have misappropriated funds should not still be in position in the next budget cycle to receive money and waste it. That is how we are going to save taxpayers' money.

I want to draw your attention. I laid Papers here today. One of the things I tabled was the list of loans we have taken and the debts that we have. These loans that we take sometimes end up in these State Corporations. They get money that is borrowed, but they waste it. What happens? We keep on paying loans which have already been misappropriated. The person who misappropriates the money is still in office, yet we have an audit report here indicating they wasted resources. We cannot continue that way. It is immoral and wrong. It takes this country backwards.

Transparency and accountability should be the banner of democracy. They should drive us. If your accounts have been audited and issues have been found and brought to the Floor of the House which has reprimanded you, this is the last point where auditing comes. We have seen vice-chancellors who have mismanaged universities, but they are still in those positions. We have seen universities that have collapsed, but the vice-chancellor still wears a cap, holds a graduation, and says, "I am the vice-chancellor." There is also a chancellor who still says the vice-chancellor is there.

We have Chairpersons in these State corporations who preside over the rot because they are yes people to the CEOs. A CEO always holds the Chairperson very closely. Therefore, he cannot hold the CEO to account. It becomes a vicious circle. If a state corporation has been cited for audit and misappropriation of funds, the CEO, the Chairperson and the Board should go. Because of political patronage....

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker appreciates very much the passion with which you are prosecuting this Motion. Can I just ask a question?

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

**The Temporary Speaker** (Hon. Farah Maalim): Is the CEO of the Child Welfare Society of Kenya in the Financial Year 2015/2016 still holding office? I will be surprised if the CEO of the National Cancer Institute of Kenya who was there in 2019 is still around. He is not.

**Hon. Owen Baya** (Kilifi North, UDA): That is why....

**The Temporary Speaker** (Hon. Farah Maalim): Just a moment....

**Hon. Owen Baya** (Kilifi North, UDA): That brings me to my next point.

**The Temporary Speaker** (Hon. Farah Maalim): Hang on, I want to enrich what you have said. Is the CEO of the NSSF in 2021 still around? He is not. The same goes for the CEO who was there in 2017. That is a good eight years ago. So, it goes both ways. Parliament also has a responsibility. This information is for the interest of the Chair, who is also a Member of Parliament. We should get these reports on time.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, that is actually my next point.

**Hon. Mark Mwenje** (Embakasi West, JP): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Mwenje, what is your point of order? Are you on a point of order or a point of information? Proceed.

**Hon. Mark Mwenje** (Embakasi West, JP): Hon. Temporary Speaker, I am trying to find the Standing Order that establishes the Committee on Implementation. I would like to bring to your attention that once the Committee on Implementation receives these reports and after they are tabled, there is a period for their implementation, I think after three or six months.

*(A Member spoke off the record)*

Yes, 60 days. I stand guided. Hon. Baya, who is standing in for the Leader of the Majority Party, should inform the leadership that when they meet, as House Business Committee, they should resolve to allow the Public Investment Committees (PICs) and the Public Accounts Committee (PAC) to table their reports on time. This is to ensure that the reports are debated, approved and referred to the Committee on Implementation so that we can keep up with them. It is unfortunate that the Committee on Implementation is reviewing reports that were done in the 11<sup>th</sup> Parliament. The Committee is not up to date with the reports. By the time we get to discuss some of these reports, these CEOs would have retired or left the organisations.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Mwenje, you make a lot of sense. But in this case, Standing Order 209 states that:

1. There shall be a select committee to be known as the Committee on Implementation.
2. The Committee shall scrutinise the resolutions of the House (including adopted committee reports), petitions and the undertakings given by the National Executive and examine—

You are just about to adopt this report. You cannot put the cart before the horse. What will the Committee on Implementation scrutinise if there are no reports from the committees? In my opinion, the reports by PICs and PAC should not be more than two years old. That way, we can hold the CEOs to account while they are still in office.

Hon. Baya, proceed.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, I request that you add me five more minutes to conclude.

What the 13<sup>th</sup> Parliament has tried to do is, redeem the backlog of committee reports. Before the 13<sup>th</sup> Parliament, we used to have only one Public Investments Committee. It was very difficult to ensure that all the accounts of all the State corporations were audited and the reports tabled in the House. Hon. Mwenje was not here in the 12<sup>th</sup> Parliament. I would like to inform him that this is the first time we are having three Public Investments Committees. What Hon. Mwenje is saying can only happen if we hasten the process to get all these reports out as soon as possible.

