



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

THE HANSARD

Wednesday, 1st October 2025

The House met at 2.30 p.m.

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

PRAYERS

Hon. Speaker: Hon. Members, well done. Today, we are starting the House with a Quorum. Clerk-at-the-Table.

(Several Members walked into the Chamber)

Members on their feet take the nearest seats.

PETITIONS

RECATEGORISATION OF TSAVO EAST AND TSAVO WEST NATIONAL PARKS

Hon. Members, I have a Petition regarding Recategorisation of Tsavo East and Tsavo West National Parks. Article 119 of the Constitution accords in person the right to petition Parliament to consider any matter 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.

In this regard, I wish to report to the House that my office has received a Petition from the Speaker of the County Assembly of Taita Taveta, Hon. Anselm Mwadime of PO Box 1142-80304 Wundanyi, calling for the classification of Tsavo East and Tsavo West National Reserves. The petitioner states that the 11th Schedule to the Wildlife Conservation and Management Act categorises Tsavo East and Tsavo West National Parks as National Parks, with a total coverage of 11,747 square kilometres and 9,065 square kilometres, respectively.

Hon. Members, the Speaker of the County Assembly of Taita Taveta avers that the current categorisation of the two national parks denies the County Government of Taita Taveta the opportunity to protect and maintain the biological diversity and its associated resources. The petitioner claims that the current classification of the two national parks is discriminatory to the people of Taita Taveta and contrary to the provisions of Article 27 of the Constitution, as other county governments collect revenues from their established national reserves.

The petitioner asserts that the County Government of Taita Taveta is eager to harness the resources within the Tsavo region, excluding wildlife, whose management and protection it is willing to leave under the exclusive management of the Kenya Wildlife Service (KWS). Additionally, the County Government of Taita Taveta expresses readiness to develop policies and strategies aimed at enhancing the management and revenue generation from the parks.

The Speaker of the County Assembly further avers that the current categorisation of the national parks has not allowed the County Government of Taita Taveta to benefit from the revenue share collected by the KWS. In light of the foregoing, the petitioner seeks the intervention of the National Assembly to amend the Wildlife Conservation and Management

Act by recategorising national parks and national reserves in the 11th Schedule of the Act to enhance conservation efforts.

Having established that the matter raised in the Petition is well within the authority of this House and is not pending before any Court of law or Constitutional legal body, I hereby commit the Petition to the Select Committee on Public Petitions for consideration pursuant to Standing Order 208A. The Committee is required to consider the Petition and report its findings to the House and the Petitioner in accordance with Standing Order 227(2)

I thank you.

On the same note, the Hon. Leader of the Majority Party, I have received about five letters from petitioners protesting the delay in finalising and communicating the outcome of their petitions. Is Hon. Karemba in the House? Hon. Karemba, as the Chairman of the Select Committee on Public Petitions, I call you out and direct the Hon. Leader of the Majority Leader to sit with you and furnish my office on how many petitions are pending before your Committee, how long they have been pending and how soon you will clear them. I know you are new to the Committee. Now, you should change the manner in which you prosecute your work.

Hon. Mwashako.

Hon. Danson Mwashako (Wundanyi, WDM): I wanted to indulge you, Hon. Speaker, whether I can make a comment.

Hon. Speaker: Yes, you can.

Hon. Danson Mwashako (Wundanyi, WDM): Thank you, Hon. Speaker. First, thank you for acceding to the request by the Ag. Speaker of the County Assembly of Taita Taveta, Hon. Anselm Chao, to Table that Petition in the House. I wish to make a short statement.

Hon. Speaker: I did not table the Petition; I presented it.

Hon. Danson Mwashako (Wundanyi, WDM): Thank you, Hon. Speaker, for presenting the Petition on behalf of the people of Taita Taveta.

This Petition is at the heart of the people of Taita Taveta. We have been addressing this issue in various forums; however, this time the House has seized the matter. We are exploring the possibility of having Tsavo East and Tsavo West National Parks managed by the County Government of Taita Taveta. This will address some of the most severe historical injustices. We know that other game reserves, such as the Maasai Mara National Reserve, in the County Government of Narok, collect in excess of Ksh3.6 billion, which goes to their people. When it comes to the County Government of Taita Taveta, we have 62 per cent of our land under Tsavo East and Tsavo West National Parks, yet no single shilling goes to the people of Taita Taveta.

This matter is grave. Recently, the President proclaimed that the County Government of Taita Taveta will receive 50 per cent of the revenue share from Tsavo East and Tsavo West National Parks. However, I know that so far, the line ministry has not done anything. He had also recommended that 40 per cent of employment goes to the people of Taita Taveta, which has not happened.

We request that the whole Tsavo East and Tsavo West National Parks be returned to a Game Reserve status, allowing the people of Taita Taveta County to gain full ownership of this asset. This measure would enable the local community to manage conservation and generate its own revenue.

I thank you for giving me this opportunity to comment.

Hon. Speaker: Thank you. Yes, Hon. Karemba.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Speaker. For the benefit of this House, I wish to inform the House that the Committee, as newly constituted, has moved with a lot of speed and has expedited quite a number of reports.

Only last week, I was on the Floor of the House and tabled about five reports. The progress is good, but as you directed, we will sit down with the Hon. Leader of the Majority

Party, and I will then update the House and you on the progress we will make. My assurance to this House and to you is that the newly constituted Committee has very dedicated Members. The House will soon start seeing a lot of progress in terms of reports and petitions presented to this House.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Karemba. Citizens come to this House because they have trust in your ability to resolve their issues. They come to this House because they do not want to go to Court and believe you can provide them with better justice. So do so. Yes, Hon. Bowen, 1 minute.

Hon. Kangongo Bowen (Marakwet East, UDA): Hon. Speaker, thank you for giving me this opportunity to say something about the Petition. I have heard the Petition from the Speaker of the County Assembly of Taita Taveta regarding the national parks and the consideration of recategorising the national reserves.

Hon. Speaker, I ask the Public Petitions Committee to look into this Petition very carefully. If possible, they can propose legislation in this House that guides our national parks. This is because they are our national treasures. They are our sources of revenue because of tourism. This will prevent having a Petition from Taita Taveta County today and then another one next week from another county that hosts a national park. We should have one piece of legislation. We should not degazette all our national parks and give them to counties. We can decide how revenues from these national parks can be shared between the National Government and county governments.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Karemba, you have processed...

Hon. Nabii Nabwera (Lugari, ODM): On a point of order.

Hon. Speaker: Is that Hon. Nabii? Yes, go ahead. Take one minute.

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Speaker. I echo what my colleague who was on the Floor of the House has said. This issue is very critical at this time because some parks or reserves contain minerals that the resident communities do not benefit from. Therefore, we require a standard policy and legislation. The way you treat Mount Elgon should be the same way you treat the parks in Taita Taveta, Kakamega National Park and others in any part of the country. Otherwise, it becomes very inequitable.

Thank you, Hon. Speaker.

Hon. Speaker: Next is Hon. Tandaza.

Hon. Kassim Tandaza (Matuga, ANC): Thank you, Hon. Speaker. Regarding the issue of national parks, we lost someone in Ganze Constituency due to the menace of elephants from Tsavo National Park. As Members of the Coast Parliamentary Group, we have now been forced to organise ourselves. We are in the process of obtaining bows and arrows to chase those elephants, as the Kenya Wildlife Service (KWS) is unable to address this issue. We raised it before and even talked to the Cabinet Secretary and Principal Secretary. What is remaining is for us to go there and physically deal with the menace.

The issue of national parks extends beyond the Taita Taveta County Government. It also spills over to Kwale and Kilifi, where the same elephants are destroying farms and killing people. If any Hon. Member would like to join us on 18th October, please note that we have enough bows and arrows to deal with those elephants.

Thank you, Hon. Speaker.

(Laughter)

Hon. Speaker: I hope you are aware that possession of bows and arrows is a criminal offence.

(Laughter)

Yes, Hon. Parashina.

Hon. Parashina Sakimba (Kajiado South, ODM): Thank you, Hon. Speaker. I also rise to support the Petition and contribute to it. It is good to understand that Taita Taveta County is petitioning for the revenue that comes from their national parks. I also come from an area with a national park, Amboseli National Park, which is in the process of becoming a game reserve that will be managed by the county government. The only thing we need to check is the interest of the entire country to ensure the revenue collected by the National Government reaches the local communities and the county governments.

We support the Petition. However, as the Legislature, we need to look into what needs to be legislated. We need a law governing national parks, which are categorised as either national parks or game reserves.

Thank you, Hon. Speaker.

Hon. Speaker: Those of you who have issues, go to the Public Petitions Committee and present them. Member for Wundanyi, Hon. Mwashako, do you have a Petition to present?

Hon. Danson Mwashako (Wundanyi, WDM): Thank you, Hon. Speaker. My petition concerns the delivery of original marriage certificates to the Registrar of Marriages in Nairobi. Sorry, Hon. Speaker, it just got lost.

Hon. Speaker: Hon. Mwashako, if you have difficulties with technology, use hard copies.

DELIVERY OF ORIGINAL MARRIAGE CERTIFICATES TO THE REGISTRAR OF MARRIAGES

Hon. Danson Mwashako (Wundanyi, WDM): Hon. Speaker, I rise to present a public Petition on the delivery of original marriage certificates to the Registrar of Marriages in Nairobi.

I, the undersigned, on behalf of the licensed ministers of faith from Taita Taveta County, draw the attention of the House to the following:

THAT, Article 45 of the Constitution of Kenya recognises the family as the natural and fundamental unit of society which must be recognised and protected by the State. In giving effect to this provision, Parliament enacted the Marriage Act, 2014;

THAT, the Marriage Act, 2014, recognises the five systems of marriages, namely Civil, Christian, Hindu, Customary and Islamic marriages. Section 50 of the Act establishes the office of the Registrar of Marriages and empowers him or her to appoint marriage officers at national and county levels;

THAT, on 3rd September 2004, the Registrar of Marriages published a notice in the *Daily Nation* newspaper directing licensed ministers of faith and gazetted marriage officers to comply with the new procedure for the submission of a marriage certificate as provided under Sections 53 and 57 of the Marriage Act (Cap. 150);

THAT, the notice in part required that all licensed ministers of faith submit to the Registrar of Marriages in Nairobi all marriage certificates already conducted and in their custody within 30 days from the date of the notice. For marriages conducted from 1st September 2024 onwards, the marriage certificates and other relevant documentation will be scanned, uploaded, and the original document will be delivered physically to Nairobi within 14 days of the celebration. Original marriage certificates to be delivered to the Registrar of Marriages in Nairobi within 14 days of the celebration of marriage;

THAT, despite the constitutional requirement under Article 10(2) of the Constitution, which lists public participation as a national value and principle of governance binding all state organs, state officers and public officers when making or implementing policy, the licensed ministers of faith were never consulted on the new policy directive;

THAT, the implementation of the policy has placed an unnecessary administrative and financial burden on licensed ministers of faith who are now compelled to travel to Nairobi to submit original marriage certificates, thereby making the officiating of marriages in religious settings unnecessarily costly and cumbersome;

THAT, requiring the physical delivery of original marriage certificates from all counties to Nairobi, undermines the constitutional principle of devolution and decentralisation of services, and may deter prospective couples from exercising their civic right to marry;

THAT, further, the policy shift has led to congestion at the Registrar of Marriages Nairobi office, creating opportunities for unethical practices, including attempted bribery by individuals seeking to expedite service;

THAT, attempts by licensed ministers of faith to engage the relevant authorities for a review or reversal of this policy have not yielded any positive outcome to date; and

THAT, the issues raised in this Petition are not pending before any Court of law, constitutional body or any other legal institution;

THEREFORE, your humble petitioners pray that the National Assembly, through the Public Petitions Committee:

1. Recommends that the policy requiring licensed ministers of faith from all counties to physically deliver original marriage certificate to the Registrar of Marriages in Nairobi be revoked.
2. Recommends that the licensed ministers of faith be allowed to submit original marriage certificates to the Registrar of Marriages within their respective counties, with county offices bearing the responsibility of forwarding the documents to Nairobi.
3. Make any other recommendation it may deem appropriate to address the plight of the petitioners.

And your petitioners will forever pray.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Karemba, you will bring the findings of your Committee within 60 days. Furnish it to the petitioner and bring it to the House.

Next Order.

PAPERS

The Deputy Leader of the Majority Party.

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

Reports of the Auditor-General and Financial Statements for the year ended 30th June 2025 and the certificates therein in respect of:

1. Kenya Accreditation Service;
2. Central Bank of Kenya;
3. Micro Finance Sector Support Credit Project (Credit No. CKE 3004 01E and CKE 6010 01E) – The National Treasury; and

4. Coordinate Implementation of Population Policy and ICPD25 Commitments Project – National Council for Population and Development.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, before the next order, allow me to acknowledge in the Speaker's Gallery, Gathuthuma Junior School, from Kirinyaga Central Constituency, Kirinyaga County; Kamuiru Junior School, from Kirinyaga Central Constituency, Kirinyaga County; and Nandi Students Association from Chesumei Constituency, Nandi County. In the Public Gallery, we have Sunrise School from Embakasi Central Constituency, Nairobi City County, and Kyulungwa Comprehensive School from Mwingi Central Constituency, Kitui County. On behalf of myself and the House, I would like to welcome the students, teachers, and those accompanying them. Hon. Mulyungi has asked me to welcome the students. You can welcome your students and the rest of the students on our behalf in one minute.

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you, Hon. Speaker. I want to add my voice in welcoming all the students who are in this House to Parliament. I also want to welcome my own school, Kyulungwa Comprehensive School, from Mwingi Central Constituency.

I want to encourage the students here to aspire to one day sit in this House and serve in senior positions in this country in the future. I wish you journey mercies as you go back home. Pass our regards to your parents. Thank you.

Hon. Speaker: Hon. Gitari. One minute.

Hon. Joseph Gitari (Kirinyaga Central, UDA): Thank you, Hon. Speaker, for giving me this chance. I want to join you in welcoming these students. I welcome students specifically from Kamuiru Primary School, where I studied, and Gathuthuma Junior School, which is a few metres away from Kamuiru Junior School. I want to tell them, as I always tell students, that they must consider themselves very lucky. The first time I came to Parliament was when I was elected. They are coming to Parliament when they are in junior school. *Karibuni sana*. Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, we have a Supplementary Order Paper on your gadgets and in the Table Office. I will direct the reorganisation of business as follows: Order No. 7, Questions and Statements, will come after the disposal of Orders No. 8, 9, 10 and 13. Note accordingly. Call out the next Order.

NOTICE OF MOTION

NOTICE OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

Hon. Naisula.

RISE IN FEMICIDE AND GBV CASES

Hon. Naisula Lesuuda (Samburu West, KANU): Hon. Speaker, pursuant to Standing Order 33(1), I seek leave for the adjournment of the House for purposes of discussing a definite matter of urgent national importance regarding the alarming rise in cases of femicide and gender-based violence in the country.

In recent months, there has been a disturbing surge in brutal killings and abuse of women and children. This worrying trend has been evidenced by several horrific incidents across the country. For example, in September 2025, a young woman in Narok County was abducted and assaulted by her relatives for allegedly going against the wishes of the family in

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relation to her choice of marriage partner. Similarly, in July 2025, a 16-year-old secondary school student in Kakamega County was defiled by her teacher, highlighting the vulnerability of children within learning institutions. Alarming, cases of children being killed by close relatives have also been reported in the recent past. For instance, an 11-year-old child from Bomet County was killed by his father following a domestic disagreement, while in Tana River, four children were allegedly buried alive by their father as a form of punishment. Despite widespread advocacy against these heinous acts, the justice system, including the Judiciary, the National Police Service, and the Office of the Director of Public Prosecutions, has failed to protect victims and ensure accountability. Specifically, there have been reports on the mishandling of evidence on victims of gender-based violence, which has contributed to a culture of impunity where perpetrators act without fear of repercussions.

There is therefore a need for concerted efforts by all stakeholders, including relevant government agencies, Non-Governmental Organisations (NGOs), and civil society, in supporting victims and raising awareness. Additionally, there is a need to safeguard the right to education for children endangered by child marriages, which is a violation of human rights. Regrettably, the Directorate of Children Services has yet to establish offices in all constituencies, resulting in delays in monitoring incidents and safeguarding children from all forms of exploitation.

Hon. Speaker, it is against this background that I seek leave for the adjournment of the House to discuss this matter of great national concern with a view to exploring possible lasting solutions. I thank you, Hon. Speaker.

Hon. Speaker: Do you have supporters?

Hon. Members: Yes.

(Several Members stood in their places)

Hon. Speaker: Thank you. You may take your seats. The support is overwhelming. Hon. Naisula, I will allocate you time to move your Motion either at 6.00 p.m. or after Order No. 14, whichever comes earlier. If Order No. 14 is disposed of at 5.00 p.m., be on standby to move your Motion. But at 6.00 p.m., the House will curtail business to give you an opportunity. The Motion will be debated for one hour.

Next Order.

MOTIONS

ADOPTION OF FIFTH REPORT ON AUDITED ACCOUNTS FOR SELECTED STATE CORPORATIONS

THAT, this House adopts the Fifth 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 Tuesday, 5th August 2025—

- (i) National Social Security Fund for FY 2020/2021;
- (ii) Kenya Marine and Fisheries Research Institute for FY 2019/2020 to 2020/2021;
- (iii) National Hospital Insurance Fund for FY 2018/2019 to 2020/2021; and
- (iv) Kenya Broadcasting Corporation for FY 2013/2014 to 2018/2019.

(Moved by Hon. Emmanuel Wangwe on 23.9.2025)

(Debate concluded on 30.9.2025)

(Several Members stood in their places)

Members on their feet, take your seats.

(Question put and agreed to)

ADOPTION OF SIXTH REPORT ON AUDITED ACCOUNTS
FOR SELECTED STATE CORPORATIONS

THAT, this House adopts the Sixth 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 Tuesday, 5th August 2025:

1. Agro-Chemical and Food Company Limited for FYs 2015/2016 to 2016/2017.
2. Kenya Animal Genetic Resources Centre for FYs 2011/2012 to 2017/2018.
3. Moi Teaching and Referral Hospital for FYs 2015/2016 to 2016/2017.
4. Public Benefit Organisation Regulatory Authority (formerly NGO Coordination Board) for FYs 1992/1993 to 2006/2007.

(Moved by Hon. Caleb Amisi on 30.9.2025)

(Debate concluded on 30.9.2025)

(Question put and agreed to)

ADOPTION OF REPORT ON AUDITED ACCOUNTS FOR
THE WATER SECTOR TRUST FUND

THAT, this House adopts the Report of the Special Funds Accounts Committee on its consideration of the audited accounts for the Water Sector Trust Fund for the financial years 2018/2019 to 2022/2023, laid on the Table of the House on Tuesday, 29th July 2025.

(Moved by Hon. Fatuma Mohammed on 30.9.2025)

(Debate concluded on 30.9.2025)

(Question put and agreed to)

(Hon. Shurie consulted loudly)

Hon. Speaker: Hon. Shurie and your colleague, you are disorderly.
Next Order.

CONSIDERATION OF SESSIONAL PAPER NO. 2 OF 2025
ON PRIVATISATION OF THE KENYA PIPELINE COMPANY (KPC)

THAT, this House adopts the Joint Report of the Departmental Committee on Energy and Select Committee on Public Debt and Privatisation on the consideration of the Sessional Paper No. 2 of 2025 on the Proposed Privatisation of Kenya Pipeline Company (KPC) Limited, laid on the Table of the House on Thursday, 14th August 2025, and —

- (i) approves Sessional Paper No. 2 of 2025 on the Privatisation of Kenya Pipeline Company (KPC) Limited; and
- (ii) makes policy resolution as contained in the Schedule to the Order Paper.

(Moved by Hon. Abdi Shurie on 19.8.2025)

(Resumption of debate interrupted on 19.8.2025)

Hon. Kimani Ichungw'ah.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I rise to support the Motion on consideration of the Sessional Paper on the initial public offer (IPO) of the Kenya Pipeline Company (KPC) Limited that was moved by the Chair of the Privatisation Committee just before the short recess. A lot had been said about this proposed privatisation. What we were to consider was not the privatisation process per se, but the Sessional Paper that proposes to privatise KPC through an initial public offer. As the Chair and the seconder of this Motion, Hon. Gikaria said that the Kenya Pipeline Company has remained a critical and strategic investment by the Kenyan people over the years.

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

[The Temporary Speaker (Hon. Peter Kaluma) in the Chair]

Hon. Temporary Speaker, just as we have done with other critical and strategic investments over the past few years, case in point being KenGen, KPLC, KCB, and Safaricom, we have enhanced corporate governance in State corporations by privatising them through IPO. Unlike situations where you bring in strategic investors, IPOs offer everybody an opportunity to invest in these companies. Therefore, it enhances corporate governance in a big way in the management of those companies. As the Chair said, you can get that from the Report that was tabled before this House – in their consideration of the Sessional Paper, one of the key objectives is to inject new corporate governance in the Kenya Pipeline Company Limited to not only enhance efficiency in the operations of the company, but also to increase its profitability.

The Sessional Paper proposes to privatise 65 per cent of the government's shareholding in Kenya Pipeline, leaving the Government with a strategic 35 per cent stake. Therefore, we will still maintain control. No investor will come in and take up the entire 65 per cent. That is why I was drawing the difference between bringing a strategic investor... If you bring in a strategic investor to take up 65 per cent, they will effectively have control over that company. However, in the case of the initial public offering of Kenya Pipeline, the majority shareholder of KPC will continue to be the Government of Kenya, even as we allow other individuals – including ourselves – to hold shareholdings. It is now time to invite all Kenyans to start saving

in preparation for buying shares in this company. As an investor in the stock market, I can tell them that this will be a very good buy.

If you look at our economy, a lot of macro and fiscal changes have been undertaken in the last three or four years. We have started reaping the benefits of some of these macro and fiscal interventions that have been done. If you look at inflation and our exchange rate, things are stabilising. If you went through – for those who cared to read – the public participation report of the Finance Bill of 2025/2026 Financial Year, one of the critical things that Kenyans spoke to very loudly – this is something that we have always said here and on television stations as Members of Parliament – was that government must introduce new innovative ways of funding both the provision of infrastructure and service delivery to Kenyans. Over the years, we have largely depended on the taxes that we raise. During the public participation for the Finance Bill, Kenyans loudly told us – as stated in the Report published before this House by the Finance Committee – that we must innovate new ways of financing our infrastructure and service delivery by the Government. Top among those innovative ways is to release part of the shareholding in some of these profitable and strategic investments that the Government has held shares in over the years. That is exactly what the National Treasury has proposed to do. When the Committee considered this Report, I know that Kenyans raised many concerns. If you look at the Report that was tabled, many of those concerns have since been addressed by the Committee.

If you look at the recommendations of the Committee, it has asked us to approve the privatisation of 65 per cent of Kenya Pipeline through an IPO and implement an employee share ownership plan. Some of the concerns from Kenya Pipeline employees are: will they now lose value, and will some employees lose their jobs? I would like to inform the Kenya Pipeline employees that, many years ago, before KenGen, KCB, and Safaricom were privatised, they were very small companies that employed very few people. The Safaricom of today, after being privatised, is a behemoth of an organisation that is serving not just Kenyans but many people around the world. Safaricom, through M-Pesa, has become a hallmark around the world, and many countries are copying its innovations and technology. That is what comes with enhanced corporate governance when you privatise an institution, as we have proposed.

Therefore, the share ownership plan – which I support – will ensure that employees of Kenya Pipeline maintain their jobs. The Kenya Pipeline, through enhanced corporate governance, will grow into a company that will employ more Kenyans. Kenyans all over are looking for jobs. Therefore, the right thing to do for this country is to allow the National Treasury to privatise this company and enhance its corporate governance, so that it can employ more Kenyans and create more wealth out of the company.

The Committee has also proposed that we ensure a transparent valuation of the company, with which I fully concur. Without pre-empting debate, there is a Privatisation Bill that is lined up for debate by this House under Order No. 14. If you go through that Privatisation Bill, in the valuation of companies that are listed for privatisation by whichever mode, whether by IPO or by bringing in strategic investors, the question of valuation will be a key consideration. Therefore, even this would be no exception, and it will be done that way.

There is a strong and deep link between the growth of an economy and the growth of equity markets or capital markets. Our capital markets today are doing exceptionally well. The Nairobi Stock Exchange is performing strongly, and therefore, as the economy grows, it must grow in tandem with the capital markets. Because my time is over, I implore Members to support this proposal. It is good for the country, and we will benefit more than anyone else from this IPO, which seeks to raise about Ksh100 billion. The Committee is proposing that the proceeds should primarily go towards settling domestic arrears. These arrears relate to contracts awarded in our constituencies for roads, as well as contracts under the National Government Constituency Development Fund (NG-CDF) and National Government Affirmative Action

Fund (NGAAF). This money will benefit not just the economy, but also our constituents, even as the economy grows alongside the capital markets.

There is no better time to invest in the capital markets than now. If you have a shilling that you can save, invest it in this IPO. You will remember my advice. I advised a colleague a few months ago to buy shares in a bank. At the time, they dismissed the idea, yet today, as I smile all the way to the bank, they keep knocking on my door, asking for something. Therefore, let no one come asking for support. If you have savings, invest them in this IPO. It will be the best welfare you can bequeath to your children and to the people of Kenya.

With that, I beg to support and urge Members to support this Sessional Paper to allow us to progress, raise money for the budget process, and meet the Ksh100 billion that we factored into the budget. In my estimation, the figure will rise to Ksh 150 or even Ksh 200 billion. What better reward can we give the Kenyan people than to raise Ksh150 to Ksh200 billion over Christmas?

I beg to support.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Leader of the Majority Party, for those clear contributions.

Hon. Members, allow me to welcome a group of students visiting the House of Parliament. They are seated in the Speaker's Gallery. This is Metkei Girls High School from Keiyo South, Elgeyo Marakwet County, represented by six top-performing students. They are welcome to the House to observe the Proceedings during their learning tour.

Is Hon. Ng'elechei around?

(Hon. Caroline Ng'elechei spoke off the record)

Welcome the six top-performing students from Elgeyo Marakwet, as well as other visiting students. These are students from Metkei Girls' High School.

Hon. Caroline Ng'elechei (Elgeyo Marakwet County, Independent): Thank you, Hon. Temporary Speaker.

I have been trying to locate the students. Maybe they left or are yet to come in. Ooh, I can see them. I just wanted them to stand. They did not stand when they were mentioned. I welcome the beautiful girls from Metkei. They are top-performing students, and Metkei Girls is the academic giant of Elgeyo Marakwet. Whenever you see these girls, know they are A+ (plus) material.

I wish to welcome all of you here. Metkei Girls, the sky is the limit. You belong in this House or in other leading institutions in the future. This is the Constituency where Hon. Gideon Kimaiyo comes from. He met the students before they entered, and I remained to welcome them. We are proud of these girls, from a school deep in Elgeyo Marakwet County. I also encourage other girls from the county to know it is possible to perform and excel.

To the other students in the Chamber, welcome to the National Assembly. With hard work and focus, you can one day represent your people here or even become the President of the Republic of Kenya.

Thank you, and welcome, Metkei Girls. We will meet outside for a cup of tea.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much, Hon. Ng'elechei. The students are welcome to this House, where we make laws, oversight the Government, and budget for the country. Hon. Benjamin Lang'at will now proceed.

Hon. Benjamin Lang'at (Ainamoi, UDA): Hon. Temporary Speaker, thank you very much for the opportunity to contribute to the approval of...

The Temporary Speaker (Hon. Peter Kaluma): We are not dealing with the Privatisation Bill.

Hon. Benjamin Lang'at (Ainamoi, UDA): I am aware, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Yes, then proceed.

Hon. Benjamin Lang'at (Ainamoi, UDA): Hon. Temporary Speaker, thank you very much for the opportunity to contribute to the approval of this Sessional Paper on the privatisation of Kenya Pipeline.

I thank the Committee for a job well done. They engaged the public and allayed fears that had been raised. We already have strong examples of successful privatisations. As the Leader of the Majority Party has said, we have the Kenya Commercial Bank, which is performing well in the hands of Kenyans. Safaricom, once privatised, has become the largest company in Kenya and has led in innovation. Similarly, privatising Kenya Pipeline will bring more innovations, better services, and employment for thousands of Kenyans. It is not the business of the Government to do business. The more the Government releases companies to the private sector, the more it can focus on service delivery. The proceeds from this privatisation should go into infrastructure and essential services, such as water.

I strongly support the approval of this privatisation. With those remarks, I support.

The Temporary Speaker (Hon. Peter Kaluma): Hon. CPA Julius Rutto.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Temporary Speaker.

I rise to support this Motion on the privatisation of Kenya Pipeline. From a professional standpoint, governments, like individuals, have the right to exercise ownership of assets. Many government assets were established using taxpayers' money to provide services, regulate, or complement the private sector. What we are discussing is fundamental. Kenya, as a sovereign state, has the responsibility to manage its fiscal space.

Hon. Temporary Speaker, the country is planned, developed, and its expenditure is measured, forecasted, and predicted through a fiscal responsibility or framework. Looking at the level of our debt liability, the Consolidated Fund Service is one of the critical components of our budget structure. Currently, it is almost at Ksh1.2 trillion. This money is the first charge whenever the budget is being expended.

Whether we collect anything or nothing, when the Cabinet Secretary sits to plan expenditure, the law mandates that the first charge from whatever we collect is to discharge debt liability. In this scenario, we are discussing how to relieve our choked and stressed fiscal framework. Allow me to use the word oppressed. Debt obligations taken a long time ago are now maturing day in and day out. Whether alive or dead, the development was already dispensed with. It is imperative for any government to devise ways and seek resources to fulfil that liability, as it is an important obligation. This Government has that responsibility.