I like what Hon. Wangwe has done. He has consolidated reports of up to the year 2024, and I congratulate him for that. His next report will be current. Therefore, the Committee on Implementation will look at the current report and implement the resolutions. That is what we must do. I urge the Chairs of all the committees to also do so. We need to deal with the CEOs while they are still at work. We should summon them to Parliament, shame them and throw them out. They should not be allowed to continue squandering public resources. If we do not call out these CEOs, they will continue with their bad manners of wasting taxpayers' money. We are paying loans only for us to 'feed' these CEOs. It is high time we stopped the wastage of public resources by incompetent CEOs of these State corporations. I would like them to hear that we are coming for them. We will summon them to this House. We shall shame them and throw them out.

I thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Ndindi Nyoro.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Thank you very much, Hon. Temporary Speaker.

I laud the Committee for the Report, and would like to give a few comments on it. It is important we are discussing about the audit of corporations at a time when we are checking government data on the borrowing. I am bringing in borrowing since it is attached to this, because most of the implementation work by Government is done by Semi-Autonomous Government Agencies (SAGAs). In the first two months of this financial year, the country spent Ksh386 billion to service its debt, while in the same period, we only received Ksh329 billion in tax revenue. What does that mean? We spent 117 per cent of our collections in servicing debt, which means we not only spent all the money we collected in servicing debt, but also borrowed more. This is a grim situation because much of the money that is borrowed by the State for projects are implemented through the kind of SAGAs we are debating their reports today.

Going to this debate, I will specifically highlight two corporations. First, is the Child Welfare Society of Kenya. If you check the audits we are debating today, some date back to eight years ago. We are debating a report from 2016. As you rightly put it, Hon. Temporary Speaker, it is almost 10 years. I wonder what kind of utility we can give to the expenditure of public resources when we are debating an audit from 10 years ago. Definitely, a lot has happened. There are a lot of dynamic situations that have been witnessed, including change of personnel. I hope the Audit Committees are going to improve.

On Child Welfare Society, I interacted with them in my previous station. Some of these SAGAs do a lot of work when it comes to granting social service to our country. There has been a lot of back and forth in terms of the anchoring of the Child Welfare Society of Kenya, either as a Government SAGA or otherwise, but primarily the kind of work it does is public. I say so because there has been a lot of confusion when it comes to funding it, because some people in the National Treasury do not want to assign it its rightful role as a government parastatal, which is based on what it does. We have also seen the the kind of service they render to the Kenyan public, needs money continuously. This is not a SAGA where you fund it this year, then decide whether or not to fund it next year. It pays school fees for vulnerable children and feed some of the rescued children. You cannot fund them this year, then next year, somebody gravitates towards whether or not to fund them. In fact, the funding of some of these SAGAs should come from the Consolidated Fund Services (CFS), so that even before we are paid our salaries, some of these very critical and important bodies are funded, in the same category where we fund debt servicing.

I had a critical point on National Social Security Fund (NSSF), and I request the Committee to even go further than what they have done. As the people's representatives, our audit should not just be about figures, but also about results and intentions. The foundation of NSSF is to safeguard workers' contributions and also ensure timely payouts when they are due.

You cannot repay money when you do not have it. You cannot pay money on credit. You can only pay it to pensioners when you have it. That is why the primary mandate of the NSSF is to make sure they are investing the monies they are collecting. This will ensure that they beat inflation and grow the purse rather than shrink it. When the time to pay up comes, they cannot pay up money through stories, they can only pay up money using money. I say so because we need to be very forthright about the critical roles of NSSF. The work of NSSF is to collect money and invest.

One thing to have in mind is that they must have a commercial mind in all the endeavours they make in terms of investments. Because NSSF money is contributions from Kenyans, those investments should be made in places that are helping Kenyans as they wait for retirement. This will help NSSF kill two birds with one stone; serving Kenyans with their money now before they retire, and growing the money so that when they need it, it is available. That calls for diversity. In Kenya, NSSF primarily focuses on Treasury Bills, Treasury Bonds, equities in the market, and they are predominant in purchases of shares in the Nairobi Securities Exchange (NSE). But they need to broaden further as a catalyst of an economy. For example, there are critical facts I keep mentioning here about the capital markets in the United States of America (USA), like Private Equity Funds and Venture Capital Funds. NSSF is at a very vantage point to establish those kinds of funds. So that beyond investing in the secondary market, they can also invest in the primary market in the series funding companies. This will ensure that as they are growing the purse, they also help in incubating Small Medium Enterprises (SMEs) and helping them thrive. Of course, that can only happen when there is a lot of professionalism instilled in the management of the funds under NSSF.

I bet that the Chairperson is listening.