Regarding looking for resources, we have borrowed enough. We even struggle to borrow. Sometimes we even struggle to meet unnecessary conditions to get space to borrow. Looking at our economy, we cannot raise our taxes through VAT or income tax. It is only on a timely or periodical basis that we cover part of our budget. Whatever is available now is after borrowing. What do you have if you do not borrow?

Like any farmer who rears cattle, you dispose of what you have to relieve yourself to have something to spend. I am sure there are nomads and cattle farmers like Hon. Makilap and the rest here. Who stops you from selling your cow when you want to pay school fees for your child? It is your responsibility and value for your child to go to school. Your cows are the resources you have. This Government has the agenda to pay off debts and develop the country. It has the right to generate revenue through exercising assets within its disposal.

Secondly, we cannot ignore transparency and inclusivity. Remember, this Constitution has provided a mechanism for Kenyans to participate. In this case, we want to allow Kenyans to own primary and prime companies. Look at privatised companies like the Kenya Commercial Bank (KCB), which was struggling before that. It is one of the multinational companies with branches in Tanzania, Uganda, and South Sudan, as we speak. Why? Because it was allowed to be managed and run privately with an entrepreneurial rather than a public

concept, which sometimes need not be profit-making. At times, it is purely service that the politics of the day deplete. Once privatised, profitability drives the company's agenda, and it expands.

Since my time is short, I support this agenda. I am ready to buy shares. I am ready to dispose of what I have immediately and acquire shares. I am very sure that the Kenya Pipeline Company will rise and its share prices will increase. That is wealth to people like me and young upcoming people.

Thank you so much. I support.

The Temporary Speaker (Hon. Peter Kaluma): Whip of the Majority Party, Hon. Silvanus Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you very much, Hon. Temporary Speaker. I also want to vehemently support this Sessional Paper and congratulate the Committee for a job well done. Much has been said about investment and the stock exchange.

As I contribute, I must say that I am a living testament to what such a line of investment can do. I was going through a statement sent by my stockbroker just yesterday. I must say that I was so impressed. Based on my guesswork regarding KCB, the Kenya Reinsurance Corporation (Kenya Re), and Kenya Power from about four or five months ago, the statement I saw really mesmerised me. It is about time we think about this line.

I do not know why the Member of Laikipia is so excited. I think she will be escorting me all the way to the bank.

All said and done, the Government must raise funds through different channels. One of them is to offer an opportunity for the masses to walk alongside them. They say, walk alone if you want to go fast; walk with people if you want to go far. Since time immemorial, many of these corporations have been left to employees who just depend on the exchequer and salaries to run. They simply pass the time, waiting to retire at 60, then go home and enjoy their pension. That is the reason most of these public corporations are not progressing.

This Sessional Paper is advising offering Kenyans an opportunity just like back in 2009. You remember in 2009 when Kenyans queued along the Nation Centre to purchase Safaricom shares, which were selling at about Ksh5. Kenyans were all over saying they wanted to partake of this monster. It became humongous over time as people invested in it.

It is time for Kenyans to take some of these proposals positively, including those who are watching us. Sometimes you hear people say that so-and-so has invested or owns shares in a particular company and has become the largest shareholder. It is a gradual growth. You have been offered an opportunity.

For example, Kenya Re shares could go for KSh3 today. Tomorrow it appreciates to KSh11. The next day it appreciates to KSh25 shillings. This helps grow your financial strength and raise money for the Government or a state corporation to avoid falling because of the many eyes watching. This is why it is time for Kenyans to embrace this line of investment and raise capital for state corporations.

I do not even know why we are belabouring the point. We should all support this Sessional Paper, including privatisation and the opportunity to invest, so that we can move forward together as a country. This will help us and the country to grow. Considering the statement I received from my stockbroker regarding the opportunity I was presented with about five months ago, I invite Hon. Jane Kagiri to join me so that we can smile all the way to the bank.

The Temporary Speaker (Hon. Peter Kaluma): Next is the Deputy Leader of the Majority Party, Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Thank you. Proper economic growth began during the early years of Kibaki's term, when Initial Public Offerings (IPOs) started to emerge

in this country. KCB, Safaricom, KenGen and many other IPOs came in. I want to tell this House that this country has raised a lot of money. Very many IPOs were actually oversubscribed. People wondered where money came from. The money watered an economic growth that started during Kibaki's time. Having an IPO like the Kenya Pipeline Company is a good thing for this country.

*(Hon Kimani Ichung'wah and other Members
stood in the aisle and consulted loudly)*

Hon. Owen Baya (Kilifi North, UDA): While I appreciate that the Leader of the Majority Party has to consult, ask him to allow his deputy to speak to the nation.

The Temporary Speaker (Hon. Peter Kaluma): Order, Members consulting by the Bar. Please, take your seats.

Hon. Owen Baya (Kilifi North, UDA): Thank you. For this country to move forward, we must offload the many corporations that take a significant portion of taxpayers' money, yet produce very little. It is important that we start the privatisation process. The best place to start is the Kenya Pipeline Company. For many years, we have said that we are raiding people's pay slips and raising taxes. Taxes are very high in this country. We have to find innovative ways of raising capital and resources to build the infrastructure that we need. The IPO is one of the ways. Considering the amount we are trying to raise from this IPO, it is time for the Government to offload some Kenya Pipeline Company shares and use the proceeds to develop what we need. The proposal seeks to privatise up to 65 per cent of the Government's shareholding in KPC via an IPO, with the Government retaining at least 35 per cent. This is fair because the Government will still retain a 35 per cent share. Thus, the Government remains the largest shareholder, and therefore, we are not losing KPC.

The Leader of the Majority Party has stated that we budgeted for Ksh100 billion. If we do not raise this money, we will have a deficit of KSh100 billion, despite owning assets. When one has issues, in my language we have a saying, "*Mtuwakolwa ni chakwe*", meaning that which you have is what will save you at a time of need. The Leader of the Majority party is informing me that in his language, they say, "*Mtu hushika mbuzi yake*." The Government has KPC. It is this KPC that the Government must hold onto at a time like this to raise funds, capital, and resources to take care of the many needs that we have.

Hon. Temporary Speaker, the Coast Region, for example, does not have a level 6 hospital. Where will we get money in bulk to build one?

The Temporary Speaker (Hon. Peter Kaluma): Is it the entire Coastal Region?

Hon. Owen Baya (Kilifi North, UDA): Yes, the entire Coast Region does not have a level 6 hospital, and that is the same with the North-eastern region. Now, where will we get the money to do this? We need roads—roads that will open up the economy of this country. Do we still want to go back to China to borrow money? Do we want to continue dealing with the rogue International Monetary Fund (IMF)? We have our own assets that we can dispose of, raise money from, and allow Kenyans to own. People are talking as if KPC is being given to other people. Kenyans will own it. When it makes a profit, the money will still come back to Kenyans.

With those many remarks, I support the privatisation of KPC. It should be offloaded, and Kenyans should be allowed to own it. If we do so, we will progress as a country.

I thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Wilberforce Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I want to be very clear from the onset. Unlike what my colleagues are alluding to, we are dealing

with a Sessional Paper. Our Report on a Sessional Paper is not a privatisation proceeding, in respect of the privatisation of the KPC. People need to read.

When I hear my colleagues jumping the gun and postulating about how they will build level 10 hospitals and implement other initiatives, it causes a great deal of confusion. This is why we sometimes lose debates in this House. Hon. Owen Baya is a seasoned Member, and he should have made it clear to the country that this is a report of a Sessional Paper that merely proposes actions.

First, I need to go on record that the Government has no business participating in business activities. This is the position observed globally.

Secondly, privatisation to unlock value is a widely accepted concept around the world. Thirdly, we have experienced privatisation processes in this country that have been successful, yet some have ended badly. One such example is the Webuye Pan Paper, where the company was sold off by powerful individuals who stripped it of its assets and walked away. We also have the case of the New Kenya Cooperative Creameries (KCC), which was sold, and it took the intervention of President Mwai Kibaki to repurchase it. Another classical case of failure is being authored here today—a case of plunder and theft.

In policy number seven, we are informed of some amorphous individuals claiming money from KPC. We have not been informed of their identities, how this situation arose, or what remedy was taken to penalise those responsible for the exploitation of these resources. We are informed that there are pending lawsuits amounting to Ksh 5.7 billion. Your guess is as good as mine. Who are the claimants? Who are the lawyers involved? Who are the brokers in this matter? And who among the judges is likely to be bribed to expedite judgment, so that when billions are disbursed, they are paid first?

Furthermore, we are being made aware of the Zakhem International case. We all know the details surrounding the Zakhem scandal. Those who orchestrated it are walking scot-free in this country; none of them has ever been brought to book. We are effectively selling and stripping public assets to pay crooks who are already in bed with certain government officials at the moment. We have been informed of a potential loss of public funds amounting to KSh 192 billion. Yet, we have not been told where the perpetrators are.

Hon. Temporary Speaker, selling an asset to pay pending bills—some of which have yet to be verified and appear to have been deliberately accumulated—is foolhardy. For how long will you continue to sell assets to address pending bills and the losses we accrue daily from non-productive activities? There is a fear that a monopoly or oligopoly will emerge from this situation. While the principle may be sound, the foundation for this privatisation is fundamentally flawed, skewed to benefit a select few, ultimately leaving the Kenyan populace poorer than before. Unfortunately, I stand here to oppose.

The rest may proceed as they wish, but I wish to go on record as having been the sober voice who stood for the people of Kenya. Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) James Nyikal.

(Loud consultations)

There is also ethnic and regional balance in Parliament. Allow Hon. (Dr) Nyikal to make his contribution.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. I support this with extreme caution. The principle of selling assets and transitioning their management to private entities is commendable. However, given our circumstances, one must examine the summary presented in the Supplementary Order Paper. The entire situation relies on the actions of the Privatisation Commission, which has been met with considerable scrutiny regarding its role.

Referring to policy seven, as Hon. (Dr) Oundo has discussed, should the Privatisation Commission fail to clarify the issues raised, a number of pending bills may actually involve lawsuits. Consequently, we may find ourselves allocating funds to compensate lawyers without understanding the nature of their defence. Some of these lawyers might have connections to the Zakhem International case. Additionally, the summary indicates that this is a strategic company; if it succeeds, that is well and good, but should it fail, it would spell disaster for the country.

What does KPC do? It is vital for the transportation and storage of oil. The country runs on oil. If we do not manage oil effectively, we will face significant challenges, whether in transporting individuals or goods. If we do not manage the oil industry, the power industry will be affected. We still generate a lot of power using oil. We are talking about the privatisation of what we live by. We are giving it away wholly to the Privatisation Commission. Today, Parliament is handing over the welfare of the country to the Commission, yet we have not put any regulations in place to protect us. We believe that the Commission we have put in place will look after us, and if it does not, we will be in trouble.

Some of these ideas are from the World Bank. We have had similar problems before with institutions like Kenya Railways, and we were advised to liquidate its properties to resuscitate it; however, it has taken years. Some might not even realise that, at one point, Kenya Railways owned more property in this country than even the Government itself. I support this, but caution that we look at what the Commission does very carefully.

The Commission also needs to know that it has to run the Kenya Pipeline Company (KPC) properly. For instance, what happened to the Depot in Kisumu is that the loading is so skewed that exporters take so much time that local retailers do not even have time to obtain the fuel they need. I support the Motion, but we must approach it cautiously. The Privatisation Commission must be aware of where it is taking this country.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Mwengi Mutuse. Before you make your contributions, I would like to welcome students from Kithimani Primary School, Yatta Constituency, Machakos County, who are present in the Public Gallery this afternoon to observe our Proceedings. You are welcome.

(Applause)

Hon. Marianne Kitany (Aldai, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): What is your point of order?

Hon. Marianne Kitany (Aldai, UDA): I rise under Standing Order 95, considering the immense contributions to this debate and also the next Order, which also talks about privatisation.

I request that the Mover be called to reply.

(Loud consultations)

Order, Hon. Members. I am the one presiding over the House. Hon. Mwengi Mutuse will make his contribution, and at the end of his contribution, I will put a question for the House to decide on what has been raised by Marianne Kitany. That is what our Standing Orders say. Hon. Mwengi Mutuse, proceed.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Thank you, Hon. Temporary Speaker.

I request that I be heard in silence. Before I execute my few points, allow me to disabuse some of the notions that have been put across by some of my colleagues, whom I respect a lot, who spoke before me. The much-respected Member, Dr Oundo, seems to sensationalise this

issue just because some of these cases have failed in the past. The sensationalism seems to stem from generalisations that are not particularly supported by the facts of the proposed privatisation.

Dr Nyikal is a respected colleague, and with caution, I want to add that you cannot keep on anticipating an accident. Privatisation is not a new phenomenon. It is not an invention of the Broad-Based Government or of President William Ruto; it began in 1992, and we have statutes. The Privatisation Act speaks to this and has been legislated upon by this Parliament. As mentioned earlier, there are many cases of successful privatisations. For that reason, and looking at the mood of the House, I am in support of the point of order by Hon. Marianne Kitany. Many of the contributions appear to be similar in support of that.

(Several Members spoke off the record)

Yes, I am with us. If it pleases you, Hon. Temporary Speaker, that the Mover may be called upon to reply and that we are given a chance to contribute under Standing Order 14.

I thank you, Hon. Temporary Speaker.

(Loud consultations)

The Temporary Speaker (Hon. Peter Kaluma): Order, Hon. Members. This decision is yours to make, not the Speaker's. Hon. Marianne Kitany, who rose under Standing Order 95, has requested that a question be put; that the Mover be called upon to reply.

(Question, that the Mover be now called upon to reply, put and agreed to)

For those who wanted to speak to this matter, the next Motion is also about the Privatisation Bill, and we can elaborate more on those ideals. Mover, proceed.

Hon. Abdi Shurie (Balambala, JP): Thank you, Hon. Temporary Speaker. I rise to reply. First, allow me to extend my sincere appreciation to the House under your able leadership.

I also thank my Co-Chairman, the Chairperson of the Departmental Committee on Energy, and indeed all the Members of the two Committees for the dedication and support they have demonstrated throughout the consideration of this Report.

We expect the National Treasury to undertake the listing with the highest degree of transparency and integrity. We further urge that deliberate measures be put in place to ensure that ordinary Kenyans have the opportunity to participate in this Initial Public Offering (IPO). This includes effective marketing, accessible public communication, and an affordable financing mechanism that empowers citizens to acquire shares. This way, we will promote equitable ownership and ensure that the benefits of privatisation are broadly shared across the nation.

With those many remarks, I beg to reply.

(Hon. Silvanus Osoro and several Members remained standing)

Let those who need to take their seats do so. Hon. Osoro, you will take your seat. I know the work you are doing is for the House, but now we take our seats and we make decisions.

(Question put and agreed to)

Next Order.

BILL

Second Reading

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

The Temporary Speaker (Hon. Peter Kaluma): Mover, the Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. I beg to move that the Privatisation Bill (National Assembly Bill No. 36 of 2025) be now read a Second Time.

By way of introduction, it is important to note that this is a very critical legislative initiative that presents a conscious recalibration of our approach, as a nation, to the privatisation of State-owned enterprises.

Hon. Temporary Speaker, as you correctly alluded, those who did not have the opportunity to contribute to Order 13 can do so under this Bill that speaks to the privatisation of State-owned enterprises.

This Bill is a direct response to constitutional and public governance imperatives. It reflects lessons that we have learnt from recent judicial determinations concerning the previous legal framework. We can all recall that we passed the Privatisation Bill, 2023, which intended to replace The Privatisation Act, 2005. Our intention was to modernise our privatisation process. However, immediately the Bill was enacted, it was challenged in Court. A judgment was delivered on 24th September 2024, in the case of Katiba Institute and others versus the Speaker of the National Assembly and others. The High Court declared the Privatisation Act, 2023, unconstitutional, null, and void. The Court found that Parliament had failed to conduct meaningful public participation and had undermined constitutional values of transparency, separation of powers and legislative oversight, especially regarding sensitive decisions to divest State assets without parliamentary approval. The decision restored the legal environment to its status quo, reverting to the provisions of the Privatisation Act, 2005. Therefore, this Bill seeks to address the issues that were raised by the Court.

I take this opportunity to thank the Chair of the Public Debt and Privatisation Committee, Hon. Shurie, and his Members, for the meticulous work they put into ensuring that every issue raised by the Court, especially regarding public participation, was addressed. This Bill has been drafted in a way that bridges all those gaps that were identified and lays a very good foundation for a constitutionally grounded privatisation framework for the country to move forward. It once again establishes the Privatisation Authority, as outlined in the Privatisation Act, 2023, as a professional and independent body tasked with advising the Government on privatisation matters, preparing proposals for privatisation, and overseeing the implementation of such privatisation processes.

Unlike the Privatisation Bill, 2023, this Bill enshrines robust safeguards for parliamentary and public participation. It restores the National Assembly's oversight role and reinstates the requirement for parliamentary approval before any privatisation process can proceed, not merely Executive notification. That is critical because one of the issues that many Kenyans, including those who went to Court, raised was the question of public participation.

As I said earlier, the issue of public participation was adequately addressed in the processing of this Bill. Equally, the issues raised regarding the separation of powers between

the Executive and Parliament, particularly the question of removing Parliament's oversight role in privatisation matters, were addressed. Therefore, this Bill ensures that any privatisation process in this country will not be a mere notification to the National Assembly on the privatisation programme by the Executive, but will seek approval from Parliament. It is only Parliament that can approve privatisation processes because this is a matter that touches on the divestiture of public investments. Therefore, the people's representatives have a role to execute. This was echoed even in the previous proposal under Order 13.

As I said earlier, the current legal framework for privatisation is anchored around the Privatisation Act, 2005. It became operational in 2008, which was before the promulgation of the new Constitution. Therefore, the Act, as it is today, does not address critical constitutional principles under the new Constitution. I must thank the Committee again because they ensured that this Bill is in tandem with the Constitution, unlike the Privatisation Act, 2005.

Another key strength of the Bill is the emphasis on transparency and inclusivity. As I mentioned, issues were raised regarding the inclusivity of the public in the privatisation matter that was in Court. This Bill insists on mandatory consultations with affected stakeholders during preparation of privatisation programmes and public gazetting of approved programmes. For instance, if you want to privatise a company or any State corporation, you must engage with the relevant stakeholders in that industry beforehand. You must also provide the approved privatisation programmes and publication of key details of completed transactions in the *Kenya Gazette*. It is not just enough to notify people that we intend to privatise 'this and that' State corporation, you must engage key stakeholders in that sector. Post privatisation, you must report to Kenyans the details of the completed transactions. That is why I said that even on the privatisation of KPC, once we get into the IPO, the Government will be obligated to come back to the people's representatives to report on the progress of the completed transaction. That ensures not only inclusivity, but also transparency and accountability in the manner in which we conduct the privatisation process.

I heard Hon. Oundo, Member for Funyula, speak at length. It is good to play to the gallery in this House because we are not in a church—we are in a House of Parliament which deals with politics. It is good for Hon. Oundo to play to the gallery and excite those he seeks to excite. But facts speak better than playing to the gallery. In the laws we are enacting today – the Sessional Paper No. 2 of 2025 on the privatisation of the KPC, that we have just approved, or this Privatisation Bill – matters of inclusivity, transparency and accountability are cardinal. How I wish that Hon. Oundo was here to contribute to these issues.

(Hon. (Dr) Ojiambo Oundo walked into the Chamber)

I can see him walking back into the Chamber. He needs to articulate the issues he was speaking to now, because they are very well stipulated in this Bill. I thank him for playing to the gallery—speaking to the people of Funyula for them to see that he is indeed a Doctor who can speak 'good English'. But the 'good English' is also what has been put in this legislative proposal to ensure that the issues Hon. Oundo is speaking to, including transparency, inclusivity, engagement with stakeholders, accountability and reporting back on the completed transaction, are adhered to. Hon. Oundo, you should read this Bill and internalise it. There are Members who came here just to vote and walk out. And you know them. If you ask them what is contained in these legislative proposals, they do not know. For example, ask the Member for Kajiado North what is in this Bill. He has no idea. Ask him what was in the Sessional Paper No. 2 of 2025. He has no idea.

I speak to these issues because we are now in debate, Second Reading. Please, take time to read the Bill and internalise it. See how well this Bill has been processed by the Committee. In the last Parliament, we deliberately separated from the Departmental Committee on Finance

and National Planning, the Public Debt and Privatisation Committee. This was done to allow diligent Members of this House, like Hon. Shurie, Hon. Makali Mulu, Hon. Makilap and Hon. Omboko Milemba, a seasoned Member of this House, to sit in this Committee. This Committee of very serious legislators sat for long hours to ensure that this particular Bill will not only pass the test of time, but also constitutionality, so that it does not befall the fate that befell the 2023 Act.

Hon. Temporary Speaker, in conclusion, this Bill provides a very clear review and appeals mechanism through the Privatisation Appeals Board. Therefore, it is not enough to just come back and report on the completed transaction. If any Kenyan is dissatisfied with the manner in which a particular privatisation programme is being carried out, they can appeal to the Privatisation Appeals Board, with the possibility of further recourse to the High Court. This further promotes the fairness and accountability that Hon. Oundo was speaking to. I now invite him and many of us to support this Privatisation Bill so that it becomes an Act of Parliament, thereby guiding and shepherding us through the process of privatisation. As I said, privatisation is here with us and we cannot run away from it.

I hear the concerns of many people when we speak about privatisation: that we are selling State assets and strategic investments. Hon. Owen Baya spoke something in his local language that said, 'You use what you possess.' It loosely translates from what we also say in my community, '*Mundu endagia mburi iria enayo.*' It means that you can only dispose of a goat you own. We have resources, but we are constrained in raising revenues in this country.

Some people oppose the privatisation of State-owned assets to raise resources for the State to deliver services to the people, whether in infrastructure or healthcare, while at the same time opposing the raising of taxes. Then, when they appear on television stations, because they want to look intelligent, they claim that the Government must innovate new ways of raising money. What other new ways are there, other than raising money from the capital markets or the privatisation of profitable companies? You do not sell that which is dead, but that which is alive. Hon. Clive knows that even in his cowshed, he cannot sell dying cows, but those that are strong will fetch better prices in the market and help to acquire new investments and healthier calves. Hon. Clive went to the Alliance High School and knows these things. At times, I look at him speaking elsewhere and I wonder. He knows these things, and it is the right thing to do for the country and our constituents. Let us use privatisation to raise money so that we do not overtax Kenyans. When one opposes privatisation and Initial Public Offers (IPOs), it is essentially telling the Government to go back and borrow, or raise taxes. The government is telling us today that we do not want to overtax Kenyans; we do not want to raise taxes, and we do not want to increase public debt. We want to utilise the resources we have.

The savings we encouraged speak to the issues we are talking about now. About six years ago, we amended the National Social Security Fund (NSSF) Act to ensure we encourage a savings culture. However, many people at that time opposed it, and some even went to Court. Today, we see the benefits of having entrenched that savings culture in NSSF. When we talk about privatisation, we have an opportunity for the NSSF, as they have raised resources over the last three years equivalent to double the amount they have raised over the past 60 years. Therefore, the NSSF is a strategic investor that can invest in our Public-Private Partnership (PPP) model of financing infrastructure projects, as well as some of the companies that the Government is directly divesting from, being an independent body corporate. The NSSF is not the Government of Kenya. Therefore, nothing stops it from investing, for instance, in the IPO of the Kenya Pipeline Company (KPC) to own an additional 25 per cent of the KPC, and that is money Kenyans are saving for their old age. What better investment opportunities are there other than through this privatisation, even for other State-owned enterprises and authorities like NSSF, to invest in our own economy?

Because this Bill is largely a repetition of the 2023 Act, with the corrections that have now constitutionalised the issues that the Court had declared unconstitutional. I will not belabour it.

Therefore, I beg to move. The indomitable Chairman of the Public Debt and Privatisation Committee has put in a lot of work together with his Committee to ensure that this Bill becomes business to be considered before this House. I request him to second.

The Temporary Speaker (Hon. Peter Kaluma): Proceed.

Hon. Abdi Shurie (Balambala, JP): Hon. Temporary Speaker, I rise to second the Privatisation Bill (National Assembly Bill No.36 of 2025) as moved by the Leader of the Majority Party, Hon. Ichung'wah.

This Bill has undergone extensive and rigorous deliberations by both Committees, namely, the Public Debt and Privatisation Committee and the Departmental Committee on Finance and National Planning. Members devoted significant time and expertise to examining its provisions with the objective of ensuring that the proposed legal framework adequately responds to both present and future challenges while unlocking opportunities that a modernised privatisation regime can deliver to our country.

Allow me to highlight the key strengths of this Bill. First is the enhanced public participation and inclusivity. This legislation is the product of one of the most comprehensive public participation exercises undertaken in recent years. The committees facilitated the submission of written memoranda and conducted stakeholder consultations across 25 counties. This ensured that voices from diverse sectors and regions informed the development of the proposed framework. We appreciate the office of the Hon. Speaker and that of the Clerk of the National Assembly for the facilitation that made this exercise possible.

Second, strengthened parliamentary oversight and transparency. The Bill significantly enhances the role of the National Assembly in overseeing privatisation. It stipulates that the privatisation programme and each proposed transaction relating to a State-owned enterprise must receive the express approval of this House. This provision entrenches accountability, transparency, and democratic legitimacy in the privatisation process while safeguarding public interest.

Third, safeguards for stakeholders and an efficient appeals mechanism. The Bill institutionalises avenues for various stakeholders, including employees, investors, and the wider public, to express their concerns and perspectives. In addition, it establishes an expedited and more efficient appeals mechanism, thereby promoting fairness, predictability, and investor confidence.

Fourth, economic efficiency and unlocking idle assets. Our nation continues to shoulder the fiscal burden of underperforming State-owned enterprises. The passage of this Bill will enable the efficient and effective privatisation of entities whose productive and economic capacity is under-utilised. In doing so, it will re-allocate resources towards more productive uses, stimulate private sector investment, and foster economic competitiveness.

Fifth, transparency, accountability, and market confidence. The Bill sets out clear principles for privatisation, anchoring the process on transparency, accountability, and public disclosure. This is vital for sustaining public trust and attracting both domestic and international investment capital.

Sixth, introduction of a sunset clause for the privatisation programme. A particular progressive feature of this Bill is the introduction of a four-year sunset clause for each privatisation programme. This provision ensures that privatisation transactions are implemented within a clear medium-term timeframe, aligned with the prevailing macroeconomic conditions. It provides certainty to the market, supports financial planning by investors, and reduces risks associated with long-term policy uncertainty.

In conclusion, I record my sincere appreciation to the Leader of the Majority Party, my co-chair, and Chairperson of the Departmental Committee on Finance and National Planning, for the spirit of collaboration that characterised our joint engagements. I equally extend my gratitude to Members of both committees, whose diligence and commitment to the robust scrutiny of the Bill have culminated in the Report before us today.

With those remarks, I beg to second. I urge this honourable House to support the passage of the Privatisation Bill, 2025. Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Order, Hon. Members.

(Question proposed)

Hon. Omboko Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Temporary Speaker, for this chance. I thank the movers of the Privatisation Bill. Privatisation is a process that is very vital for this country. It comes from the fact that we have had many State-owned enterprises. Originally, they were called parastatals. They were created for a purpose, and some of them have now outlived their existence. The majority of them were formed at independence, when the country was also facing a transition from colonial Government to self-independence. The country needed to balance investments across different areas to create employment opportunities for the Kenyans who were there. The private sector was also very weak and, therefore, could not invest in certain areas. When they did, it was in areas that they thought were of great interest in terms of profiteering, and they avoided others.

I am happy we have been talking about the Kenya Pipeline Company (KPC). That is one of the areas where, after independence, the private sector would not invest because of the lack of immense capital required and a lack of interest. However, along the way, these investments have outlived the need for the Government to continue investing in them. If you recall, some of them were as simple as supermarkets, such as Uchumi, and the transport sector, including taxis like the Kenya National Taxi Company (KENATCO). Others were as simple as just wholesale businesses. However, over time, the private sector has increased and has actually gained capacity. There is no real need for the Government to continue competing with the private sector in businesses that can be done better by the private sector. Experience has also shown that when given a chance to do businesses like hotels, the private sector does them better. That reminds me of hotels like the Gulf Hotel in Kakamega and the Sunset in Kisumu, which the Government is still struggling to invest in. The private sector is doing better in investing in hotels. Therefore, this law comes in timely.

The dangers associated with this law have been removed by the intense public participation that our Committee has conducted insofar as privatisation is concerned. One thing I want to be clear about to Kenyans is that the process of privatisation is with us. It is a correct process that will actually offload some burdens from the Government. For example, the burden of taxing people more to invest in private enterprises that are no longer profitable, and paying the workers in those enterprises that do not make a profit. All these issues are actually putting pressure on the Consolidated Fund. They are also increasing the wage bill, which would be reduced if we privatised these enterprises.

I, therefore, support this Bill. I also note that one of the key areas addressed, as already mentioned by the mover and seconder of the Bill, is the fact that Parliament has been brought to the centre of this process. This was very vital because these are enterprises that are owned by the public. Therefore, the representatives of the people in this House should hold a pivotal, very important, and core position in the privatisation process. That has been included in this Bill, and it is very good this time.