**The Temporary Speaker** (Hon. Farah Maalim): I think he is attentive.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Of late, I have been somewhat disappointed by the way we are deploying the resources in NSSF. The only guiding tool in investments is beyond stimulating the economy. It is making sure that when you put in a shilling it comes back as more. That is the basis of investment. We cannot afford to put NSSF money on a grandiose of experimentation. Even when you are experimenting, you do not hedge your entire purse. You use a fraction. We have seen a lot of experimentation nowadays in NSSF on different terms. For example, the other day the Government of Kenya was trying to raise money on hedging the money that goes to Sports, Arts and Social Development Fund through a bond called Talanta Fund. The truth of the matter is that this bond was actually taken to NSE on the secondary market, but the investors of that bond is public money. NSSF was the number two investor in the Talanta Bond. This is Ksh45 billion which was shunned by all the other private enterprises including banks. Private banks in the private arena never invested in the Talanta Bond. But around Ksh10 billion NSSF money found its way there. I do not think that was prudent.

There is also the issue of Public-Private Partnerships (PPPs). It is important for Kenyans to know that the expansion of Nairobi-Nakuru Highway is not being funded by the kind of debt I mentioned, which is growing astronomically. It is through a PPP. But this PPP is just a name. We are actually spending NSSF money in building the road. Then we are telling NSSF to put toll stations and recover their investment through tolling. First, it is economically wrong to toll Nairobi-Nakuru Highway. It is not economically viable for workers' money to do the work...

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Bady Bady.

**Hon. Bady Twalib** (Jomvu, ODM): Ahsante sana Mhe. Spika wa Muda kwa kunipa fursa hii ili nichangie Ripoti hii ya Kamati ya Hesabu za Umma.

Mwanzo, ninampongeza Mhe. Wangwe ambaye ni Mwenyekiti wa hiyo Kamati. Kamati hiyo ni mojawapo ya Kamati za Hesabu za Umma. Binafsi, ninampongeza Mhe. Wangwe kwa sababu tajriba aliyoonesha katika Ripoti hii ni ya hali ya juu sana. Hakuanza leo.

Mhe. Wangwe alikuwa mkuu wa uhasibu kule kwetu Changamwe katika kampuni inaitwa Coast Hauliers Limited. Kwa hivyo, mpaka leo, tajriba yake imetoka mbali.

Nataka kusema kuwa nitajaribu zaidi kuingia katika vipengee vya mashirika manne pekee ambayo hususan Ripoti zao zimeletwa Bunge. Mashirika hayo ni the National Syndemic Disease Control Council (NSDCC) ambayo zamani ilikuwa ni the National AIDS Control Council (NACC), the National Social Security Fund (NSSF), the National Cancer Institute of Kenya (NCIK), na Child Welfare Society of Kenya (CWSK). Kamati hii imeleta Ripoti hizi nne.

Lau, nataka kusema kungekuwepo Ripoti ya tano ambayo ni ya the Kenya Cashew Nuts Board (KCNB). Pengine imeletwa. Alivyozungumza Mhe. Owen Baya, angemtafuta huyo CEO wa KCNB aliyeyua. Angemalizana naye papa hapa. Kwa hivyo, ninaunga wenzangu mkono kuhusu Ripoti tulizonazo. Mfano ni Ripoti hii ya CWSK.

**The Temporary Speaker** (Hon. Farah Maalim): What is your point of order, Hon. Chiforomodo? *Sawa Mhe. Kassim. Pole.*

**Hon. Chiforomodo Mangale** (Lungalunga, UDM): Thank you, Hon. Temporary Speaker.

Is the Hon. Member in order to claim that one Hon. Baya can finish a CEO? I am not comfortable with that statement. Is he in order to use that language, that one can finish the CEO?

**The Temporary Speaker** (Hon. Farah Maalim): Yes, indeed. Hon. Bady, you have used unparliamentary language. You cannot say that. Did he say he would kill him? What did he say?

**Hon. Chiforomodo Mangale** (Lungalunga, UDM): Amesema angemmaliza.

**The Temporary Speaker** (Hon. Farah Maalim): He said *angemmaliza*. It means to kill. Withdraw that immediately, please. We do not take the law in our hands in a law-making institution—the National Assembly of the Republic of Kenya. Yes, Proceed. Withdraw and apologise. You have the microphone. *Umeomba msamaha?*

**Hon. Bady Twalib** (Jomvu, ODM): Sawa. Nimetupilia mbali matamshi hayo. Ninaomba msamaha kulingana na haya. Lakini, kulingana na uchungu wa Mhe. Owen Baya, ni lazima tusherekeshe ili tuoneshe kuwa alikuwa na uchungu sana kuhusu mashirika haya.