Number two, public participation and the threshold to be attained is very important. This will ensure that we do not have cases where this privatisation is being done by the Executive at a different corner, and the representatives of the people do not have a voice on what is happening. Transparency, inclusivity, and accountability in this process are also very important. This Bill addresses that too. There is inclusion of those who are involved in these enterprises that need to be privatised, so that workers, for instance, are involved and they have a stake. There is a need to ensure that the workers will have this place for themselves upon privatisation. This has been one of the most serious challenges for the workers of Kenya. Whenever privatisation occurs, they are left out, and that has not been very good. The community must also be included because some of these enterprises may touch on community-owned enterprises. We have our parks and other institutions that you may also need to consult with the community on, and let them have a say on how it should be done.

The timeline has also been put in law so that the process can be done within a timeframe that is known. This is, therefore, a very good law. This House must stand and take the oversight role of the process of privatisation strongly, and also take public participation very seriously. This will ensure that when the processes are occurring, they are transparent and every citizen is satisfied. With the passage of this Bill, the Government will be able to deal with some of the publicly-owned enterprises which are lying idle in the country. Most of them are in the form of either factories or hotels. We shall also be asking that the valuation of these enterprises, including the land on which they lie, be done in a very open way by the Auditor-General. The audit reports should be brought to Parliament for proper debating, to understand that the valuations so given are the correct valuations for those Government-owned enterprises that are being sold. This is the way to go. The Government cannot continue competing with the private sector in small enterprises, such as hotels, markets, supermarkets, and many others, which has led to increased spending and taxation, simply because it is trying to sustain these State-owned enterprises in the name of prosperity.

I thank you for this opportunity. I support this Bill, even the earlier one on KPC that I missed speaking on. We believe that with aspects of privatisation, running these organisations becomes more serious, there is accountability, and profits are made. A good example is Kenya Power.

Thank you. I beg to support.

The Temporary Speaker (Hon. Peter Kaluma): Hon. David Mboni from the Departmental Committee on Finance and National Planning.

Hon. David Mwalika (Kitui Rural, WDM): Thank you, Hon. Temporary Speaker. From the outset, I support this Bill. It is not because I am a member of the Departmental Committee on Finance and National Planning, but rather it is because my background is in economics. Therefore, a Bill like this one is in my area of specialisation.

After independence, the Government embarked on setting up parastatals and agencies. Currently, they stand at over 200 parastatals and agencies. Basically, they were to undertake regulatory work and bridge gaps where the private sector could not. By then, the private sector was very weak and could not offer services. Therefore, the Government set up parastatals, such as the Kenya National Trading Corporation (KNTC) and the National Oil Corporation of Kenya (NOCK), to provide services where the private sector could not. In the early 1990s, during the structural adjustments and liberalisation of the economy, the economy moved from a Government-controlled economy, that is, a command economy, to an open economy, and a market economy where demand and supply determine the market price. Because of that, most parastatals have become irrelevant to the economy. For example, the Kenya National Trading Corporation (KNTC), which was dealing with consumable goods, cement, and building materials, has become irrelevant. Most parastatals are facing challenges related to mismanagement and corruption. They have become an enormous stress on the Exchequer.

Billions of shillings are being spent on those parastatals. In fact, I propose that we give out some of them for free. If you are spending money on something that does not bring you a profit, you are making a loss.

I do not care. I know some people may say that I am in the Opposition, and yet I am supporting a Bill which the Opposition is not supposed to, but this is the right way to go.

When we were doing public participation on this Bill, Kenyans asked us a few questions. Should we first sell the Kenya Pipeline Company (KPC) or pass the Privatisation Bill? We should ask ourselves that question. I do not have a problem with that.

Another issue that arose was the valuation of the parastatals. How will they be valued? Kenyans have no problem with selling the parastatals, but they fear that most of them may be undervalued and end up in the wrong hands. They also questioned the methods used to sell the parastatals. Would it be transparent and accountable to Kenyans? They also questioned whether Kenyans would be given a chance to buy the parastatals. The Bill addresses those concerns.

I know we have successfully privatised some parastatals in the country. The Kenya Commercial Bank (KCB), Safaricom, and the Kenya Electricity Generating Company (KenGen) are examples of the success stories. However, there are also unsuccessful stories, such as Kenya Airways (KQ). We have spent a lot of money on KQ in recent years. Considering the amount of money that we have spent, we need to check if our equity in KQ as a country has increased.

The Bill is trying to address the defects which were not addressed in the Privatisation Bill, 2023, which the courts annulled because of simple things like public participation, which we have now conducted.

Clause 8 of the Bill establishes the Privatisation Authority to steer the privatisation agenda. It will be in charge of privatisation. This is a very important clause because for the last 10 years or more, we have not been able to sell any parastatal. The Nairobi Stock Exchange (NSE) has been dormant because we have been unable to offload some of those shares. If we sell some of those parastatals, money will flow into and out of the Exchequer. We will also save money by supporting the parastatals, which have really stressed the Exchequer.

Clauses 20 to 23 of the Bill provide for the privatisation programme by the Cabinet Secretary of the National Treasury and Economic Planning. This programme is supposed to be forwarded to the Cabinet for approval and brought to the National Assembly also for approval. The National Assembly can approve, amend, or disapprove the entire programme. This is where Parliament's oversight role becomes very important. We should not have a situation where parastatals are undervalued. If we feel that they are undervalued, we should reject the programme for individual parastatals or all of them.

Clause 21 of the Bill provides a detailed proposal for each entity listed in the programme and outlines various issues, such as the method of privatisation. For example, if we want to sell the Kenya Pipeline Company, the programme should have a proposal on how to do so. The method of privatisation should be included, whether it is an Initial Public Offering (IPO), Private Placement (PP), or Sale of Assets, and how the shares will be sold to the employees. When most parastatals are sold, employees are given the opportunity to buy a percentage of the shares, allowing them also to own a stake in the company.

Second, the programme will also include the approach and method of valuation. How will the parastatal be valued? This is so that people can, at least, understand the cost at which the parastatal has been valued and the figure that has been arrived at.

Third is the implication for the employees. How will the employees be treated? Will they remain in the parastatal or will they be given a "handshake"?

Last is the safeguard of public interest. This process will ensure transparency in the privatisation programme and accountability to Kenyans.

The Bill also provides a framework for appeals for aggrieved persons. If Hon. Oundo feels aggrieved, he can appeal the programme, so that the courts can address concerns on how the parastatal will be sold.

With those few remarks, I support the Bill.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, let me interrupt the proceedings to welcome students and teachers from Enosagami-Wuas Primary School, from Narok South Constituency, Narok County, who are seated in the Public Gallery. They are welcome to the National Assembly to observe the proceedings during their learning tour. This is the House where laws and the national Government Budget are made, and where we oversee the national Executive. You are welcome.

Hon. Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Temporary Speaker. At the outset, I support the Privatisation Bill. I am a Member of the Public Debt and Privatisation Committee, which moved across the country collecting views on this Bill from Kenyans.

The Bill is not new to this House. It was introduced in 2023, but it was thrown out by the courts because public participation was not done. We conducted a comprehensive public participation exercise across the country this time around.

One of the things that Members who have had the opportunity to read the Bill can confirm is that it sets up structures for privatisation, such as the establishment of a Privatisation Authority. The Bill transforms the previous Privatisation Commission into a Privatisation Authority with a Chairperson, a Chief Executive Officer (CEO), and other members drawn from the public. The Bill specifies that members appointed to the Privatisation Authority should have expertise in various areas. The Bill also defines a privatisation programme. Some have accused this House of abdicating its role to the Executive, but Clauses 23, 24, and 25 make the role of Parliament clear. Clause 25 states that the National Assembly shall approve, amend, or decline the privatisation programme. The Bill sets out the Authority, the privatisation programme, and other committees, including an Appeals Board for those who will not be satisfied with the privatisation process. It also establishes a committee to review the entire programme and set timelines. During public participation, Kenyans raised concerns about the sale of certain entities. This Bill is a legal framework that will continue to exist for many years and can be amended as needed. It repeals the Privatisation Act of 2005. Between 2005 and 2025, 20 years down the line, there was the promulgation of a new Constitution that set out some parastatals under the national Government. Some have outlived their usefulness.

Kenyans questioned why profitable entities, such as the Kenya Pipeline Company, are being privatised. If you want to make an entity more profitable, you privatise it so that it can attract more players and resources, generating revenue and improving operational efficiency. Clause 35(2)(h) requires proposals to include recommendations for socio-economic investment in the host community. This is critical for those who have been dealing with sugar or parastatals that are domiciled in specific communities.

The Bill also highlights the issue of valuation. Kenyans are very critical of valuation, including the Kenya Pipeline Company valuation that we have just passed. Kenyans are proposing that we could have two valuers so that the correct value of what is privatised is realised. Kenyans are interested in the security of those in the parastatals. I want to inform Kenyans that the privatisation of the Kenya Pipeline Company, which we have just passed, will create employment when expanded through the Initial Public Offer (IPO). Many players will be involved, and no one will lose their job. We also privatised Rivatex and look at its progress today. When I was in Finland, the Finnish people were running a programme for Rivatex. They were turning cotton into clothes in Eldoret, and it is becoming profitable.

This Bill addresses most of the issues that need attention. During public participation, people highlighted the requirement of over 10 years of experience. The youth in those areas said that this Bill is good, but suggested reducing the number of years. This will be reflected in our Report. Most importantly, the entities being privatised will bring in resources, generate revenue, and create more opportunities for Kenyans. The Privatisation Bill should not be seen as an avenue for selling everything. It creates an opportunity to raise resources to bridge budget gaps. This year, the budget gap is about Ksh923 billion, and some of it will be addressed through public-private partnerships, and others through resources raised via IPO. Using IPOs is effective because it protects strategic national assets.

Hon. Temporary Speaker, while we were in Eldoret, some people were saying that the bullet factory would be sold. We, however, told them that this Bill protects strategic national assets from being privatised. The rumours must be addressed. Regarding Makueni, a Court awarded residents compensation for oil spillage. When the Kenya Pipeline Company is privatised, it will generate more funds, and the new owners will manage it responsibly. Privatisation will ensure that the people of Makueni receive adequate compensation for oil spillage and related issues.

I am interested in investing in Kabarnet Hotel, which has been earmarked for privatisation. However, it has unpaid workers, but I will bring a proposal to ensure that workers receive their money. We must be careful. The Privatisation Bill has been thoroughly considered. We have even proposed amendments, and I urge Members of Parliament to be keen so that when the Chairman moves the amendments, they will be able to note that concerns from all regions have been addressed.

I support this Privatisation Bill because it is a framework.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Ndindi Nyoro is recognised to make his contribution.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to give my views on this Bill. From an economic perspective, everyone should support a lean Government, which focuses only on adjudicating services that directly affect the people. The Government must always try to eliminate excess weight because carrying more than you need will pull you behind. I have long advocated that the Government should not engage in business. What others can do should be left to them, as they can do it more efficiently.

Another reason the Government should not be too bulky or involved in too many commercial ventures is that it already, indirectly, owns 35 per cent of all businesses, including small companies run by Members of this House. With corporate tax at 35 per cent, the Government effectively sits on the board of your company all the time. It means the Government of Kenya is actually on the board of your company all the time, and you give them a 35 per cent share of the profit you make. It means, therefore, that you own 35 per cent of all enterprises indirectly, in terms of stakes and share of revenue, especially net revenue.

Hon. Temporary Speaker, across the world, many governments continue to shed off whatever can be done by others, especially in the private sector. There is always a debate, internationally speaking. When you look, for example, at an economy like the USA or South Korea, which are private sector-driven, meaning the Government does not necessarily engage in too much commercial activity... On the other hand, when you look at a country like China, you see an economy where the Government is a dominant stakeholder, and those economies tend to perform well. Therefore, it does not necessarily mean that everyone is entirely right. It all depends on the circumstances.

The reason many companies and governments decide to sell many of their corporate entities, especially the commercial ones they engage in, is that it enhances efficiency, especially when the original reason for engaging in them is overtaken by events. Let me clarify what I mean. As we discuss today, the Government of Kenya's efforts to facilitate the offloading of

stakes where the Government has a direct shareholding, it is worth noting that, as late as yesterday, the US government was investing in American lithium. They actually invested in a stake of around 5 per cent. Over the last month, the US government has actually invested USD 9 billion in Intel, which was previously a private company. Why? Investments in commercial entities, when it comes to sovereign states, must be guided by strategic decisions. Why are you engaging in that reason? The reason you find the oldest banks in Kenya being national banks and were previously owned by the State is the barrier to entry.

The barrier to entry could only be managed by the sovereign State, which is the Government. There were areas like banking, which was a novelty then, and no one could actually trust an individual investor with their own money when they held ownership of the bank. Those are the reasons we find, for example, that National Bank and Kenya Commercial Bank (KCB) had to be started by the Government at that time. However, those reasons have been overtaken by events. I say so because there is a lot of inefficiency in Government-controlled companies in booming sectors. Take the example of Consolidated Bank, which is over 98 per cent owned by the Government of Kenya in various forms. Look at Equity Bank, which is newer than Consolidated Bank. We noted that Consolidated Bank is presently having net capital, while Equity Bank has shareholders' funds of over Ksh300 billion, which is co-capital. Their profitability is again very diverse. Therefore, those strategic decisions made back then cannot hold true today.

Hon. Temporary Speaker, the strategic decision of the US Government investing in a chip-making company in aid of AI in the name of Intel is a current agenda item and, therefore, it is relevant. The reason for the US Government investing in American lithium yesterday, taking a 5 per cent stake, and also mitigating some of the risks associated with lithium mining, is also based on the current global economy and strategic decision-making. Therefore, we must always audit and identify what makes strategic sense and what does not, so that we can offload as much as possible to the private sector to do what they know best.

Hon. Temporary Speaker, let me talk about how we should spend the money. The previous agenda was about the Kenya Pipeline Company. My take would be this: for any company that goes through an Initial Public Offering (IPO), we must always reserve around 5 to 10 per cent of the proceeds to invest back in other entities, especially in alternative ways of offering the same service. What do I mean? As you offload any company, then you must take the money, create a venture capital fund, and invest in other institutions in the same sector. So, as you offload, you are incubating others to avoid offloading your entire portfolio.

Hon. Temporary Speaker, let me talk about the current capital markets because this is very important, even for the agenda we had about the Kenya Pipeline Company and even this Bill. Capital markets are all about international capital flow. In the USA, for example, Capital Markets, on the equity side alone, are double the size of the USA Gross Domestic Product (GDP). It is because the valuation of all companies listed in the USA, cumulatively, is around USD 62 trillion. On the fixed income side, it exceeds USD55 trillion. What do I mean, Hon. Temporary Speaker? If you compare it with our capital markets here, it is too small!

Therefore, we must make every effort to make it bigger and attractive, but this is the catch, Hon. Members. I am one of the people who would never vouch for the listing of the Kenya Pipeline Company, and I will give you a very practical reason. The current National Stock Exchange (NSE) in Kenya has been bearish this year, going up, but the companies listed are still grossly undervalued. And I can tell you without blinking an eye that this issue with the Kenya Pipeline Company will bring a lot of excitement. Kenyans will likely buy the IPO, but after the announcement of the financial results in February for the full year, the share company is expected to collapse, and the share price will follow suit. This is the reason: the current investors in the NSE are not buying assets; they are buying revenue. They are buying the bottom line. What do I mean? For example, look at a company like Kenya Power. The entire

Kenya Power has a valuation, or market capitalisation, of only Ksh27 billion. The reason I use the word 'only' is for comparison of the assets. It has assets of over Ksh350 billion, yet it generates net revenues of Ksh20 billion; however, its valuation is Ksh27 billion. A company like Kenya Reinsurance has net assets of over Ksh51 billion, and its market valuation is Ksh17 billion. Kenyans will buy shares in these companies out of excitement, but after the announcement of the full-year results next year, the share price will likely collapse. That is why I also fear that the Government may end up forcing the National Social Security Fund (NSSF) and other provident funds to actually participate in this. It's all because, commercially, it may not be viable for a logical investor. That is the reason we need to draw the line so that we...

The Temporary Speaker (Hon. Peter Kaluma): Hon. Ndindi Ndindi Nyoro will be given two more minutes.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, I think I have made that point. The current investor is not buying assets; rather, the current investor in the market is buying net revenue. If you look at the profitability of the Kenya Pipeline Company, last year it was Ksh 6.8 billion. The average for five years is Ksh5 billion. For an equivalent company in the NSE making a profit of Ksh5 billion, including a bank, the valuation is not more than Ksh35 billion. So, that is the kind of valuation that investors are going to encounter.

The other thing is control. We fight Government-owned entities, Hon. Temporary Speaker. The government owns 18 per cent of KCB, but then controls 100 per cent of the board. That is one of the things that the asset listing should capture. The Government cannot own 35 per cent of an asset, then control 100 per cent of the board. The other 65 per cent should be given board positions, and if the Government is giving the Chief Executive Officer, then the Chairman should not be from the Government, but from the private sector.

Hon. Temporary Speaker, this is the real valuation I was talking about, and this is a topic I can speak about the whole day. If you look at a company like Kenya Electricity Generating Company (KenGen), the valuation is around Ksh55 billion. If you look at their peers in Nigeria like Geregu Power Plc and Transcorp Power which do the same work and produce half the capacity of KenGen, the valuation is Ksh200 billion and Ksh211 billion, respectively. That is if you convert from Naira. So, what am I trying to say? Our market is not doing justice to valuations.

Enlisting a company now may not suffice, unless we have a strategic investor. Unfortunately, a strategic investor cannot work in an area like Kenya where we have a deficit in trust in the Government. If we engage a strategic investor, the high probability is that patronage will...

(Hon. Ndindi Nyoro spoke off the record)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Catherine Omanyoo.

Hon. Catherine Omanyoo (Busia County, ODM): Thank you, Hon. Temporary Speaker. I support this Bill fully. First of all, public participation must be done because it involves public property. Anything that is owned by the public must be extensively and intensively looked into and supported fully by the public.

Herein, we have representatives of the people. Before this Bill is now passed, we will be here as well. If any property is privatised, does it mean that the person taking over is carrying it to their homeland or China? No. It is still our property, but managed by people who can do it better, efficiently and transparently. We do not want negative energy in this Bill because if this is well done, unemployment among the youth will be 'dead and gone'.

There is also quality of how we manage public resources. If we bring in somebody who can manage them properly, it means our country will develop. I know very well that other nations that have developed have done it before. It is not new. I saw it happen with KenGen

and our Safaricom which is one of the best examples to put across. Although we have many dissenting voices to discourage and poison our people's minds, we should embrace this idea as long as we are in charge or control and we are not being taken advantage of in any way.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Cynthia Muge

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute to this Bill which I support.

There have been many questions since privatisation idea was brought to this country. Some of the entities that went through privatisation, prior to this Bill, have had a thorough beating. I looked at what happened to Rivatex East Africa Limited a few days ago. There are a lot of gaps that I feel should have been addressed before the privatisation decision was made. I appreciate this because this Bill has looked into some of those issues. They include, and are not limited to, looking at the assets and liabilities that these companies have.

It should be noted that, for example, the land that Rivatex East Africa Limited sits on is primarily owned by Moi University. You know the issues it has been going through. When the privatisation agreement was made, the amount of money that was being given as proceeds of the privatisation of Rivatex East Africa Limited was undervalued. You cannot say that the land that Rivatex East Africa Limited sits on, which is very prime in Eldoret, costs the amount that was paid as proceeds of that privatisation. If that piece of land and even the investment in Rivatex East Africa Limited had been valued properly, Moi University would not be borrowing and begging the national Government for a bailout of around Ksh2 billion. They would have comfortably got the money from the privatisation of Rivatex East Africa Limited which would have gone ahead to make profits and make sense economically in this country. I appreciate this Bill because it has looked at those matters.

The other issue is human resources. As we speak, the people who worked in Rivatex East Africa Limited are jobless. I am glad because this Bill seeks to undertake better public participation and do more consultation, so that we can arrive at better decisions on privatisation of these entities.

I appreciate and support privatisation. I read a Facebook post today and I have listened to many things being said by people, especially from Nandi. As we speak today, New Kenya Cooperative Creameries (KCC) has not paid farmers for four months. This is an entity that cannot say milk was not delivered to them. It was delivered to them and the farmers have invested in the production of the milk. However, four months down the line, that farmer has not been paid because of how New KCC is being run.

I wish I could carry New KCC and put better and prudent management, and some ideas and agenda into their heads. This should be a farmer-centred entity. You get the milk, you add value and then pay the farmer on time. The more reason I support this Bill that will guide privatisation is because of such issues. It will ensure that people who deliver raw materials into an entity get paid on time.

For a very long time, Government entities have been associated with bureaucracies and inefficiencies. I feel that privatisation will finally take off the responsibility of service delivery from Government entities. This will ensure that we run away from bureaucracies and the inefficiencies that are associated with them.

The things that we have in this country are of very high value. The problem we have is the mentality. We have not adopted a commercial model for many things that we run. Therefore, I feel that this Bill will finally lead this country and most of the entities that have been a burden and baggage, especially with the tight fiscal space. It is an opportunity to offload them.

I am happy to remove most of these entities from getting or requiring Exchequer bailouts so that they can go out there and generate their money. I really appreciate the thought

process that went into this Bill, so that we can finally and properly guide the privatisation of the entities. It will help to render services efficiently to Kenyans. Most importantly, it will sort out Kenyans who provide raw materials to some of these entities.

Hon. Temporary Speaker, I support this Bill. I hope that it gets appropriate implementation, so that it can sort out the many historical issues and problems that we face in this country.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Otiende Amollo, Senior Counsel.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Temporary Speaker. I hope the wise man who is now taking your attention will listen to our contribution. During a time like this, years back, he supported a similar Bill which we passed, despite our objection, and ended up being nullified. But wisdom has no limit.

On a serious note, I need your direction. I hope someone will tell Hon. Ndindi Nyoro what I said. Before my time starts running, under our Standing Orders, once a Bill has been moved and seconded, we are supposed to contribute. The Mover and Seconder are supposed to listen, so that they can address some of our concerns when they reply. From what I can see, the Mover has just appeared, and I like that. I should keep making these objections.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Otiende Amollo, we listen to proceedings of this House from various places. The Mover was actually behind here, listening to every word.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you. Hon. Temporary Speaker, may you direct that my time starts running now? I support this Bill with reservations. I do so because it has many good provisions, but some of them require to be re-examined. It is my hope that the Committee has re-examined them and will be moving amendments, or will consider them during the Committee of the whole House. This is an improvement, but it is still not perfect in my view.

I want to start with what has been said about approval by Parliament. If you look at Section 20, what Parliament submits is a programme, not the specific approval. I want you to juxtapose Section 20 with Section 22 and Section 26. Sections 20 and 22 deal with Parliament receiving the privatisation programme. Section 36(1) states that the Cabinet receives the specific proposal for each unit, not the programme. If you read 36(2), the Cabinet then approves each specific unit for privatisation, as opposed to Parliament, where we are given a whole programme.

Therefore, it is not entirely correct to say that under this Bill, Parliament specifically approves the privatisation. In my opinion, that is wrong. Parliament should retain the discretion to approve the specific unit of privatisation, not some overall programme. I then draw your attention to Section 23. In this Section, Parliament is restricted to 60 days. Section 23 states that Parliament must approve within 60 days. I know of no other legislation, except the Constitution itself, that introduces similar provisions. In this case, there is no reference to when Parliament is in recess. Many times, there would be a proviso that that time runs when Parliament is in session, not when it is on recess. I see no such provision here.

If you look at Section 32, it treats Kenyans and non-Kenyans alike. I am not quite sure what the motivation of Section 32 is. Even if the Section was quiet, it would treat Kenyans and non-Kenyans alike. But saying that it can be "any person, whether Kenyan or non-Kenyan," raises eyebrows. I thought if you must refer to it, then you would want to give some preferential treatment to Kenyans, if they are of equal footing. Saying that it does not matter is worrying to me.

Coming back to Section 20, on public participation that was spoken about, you realise that under this Bill, public participation is actually done by the Cabinet Secretary, as opposed to where we have usually been, where it is Parliament that does public participation. If you

read that with the restriction in terms of the 60 days, it drives you to the conclusion that this Bill wants public participation to be done by the Executive, and wants no window for public participation by Parliament. I have a problem with that.

Section 53, and this is a bit technical, but you will understand it...

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Otiende Amollo, you know, whenever you speak, the House goes quiet. Is there business that can be transacted by Parliament that does not involve public participation if we consider the provisions of Article 118?

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Let me answer it this way. What you have said is my exact concern. Section 20 of this Bill gives the Cabinet Secretary the discretion to undertake public participation. When it comes to Parliament, Section 23 restricts Parliament to 60 days. The point being this: in my view, that restriction will constrain the ability of Parliament to carry out public participation. That is my submission, and that then becomes unconstitutional.

The Temporary Speaker (Hon. Peter Kaluma): It will constrain Parliament in terms of time, but it cannot take away the obligation imposed on Parliament by Article 118, which I may read. I will freeze your time:

(1) Parliament shall—

- (a) conduct its business in an open manner, and its sittings and those of its committees shall be in public; and
- (b) facilitate public participation and involvement in the legislative and other business of Parliament and its committees.

So, privatisation at that level becomes other business of Parliament.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Everything you have read amplifies my argument. This is twofold. One, while Section 20 provides an avenue for public participation expressly by the Cabinet Secretary, there is no corresponding section that expressly provides for public participation by Parliament. That is the first limb. The second limb is that by restricting the time to 60 days, and you know how public participation works, it may interfere with the duty of Parliament to do public participation. That is my problem with those two sections.

I now come to my last submission, in relation to Section 53.

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

The Temporary Speaker (Hon. Peter Kaluma): No, Hon. Amollo does not want information from you, Mover.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): No. Mover, that is why I wanted you back. Take notes keenly, and then when you are replying, you will be able to respond.

The Temporary Speaker (Hon. Peter Kaluma): Mover, I have heard Hon. Amollo to be saying there could be an amendment to the period to allow Parliament...

Hon. (Dr) Otiende Amollo (Rarieda, ODM): But that is where I started. I started by saying this...

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): But what is the point of order?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, you can also freeze Hon. Otiende's time because I just need...

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Otiende, I will not freeze your time, but I will add more time.

Hon. Kimani Ichung'wah (Kikuyu, UDA): The issue Hon. (Dr) Otiende is raising, and you have alluded to it, is critical to public participation. You have clearly read the provisions of Article 118 of the Constitution. I wanted Hon. (Dr) Otiende to help the House as a senior counsel. When the Constitution explicitly provides for public participation, that Parliament must conduct public participation on any legislative proposal, an Act of Parliament can never negate that. That is my understanding of basic law, and I am not a student of law. That is why I wanted Hon. (Dr) Otiende to educate me, the House and Kenyans on whether the absence of that explicit provision in this statute, or this proposed statute, negates that which is provided for in the Constitution. Because my understanding, from what you are saying, is that it does not negate, Parliament will be obligated, as we do with all other legislative proposals, to carry out public participation. Just that clarification.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Otiende Amollo, I will allow that only because you were in the Committee of Experts; otherwise, you owe the Mover no obligation of education. So, proceed.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Indeed. We allow the Mover that discretion, but that is not a point of order. That is a point of argument but let me now explain what the problem is slowly.

Two things. One is that because the Constitution provides for public participation, you may not need to expressly provide for it. But then the question is why expressly provide for public participation by the Cabinet Secretary? Public participation is required not just by Parliament but by all organs. When the Constitution does not require it to be explicitly stated in an Act, why would you provide for the Cabinet Secretary and not for Parliament? That is the first problem I have.

The next problem I have is the time constraint. Parliament should be left to its discretion to ensure sufficient public participation. When you constrain its time to 60 days, then you might actually be constraining that duty. That is my problem. If you ask so that I answer...

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Amollo, you are understood. In fact, you are saying the same thing as the Mover, except you are speaking at cross purposes. You see the Mover is saying...

Hon. (Dr) Otiende Amollo (Rarieda, ODM): I am educating him in law.

(Laughter)

The Temporary Speaker (Hon. Peter Kaluma): The Mover is saying, if I understood him well, that while the least public participation is provided for in Article 10 as a national value, the Constitution specifically mentions it for Parliament, but does not for the Executive. The Mover is saying, for the Executive, the Bill may need to propose it specifically, but for Parliament, according to him, the Bill does not need to, because Article 118 already does so. But that does not take away your power to amend and to make it better.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Hon. Temporary Speaker, the Mover is wrong. That is what I am trying to explain. I may need a whole day to explain this. My whole point is that to constrain Parliament to 60 days is a constraint on the duty of public participation and we would do better to remove that time constraint. In very simple parlance, that is what I am saying.

But let me now come to my last point, and this is a little technical. I would not blame the Committee for Section 53 where we establish an Appeals Board. The design is good because you start with a review, appeal to the Appeals Board and then to the High Court. That is...

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Amollo, how long do you need?

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Two minutes.

The Temporary Speaker (Hon. Peter Kaluma): I will add you three minutes because of my own intervention.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you. The only technicality, and this is beyond this Act, is to advise the Committee that as we speak, there is a decision of the High Court and the Court of Appeal that moves all these tribunals to the Judiciary. In that context, to establish a tribunal whose appointment is entirely by the President and the Cabinet Secretary is one that might require re-examination. In fact, as we speak, the legal team in this House including the Speaker are grappling to persuade the court that there is room for administrative tribunals and judicial tribunals. But for now, that is the law. Therefore, as framed, Section 53 may be in danger of being unconstitutional.

Lastly, is on Order No.13 on the Order Paper, which I think was a Supplementary and the Leader of the Majority Party and the House Business Committee owe us an explanation. When we looked at the Order Paper this morning, Order No.13 was not about privatisation and some of us did not come to the House for that reason. When we come, we find there is a different Order Paper for approval of a privatisation based on a sessional paper when the very next order is approval of a Bill that regulates privatisation. What is this thing of legislation by ambush? It is something we must object to and it is something that must be corrected.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Amollo. The business of the House is determined by the House Business Committee and there is something called Supplementary Order Paper. So, we must always be vigilant.