Katika Ripoti hizi, ya kwanza ni ya Miaka ya Fedha 2017/2018 mpaka 2023/2024. Ya pili ni ya Miaka ya Fedha 2021/2022 mpaka 2023/2024. Ya tatu ni ya Miaka Fedha 2019/2020 mpaka 2023/2024. Ya mwisho ni ya Miaka Fedha 2015/2016 mpaka 2018/2019. Tukitaka kutathmini Mwenyekiti Mhe. Wangwe kwa Ripoti hizi nne, amepeleka zote mpaka Mwaka wa Fedha 2023/2024. Ina maana ipi? Ripoti zitakuja kulingana na wakati ufaao tukimpa mwaka ujao. Sasa tunasema katika Kamati ya Utekelezaji ni muhimu kamati kama hizi zikija na Ripoti zake, Kamati ya Utekelezaji ione kuwa imeweza kutekeleza yale ambayo inatafikana kwa haraka iwezekanavyo kwa sababu hii Kamati kupitia Mhe. Wangwe imeipa muda kwa kizungu tunasema *timelines* ya miezi mitatu. Lakini utakuja kukuta miezi mitatu imemalizika, Kamati ya Utekelezaji mpaka saa hizi hakuna lolote ambalo linaweza kufanyika juu ya hapa. Kwa mfano, katika haya Mashirika 2017 mpaka leo, huyu Mkurugenzi Mkuu, wengine washakufa, wengine sasa hivi wanazunguka na mambo yao, wengine hawajulikani walipo.

Sasa sisi tunajadili Ripoti ya Kamati kwa namna hii, lakini tutakaposema ukweli, je hatua gani ambayo tutaweza kuichukua Mhe. Spika wa Muda. Mimi ninavyoona, ninakubaliana na ndugu yangu Mhe. Owen Baya, ikiwa kuna Shirika ambalo limekuwa na ubadilifu wa pesa na haliwezi kuleta ripoti kwa wakati wa mwaka unaofuata, wasipewe bajeti mpaka wahakikishe kuwa wameweka hesabu zao ziwe sawa. Tukiangalia Mhe. Wangwe amezungumza kuhusu NSSF, leo hii kuna miradi mikubwa, na mali nyingi za NSSF lakini hakuna hati miliki ya mali kama hiyo ya NSSF. Mahali ambapo umiliki wake haujulikani uko kinamna gani. Kwa hivyo kitu cha muhimu ambacho nataka kukisema leo ni kwa kuwa wale

wote ambao walifanya ubadilifu wa pesa na Kamati imekuja na hii Ripoti, baada ya miezi mitatu kama Kamati ilivyosema baada ya kupitishwa, ili hatua hii ipatikane watafutwe kokote waliko. Hii ni kwa sababu kama pesa ni ya NSSF, ni pesa ya wafanyi kazi. Wafanyi kazi wanaumia jasho lao hasa sasa katika nchi hii yetu ya Kenya, maisha ni magumu sana. Ukiangalia wao wenyewe wanajikimu ili wapate pesa kwa maisha yao ya baadaye na watoto wao, utampata mtu mkurugenzi mkuu ndio anayefanya mambo yake ambayo haiwezi kueleweka. Kwa hivyo Mhe. Spika wa Muda, nataka kusema kuwa naiunga mkono Ripoti hii ya Kamati ya Uhasibu na vile vile kusema kuwa kutoka kupitishwa kwake mpaka miezi mitatu itakapofika, hatua iweze kuchukuliwa. Kwa hayo ambayo nimeweza kuchangia nataka kuchukua fursa hii kushukuru kwa kunipea muda na mimi pia kuchangia katika Ripoti ya Kamati hii.

Asante Sana.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Bisau

**Hon. Bisau Kakai** (Kiminini, DAP-K): Thank you very much, Hon. Temporary Speaker.

I would like to congratulate the Hon. Chairperson, Hon. Wangwe because these reports cover seven years. And I think it is in the wisdom of the House that we decided to break up these entities into different Public Investments Committees so that we could address this particular backlog. What is worrying, however, if you look at most of the Reports, been qualified Reports, a very clear indication that the way things have been done in the past has not been in the correct manner. But from where it has been picked up, picking up the backlog of the seven years, it is very clear that going forward, the heads of institutions will ensure that actually they go by the book and as per the set audit requirements. But again, what is critical, most of these entities have had their heads there for more than three years and continuously, if you have a head of the organisation getting qualified results in terms of the audit, that is a very clear indication that there is non-performance. So, even us as a House, as we go forward, as much as the reports are being submitted, we need to come up with very clear terms that in the event that a person or a head of an institution is not performing three years continuously, then it is a very clear indication that that person is not fit to hold office.

Lastly, Hon. Temporary Speaker...

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Members. Hon. Bissau, when this Debate resumes, you will have eight minutes.

Hon. Members, please keep standing.

## ADJOURNMENT

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Members, the time being 7 p.m., this House stands adjourned until Wednesday, the 8<sup>th</sup> of October, at 9.30 a.m.

The House rose at 7.00 p.m.

*Published by  
Clerk of the National Assembly  
Parliament Buildings  
Nairobi*