Hon. Benjamin Lang'at will now speak.

Hon. Benjamin Lang'at (Ainamoi, UDA): Hon. Temporary Speaker, thank you for giving me this opportunity.

The Temporary Speaker (Hon. Peter Kaluma): Order, Members. The Mover, the Leader of the Majority Party, takes seriously the last point raised by Hon. Amollo. By the way, I know some amendments speak to it in terms of realigning those provisions. Hon. Amollo, also look at the distinction between the privatisation proposal and the privatisation programme in terms of their contents and then you can make proposals on how to improve this Bill that you both agree is good.

Hon. Benjamin Lang'at, proceed.

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to contribute to this Bill. As has been said, this is not a new Bill. It had already been passed in 2023 but the courts annulled it. The reason it was annulled was mainly because of lack of public participation, and I want to inform the House that we have done very serious public participation. In fact, we went to 25 counties outside Nairobi. We have corrected the anomaly and hopefully the Bill will go through.

This Bill seeks to repeal Privatisation Act of 2005. It creates a Privatisation Authority to replace Privatisation Commission which had been affected by a lot of bureaucracy. Imagine for the last 10 years, there has not been any privatisation of any company in the Republic. Hopefully this Bill will make the process smoother, faster and safer. This Bill creates a Privatisation Authority with a board. Secondly, it distinguishes the functions of different actors in the process. The Privatisation Authority will do the implementation of the privatisation process. The Cabinet Secretary will initiate the process through what we call privatisation programme, which is basically the list of companies that have been identified for the purposes of privatisation.

The Bill also sets out the fact that the Cabinet Secretary will take the programme to Cabinet for approval, then it will be brought to Parliament for approval, and Parliament can approve as it is, amend or reject it. If Parliament approves with amendments, then the Cabinet Secretary will have to publish a fresh list under the programme. The privatisation programme

has been given eight years for implementation. We have seen that some of the privatisations which have been done before have taken a lot of time. The Bill provides that when we approve the programme, it will take eight years. If some of them will not have been privatised, then it will be brought back to Parliament.

Third, the Privatisation Authority will then prepare what we call privatisation proposal, which then lists the values of individual companies, and all the details for privatisation.

So, I support the Bill.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Marianne Kitany, do not run far from your seat.

Hon. Marriane Kitany (Aldai, UDA): Thank you, Hon. Temporary Speaker. I stand to support the Bill that is before us on the privatisation amendments. First, I would like to go to Article 10 of the Constitution of Kenya, which talks about the national values and principles of governance. In particular, it talks about the values and principles that state organs, state officers, and public officers, wherever they are, apply. More specifically, I want to talk about good governance, integrity, transparency, accountability, and sustainable development. I think that part of sustainable development is very critical. When you look at most of the institutions that are being privatised, they actually exist to do business and make money. The role of Government is to give people sustainable development, good governance, human dignity, equity and social justice. Where a business exists to make money or to do business, and is in competition with the Government to provide services for sustainable development, the two come into conflict.

A case in point is the Kenya Electricity Generating Company (KenGen). It provides a strategic resource, which is the provision of electricity in the value chain of electricity. Before it was privatised, many Government procedures— like procurement procedures, recruitment procedures, and all those procedures which, in essence, exist to ensure equity when the Government is providing services— would interfere with the value or the processes within which these companies, or a company like that, was there to make money or do business. Therefore, I support a privatisation arrangement where most strategic assets that exist for doing business and giving services to the common mwananchi at the same time thrive in a private environment that can compete with other businesses.

Especially, I take note of Section 21(c) of the proposed Bill. It says, without prejudice to generalities of the subsection, identification and determination of entities for privatisation will take into consideration the strategic nature of the public entity to be privatised. That is very important because many businesses the Government does are strategic in nature.

However strategic in nature they are, we need to balance strategic nature and the business it will provide. The privatisation of the Kenya Pipeline Company that we just concluded talking about is a case in point. Whereas the Kenya Pipeline Company gives strategic business to transport the much-needed commodity of oil or fuel that we use, that service is not monopolistic. After transportation, the private sector actually does marketing and selling.

Privatising that company should not create a monopoly that gets the country stuck in the process because the same oil can be transported by road. Private entities or companies that can compete with the Kenya Pipeline Company currently do it. I like it that the strategic nature of a public entity to privatise has been put in the Bill. While looking at what items or entities to privatise, the Cabinet Secretary will consider that.

I would love a situation where most Government entities, especially where they do business, get out of being regulated and managed by Government and business nature is considered. We would many a times love to look at what Article 10 provides vis-a-vis what the business entails. Government will most times prioritise what Article 10 in the Constitution

provides at the expense of business. That is why many Government-owned and run businesses do not make profits or succeed when they compete with the private sector.

Private sector businesses succeed because they are there to do business. The East African Portland Cement Company that is partly Government and partly private is an example. It competes with other private entities in the sector. The private entities report very huge profits compared to public or Government entities that Government runs. It is because of the procurement and hiring procedures they must use. Government uses certain procedures at the expense of looking for the right value or personnel they would require to do business.

Reducing budget drain on Government resources is the other thing under the Act. Many or some of the entities are run down to a point where the Exchequer or Wanjiku's money has to come in to support them. Otherwise, they would have stood on their own in running businesses. Why? Because of the procedural issues that come with running Government entities.

I support the Privatisation Bill before us. Once made into an Act of Parliament, many other profitable institutions should be considered for privatisation. Privatising a profitable entity helps Government get better value as opposed to privatising a struggling entity that is not moving anywhere.

Rivatex East Africa Limited that started as a private company is the last example. It went down and collapsed at some point. Later, the Government revived it although it is struggling. It is barely opening its doors because of the many issues brought about by being a Government company. Much as it is strategic, it is not strategic enough to say that we really need it as a private or public entity.

Because of its nature and the activities it would be doing, it would be employing more people, opening its doors, transacting business and having Eldoret City very vibrant if it was running as a private entity that competes with other cloth manufacturers. There is little or no activity in that company as we speak because of all the issues brought by it being a public entity. That has really clogged it down to a point it is near collapse.

I support this Bill. It is timely because many public entities run by Government should be run privately to compete with other private entities while giving the best service to the people of Kenya. Again, a public entity without any competition will either give service or not. We get the best when many companies compete at doing the same business because Kenyans have choices. Kenyans would choose or go for competitively procured and serviced services or goods.

Further, all the companies regulated by various Acts of Parliament take care of the consumer. They take care of the Kenyan public, whether operating as public or private entities. They will have to conform to Acts and legislation that exist in this country.

Thank you, Hon. Temporary Speaker. I support.

(Several Members raised their hands)

The Temporary Speaker (Hon. Peter Kaluma): Let us be fair to Hon. Joseph Oyula. The Members of Parliament for Tetu and Hon (Dr) Makali Mulu will follow Hon. Joseph Oyula. You are Dr Makali Mulu. Give them the microphone in that order.

Hon. Maero Oyula (Butula, ODM): Thank you for giving me this opportunity to also contribute to this important Bill. Privatisation has been with us for some time. It is only that it lacked a proper legal position in the country.

We had some Government companies like the Kenya Commercial Bank (KCB) and so forth privatised and have done very well. Therefore, the Bill also enables the public to participate in the running of organisations fully. It will help the country by ensuring that the Government does not participate in private enterprises and lets the public participate.

The Bill establishes authority indicating the functions and operations, and sets governance standards very important to running the organisation properly. The Bill also brings out legal methods including public offerings and shows eligibility criteria for investors. Of course, investors must measure to certain standards so that the organisations run well.

Privatisation alters ownership of assets and organisations built through taxpayer's money. When we privatise, we alter the ownership. We ensure that Government takes little control of the running of the organisation. Privatisation enables the running of organisations that have been hit hard by decision-making to decide well so that the business can be done without much problems.

The Bill is not just about selling assets, but also about redefining the relationship between Government, citizens and the economy. If an organisation can be more economical under different hands, it will raise more revenue for the public. Privatisation, therefore, ensures that organisations that can be run independently and free of Government participation are properly organised. We have seen what privatisation has done in the past. The organisations I mentioned used not to be well run. After privatisation, the KCB is now a large organisation. Although in some areas privatisation did not help much, for example, Mumias Sugar Company, which was privatised through an Initial Public Offering (IPO), but later on lost control and started making losses.

All in all, privatisation will enable the country raise more revenue because of good management that is expected in the running of companies. The Privatisation Bill should be supported. It is opening up for other Government organisations to be privatised. With this legal position, we think that the Government can now move out running of businesses and offer required services.

With those few remarks, Hon. Temporary Speaker, I support.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Geoffrey Wandeto, Member of Parliament for Tetu Constituency.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Temporary Speaker. I support privatisation, but I do not support this Bill because it has a number of deficiencies that need to be addressed before it can be passed in this House. Many speakers before me have alluded to some of them and I do not wish to repeat.

The first thing is that in the Bill it is not very clear how organisations will be picked for privatisation. The Bill is also not specific on the method of privatisation that will be applied to each of the entities in a privatisation programme. The Bill obviously envisages three methods of privatisation. It should be made very clear that when the Privatisation Authority and the Cabinet Secretary inform the House of an organisation to be privatised, the method to be adopted should be communicated to this House in advance. We have to prevent ambush, where as a House, we may say we are okay to privatise Organisation X, then the following day it is handed over to Adani through some sort of sale by tender or through some sort of private arrangement. That is one.

The second one is that Clause 21(2)(c) and (d) of the Bill have very good provisions. They provide the reasons or the considerations the Cabinet Secretary should take into account before allowing an organisation to be privatised. However, if we were to apply those rules regarding the privatisation that we have just passed as sessional paper for Kenya Pipeline Company, it would fall on its belly. The reason being that the Bill here says that the Cabinet Secretary shall consider the strategic nature of the public entity to be privatised and the need to avoid privatisation that may result in an unregulated monopoly.

What we have just passed this afternoon for KPC are these two issues. We have given away a strategic asset. It is not fair to sell the family silver to settle grocery bills. We understand the urgency to pay pending bills, but we cannot sell a strategic national asset like KPC just to

pay grocery bills. Also, one cannot slaughter the family cow just to provide the family with dinner. That is not very clever.

The other thing is that we may end up with an unregulated monopoly. As much as we are saying that the Government under KPC will have 35 per cent, we do not know whether the rest of the 65 per cent, over time, is going to be accumulated by some wealthy foreign investor who will just but have full control of this organisation.

I also note Clause 29 of the Bill and this was raised by Hon. Otiende Omollo, that the Privatisation Authority has been given a whole eight years to finalise a privatisation but Parliament has only been given 60 days. So, again, I would just like to buttress the importance of adding more time.

Under Clauses 31 and 32 of the Bill, I see some inconsistencies between the words ‘privatisation programme’, which I believe is a list of organisations that are due for privatisation and the word ‘privatisation’, which I believe here talks about a specific privatisation of an entity.

Again, there is inconsistency in the words used in Part IV. We should remove the word ‘programme’ so that the Cabinet Secretary presents to this House privatisation and not a programme, a specific organisation for which he has determined is due for privatisation. The Cabinet Secretary can bring many of them in a batch to Parliament for consideration.

For example, let us look at what we have passed here this afternoon. I would like to talk a little bit about Kenya Pipeline Company because I really wanted an opportunity to speak about it. I am not trying to go back to debate, but obviously it was very hurriedly passed and I believe at the behest of some other voice that came from somewhere. The debate was curtailed unnecessarily.

If Kenya Pipeline Company is a strategic and security asset, why are we rushing? We have very many dry cows, if I may call them that, like Kenya Pyrethrum Board and Rivatex, which we can prioritise for privatisation. The Kenya Pipeline Company still pays dividends and it is still a strategic national asset. If today Turkish investors or any other foreign investors who may buy this organisation decide to deny the whole country fuel, what are we going to do? It is very important that as we go into this IPO we be very careful.

Also, with these IPOs, if we look at the status of the country, people have no money. Kenyans are struggling to put food on the table. Who is going to participate in the IPOs? It is going to be foreigners and basically all we are doing is to give our strategic national assets to foreigners. What about the guarantee to employees of these organisations? Again, if we look at the Bill, it is silent on these items. Will they be guaranteed of their job security? I see this whole Kenya Pipeline Sessional Paper and the Privatisation Bill just as another poor bidding by this House for the Executive to pass laws that will end up not being in the strategic interest and good for this country.

Hon. Temporary Speaker, with those few remarks, I support privatisation but I oppose this poorly scripted Bill.

The Temporary Speaker (Hon. Peter Kaluma): I apologise, Hon. (Dr) Makali Mulu. I confused you with Hon. John Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Temporary Speaker. You are not the first one to do so. I have suffered because of the similarity in the two names. We have Hon. John Makali and Hon. Makali Mulu. During the consideration of the Finance Bill, 2024, there was confusion that Hon. Makali Mulu had voted “yes” for the Bill because they saw the name “Makali” and never bothered to check the second name. However, there is no problem.

Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this important Bill, which should have been passed by the House many years ago. Why do I say so? This House has passed many laws which allowed for the creation of some of these

parastatals. Our country has very many parastatals. We have three categories of parastatals. Some are commercial in nature, and the expectation is that they should generate money for the Government, so that they create wealth for the country, increase our revenue collection, and everything that comes with wealth creation.

The second category is the social parastatals, which serve social interests like the National Health Insurance Fund (NHIF) and the National Social Security Fund (NSSF). We do not expect such parastatals to make any money, but they socially benefit Kenyans.

We also have strategic parastatals which serve the nation. They neither make money for the country nor serve social interests. These include the Kenya Airways, which we continue to support as a country even though it makes losses. I would also put Kenya Pipeline Company under that category. These parastatals are critical for the security of the country.

Without repeating what my colleagues have said, the Bill has some critical clauses. One of these is the clause on public participation. I want to revisit the issue of public participation, and more so that which will be initiated by Parliament. Kenyans expect Parliament to be very effective in conducting public participation. This is the only Assembly which represents Kenyans in all corners of the country. The expectation is that whatever we pass here should be for the public good. We need to revisit the issues raised by Hon. Otiende Amollo and the Member for Tetu. When we go to the Committee of the whole House, we must ensure that we get them right.

The second important issue is the principle of transparency and accountability, which has already been discussed. The principle is very important because some parastatals have been privatised in the past, but the beneficiaries were the buyers of the parastatals. The public does not benefit in any way. Some parastatals had been given away or sold at very low prices. In some cases, even the investment cost was not recovered. The House must ensure that the principle of transparency is entrenched, so that any future privatisations are done openly for Kenyans to benefit.

The third point is on duplication issues. Most parastatals duplicate roles. We could achieve the same outcomes either by merging them or selling them off, so that we get money to support our revenue streams. The fact that we are now getting this serious means that it will be easy to identify parastatals which are actually duplicating roles, so that we merge them, in which case we will save on administrative and recurrent costs. We will still achieve the same outcomes at the end of the day.

*(The Temporary Speaker (Hon. Peter Kaluma) consulted with
Hon. (Dr) John Mutunga Kanyuithia)*

I want to revisit another critical issue. Hon. Temporary Speaker, I beg that you listen to what I am saying after you are through with Hon. Mutunga.

Hon. Jerusha Momanyi (Nyamira County, JP): On a point of order, Hon. Temporary Speaker.

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

Hon. Jerusha Momanyi (Nyamira County, JP): Thank you, Hon. Temporary Speaker. I rise under Standing Order 95. In view of the communication by the Speaker that we will have a Motion for Adjournment at exactly 6.00 p.m., can the Mover be called to reply?

The Temporary Speaker (Hon. Peter Kaluma): Just take your seat. By way of practice, Hon. Makali Mulu will first conclude his contribution and then I will remit your request to the House for a decision.

Proceed, Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Temporary Speaker, it is unfortunate that the Member has interfered with my trail of thought, but let me revisit the issues.

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I want the Leader of the Majority Party to listen. We are currently discussing the Privatisation Bill. About two hours ago, we approved the Sessional Paper on the privatisation of the Kenya Pipeline Company. How I wish we had done it the other way round because this Bill adds a lot of value to the process of privatisation of public entities. The country would have gained more if we ensured that the Bill became an Act of Parliament, so that we subject the privatisation of the Kenya Pipeline Company to that Act. Kenyans would have benefited more.

This is the work of the House Business Committee, where I have sat for the last 10 years. I know that Supplementary Order Papers are allowed but as a ranking Member of this House, I would have expected that a matter as grave as selling Kenya Pipeline Company would have been taken through a process that would not leave any doubts in the minds of Kenyans that there were undercurrents interfering with the process. We might not want to say it here but I need to say so, with all due respect to the process.

I want to give an example. Because of the oil spill that happened some years back, people in Makueni County lost lives and continue to suffer from serious diseases. That matter was never resolved. Leaders from my region expected that matter to be discussed before the completion of the privatisation process. In that case, we would not disadvantage any Kenyan.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Makali, you may be right but Parliament has already made a decision on the matter. That decision may have been made because of several issues, including the one you are talking about. I want to discourage you from seeking to review a decision properly made by Parliament.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Temporary Speaker, I am a ranking Member, just as you are. What we say here goes on record. The Motion was passed by the House and is now history. The good thing is that I have a chance to talk about it now. I am talking about this matter as part of my contribution to the Privatisation Bill, which touches on that same matter as well.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Makali Mulu, you have done very well. However, the point I am making is that it is wrong for Members of Parliament to cast aspersions on the procedures that Parliament uses to transact its business. This is not the first time the matter of privatisation has come to this House. Before recess, it was on the Floor. I do not know whether it is expressly provided in the Standing Orders but by practice, the House Business Committee meets around noon. Therefore, as Members, let us not cast aspersions on matters that Parliament has decided on.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Temporary Speaker, what I am saying, and I want to repeat...

The Temporary Speaker (Hon. Peter Kaluma): Yes, conclude.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): I was a Member of the House Business Committee for ten years. I am not casting any aspersions on the Committee but it is public knowledge that trust in us, as a House, has gone very low.

The Temporary Speaker (Hon. Peter Kaluma): Your time is up. Hon. Makali Mulu, you have not requested for time. If you had, I would have made a decision on it.

Hon. Members, Hon. Jerusha Momanyi, standing in her place, moved that the Mover be called upon to reply.

(Question, that the Mover be called upon to reply, put and agreed to)

The Mover can reply.

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

(Loud consultations)

The Temporary Speaker (Hon. Peter Kaluma): Order, Hon. Members. Hon. Kajwang' and Hon. Nyikal, I put the question and paused to listen carefully. I heard two Members who were very loud, but there were more Members for the "Ayes."

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, on a light note, ten voices cannot compete with Hon. TJ Kajwang's voice. Democracy is about numbers. Therefore, the "Ayes" had it because there were more people saying "Ayes" than Hon. Kajwang' and Hon. (Dr) Nyikal.

Hon. Temporary Speaker, allow me to thank all the Members who have contributed. I will reply to some of the salient issues raised, beginning with Hon. Makali Mulu's point on the need to have other modes of privatisation or ways of enhancing the efficiency of state-owned corporations.

Hon. Makali Mulu and I served together in the Budget and Appropriations Committee. Many of the things we dotted together in the Committee that Government needs to do are the same ones before us today: Privatisation through Initial Public Offerings (IPOs), strategic investments and merging state corporations. I confirm what Hon. Makali Mulu was saying – that, there is a drive to merge some of our state-owned enterprises that duplicate functions to enhance efficiency and save public resources. Therefore, in direct answer to the issue that Hon. Makali Mulu has raised, I can confirm that.

The other pertinent issue raised is on public participation by Hon. Otiende Amollo. You did very well in articulating what is already provided for in the Constitution. Hon. Amollo was posing the question as to why this statute specifically provides for the Cabinet Secretary in the National Treasury to carry out public participation. In your guidance, you explained that the Constitution provides explicitly for public participation in legislative processes. I agree that we do not need to duplicate what is already provided under the Constitution, but it does not provide for mandatory public participation by the Executive. Therefore, once this Bill becomes an Act of Parliament, it will be mandatory for the Executive to carry out public participation. When I was moving, I stated that this Bill seeks to address many of the issues that were raised by the court on public participation and inclusivity.

I also stated that we will ensure that all stakeholders involved in the privatisation process are involved in public participation. The straight answer to Hon. Otiende Amollo on why we are explicitly providing for the Executive to carry out public participation, is to make sure that there is no lacuna in ensuring inclusivity and stakeholder involvement. The Executive is, therefore, obligated to do their own public participation even before they bring that privatisation programme or process to Parliament.

Parliament, as provided for in the Constitution, has an obligation to carry out public participation. Does the 60 days that Hon. Otiende Amollo referred to constrain Parliament in terms of public participation? It does not. By tradition and even practice, we do our public participation within 7 to 14 days. The longest public participation I have seen in my three terms in this House is one that went on for about 28 days. Normally, within seven days, Parliament is able to conduct public participation even on critical Bills like the Finance Bill, where the Committee travels across the country. Even the Budget and Appropriations Committee, where Hon. Makali Mulu sits, completes public participation within 7 to 10 days, even outside Nairobi in the counties. Therefore, the 60 days provided for approval of this process by Parliament does not in any way constrain public participation.

On the issue of tribunals under Section 53, which you alluded to as Hon. Otiende Amollo was contributing, it is true that there is already a Tribunals Bill under publication.

The Temporary Speaker (Hon. Peter Kaluma): Leader of the Majority Party, there is an Adjournment Motion which was allowed.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Yes, let me conclude.

The Temporary Speaker (Hon. Peter Kaluma): The House was to adjourn at exactly 6.00 p.m. to go into that Motion.

Hon. Kimani Ichung'wah (Kikuyu, UDA): I am sorry, Hon. Temporary Speaker. I forgot to look at the time.

The Temporary Speaker (Hon. Peter Kaluma): How long will you take?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Two minutes and I am done.

The Temporary Speaker (Hon. Peter Kaluma): Proceed.

Hon. Kimani Ichung'wah (Kikuyu, UDA): I was concluding on Section 53 on tribunals, saying that the publication of the Tribunals Bill is underway. It will create a distinction between the quasi-judicial and administrative tribunals. This is one tribunal that is not quasi-judicial and will not need to go to the Judiciary. It is a more administrative tribunal that can be done under the Executive.

Hon. Temporary Speaker, I do not need to reply to the political issues raised by some Members. Hon. Wandeto spoke a lot on political issues that are not important in a matter as serious as privatisation. I beg to ignore those political issues. They can be dealt with at other forums, like funerals and weddings, but not on the Floor of this House. This is a very progressive Bill that offers us opportunity to do what is right and good for the people of Kenya. It will also help us to raise revenues through alternative means other than taxing Kenyans or borrowing. It is shocking that the people who shout the loudest out there, saying that we should not borrow or overtax Kenyans, are the same ones who today oppose privatisation. That tells you of the fallacy of politics. That is why I chose to ignore Hon. Wandeto and others raising political issues.

With those remarks, I beg to reply.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, I confirm that the House has quorum to transact business.

(Loud consultations)

Order, Hon. Members.

(Question put and agreed to)

(The Bill was read a Second Time and committed to Committee of the whole House)

(Loud consultations)

The Temporary Speaker (Hon. Peter Kaluma): Next Order.

(Loud consultations)

(Several Members stood in their places)

Hon. Members: Division!

(Hon. TJ Kajwang' spoke off the record)

The Temporary Speaker (Hon. Peter Kaluma): Hon. TJ Kajwang', sit down so that I make necessary consultations.

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(Several Members stood in their places)

Hon. Members, take your seats.

Hon. Members: Division!

The Temporary Speaker (Hon. Peter Kaluma): Are any Members calling for a division? Wait for a minute so that I consult.

(The Temporary Speaker consulted with the lead Clerk-at-the-Table)

Hon. Kajwang', kindly approach the Chair.

(Hon. TJ Kajwang' approached the Chair)

Hon. Julius Mawathe (Embakasi South, WDM): On a point of order, Hon. Temporary Speaker.

(Hon. Julius Mawathe stood in his place)

The Temporary Speaker (Hon. Peter Kaluma): Take your seat, Hon. Mawathe.

(The Temporary Speaker consulted with the Clerk-at-the-Table and Hon. TJ Kajwang')

(Several Hon. Members stood in their places)

Take your seats, Hon. Members.

(Hon. Julius Mawathe spoke off the record)

Hon. Mawathe, it is disorderly conduct to raise a point of order incessantly. I want the next Order, which is the Motion of Adjournment, to be called out.

NOTICE OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

The Temporary Speaker (Hon. Peter Kaluma): Who is moving the Motion of Adjournment? Hon. Naisula, proceed.

Hon. Mawathe, approach Hon. Temporary Speaker in the meantime. Give Hon. Naisula Lesuuda the microphone.

RISE IN FEMICIDE AND GBV CASES

Hon. Naisula Lesuuda (Samburu West, KANU): Hon. Temporary Speaker, pursuant to Standing Order 33(1), I seek leave for the adjournment of the House for purposes of discussing a definite matter of urgent national importance regarding the alarming rise in cases of femicide and Gender-Based Violence (GBV) in the country.

Hon. Speaker, in the recent months, there has been a disturbing surge in brutal killings and abuse of women and children. This worrying trend has been evidenced by several horrific incidents across the country. For example, in September 2025, a young woman in Narok

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County was abducted and assaulted by her relatives for allegedly going against the wishes of the family in relation to her choice of marriage partner.

(Loud consultations)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, this Motion of Adjournment raises a very serious issue. I request those who are consulting to do so in lower tones.

Hon. Naisula Lesuuda (Samburu West, KANU): Similarly, in July 2025, a 16-year-old secondary school student in Kakamega County was defiled by her teacher, highlighting the vulnerability of children within learning institutions.

Alarming, cases of children being killed by close relatives have also been reported in the recent past. For instance, an 11-year-old child from Bomet County was killed by his father following a domestic disagreement, while in Tana River County, four children were allegedly buried alive by their father as a form of punishment. Despite widespread advocacy against these heinous acts, the justice system, including the Judiciary, the National Police Service and the Office of Director of Public Prosecutions, has failed in protecting victims and ensuring accountability. Specifically, there have been reports on the mishandling of evidence on victims of gender-based violence which has contributed to a culture of impunity where perpetrators act without fear of repercussions. There is, therefore, need for concerted efforts by all stakeholders, including the relevant Government agencies, Non-Governmental Organisations (NGOs) and the civil society in supporting victims and raise awareness.

Additionally, there is need to safeguard the right to education for children endangered by child marriages, which is a violation of human rights. Regrettably, the Directorate of Children Services is yet to establish offices in all constituencies, resulting in delays in monitoring incidences and safeguarding children from all forms of exploitation.

Hon. Temporary Speaker, it is against that background that I seek leave for the adjournment of the House to discuss this matter of great national concern with a view to exploring possible lasting solutions.

I thank you, Hon. Temporary Speaker.

I want to, first, thank the substantive Speaker for accepting this House to adjourn and discuss this national matter. At this rate, femicide and gender-based violence should be declared a national disaster. We cannot be a country that neglects its children. It has been said that if you want to know how a country or its leaders are — and by “leaders”, I mean everybody and I will explain who needs to be on the table in this matter — it is how it treats its most vulnerable people. Women and children are very vulnerable in our society.

(Loud consultations)

How we treat this matter is just like the gentlemen who are standing here consulting loudly in this House.

(Several Members stood in their places)

[The Temporary Speaker (Hon. Peter Kaluma) left the Chair]

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

How they are treating this matter tells you how seriously this matter is being taken in this House.

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Hon. Temporary Speaker, I would like you to protect me from the gentlemen who are consulting in loud tones here. I need your protection. Let them consult in low tones or go out.

The Temporary Speaker (Hon. Omboko Milemba): Order, Members. We want to see and hear the Hon. Member in total silence on this important matter.

Thank you, Hon. Members, for dispersing. You may continue, Hon. Naisula.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Temporary Speaker, for your protection.

Hon. Temporary Speaker, as a nation, how are we treating our women and children? That does not mean that there are no boys or men who are facing gender-based violence. Just as I said, the child who was killed in Bomet was a boy. That is why it is called gender, not female or women. Since I know I only have five minutes since it is an Adjournment Motion, I want to give the way forward. I cannot overemphasise what is going on in the country.

In my own constituency, two days ago, a father killed two of his children and stabbed his wife. I am currently dealing with a child who was raped by a doctor – a person whom children and women go to. We have a case in my court of a doctor who sedates and rapes children. I am a member of the Kenya Women Parliamentary Association (KEWOPA). Every day, the women Members of Parliament in this House share horrific stories of what is happening in their constituencies and counties. That is why I am pushing that we have social psychological support in Parliament, especially for women Members who sit in this House. Women Members in this House have to deal with such matters every day. I see and feel what they go through in their constituencies. I urge our male colleagues to support us. It is a fact that every time there is an issue of femicide and gender-based violence in the country, the first question that everybody asks is: Where are the women leaders and what are they doing? This is a national issue for all of us.

To my male colleagues, I call upon them to please speak up and stand up for women and boys who are being molested and killed. They are the leaders of our families. Their voices will be heard. Maybe people are tired of women talking and crying every day. So, I urge our male colleagues to stand up to be counted.

For a long time, we have been pushing issues of early marriages and FGM on women. Unfortunately, it is the women of this country who have been doing it within the civil society, in Parliament, in churches and schools and that is why we have made progress in some places. A constituency like mine can now elect a woman. We have made progress.

We are now being told that girls have gone ahead; that we are forgetting boys. Fathers and uncles should talk to boys. There are things a woman will not know how to talk to a boy about. I do not know wet dreams, but I know menstruation. I can talk to my girls about it. I know a number of things. Men should talk to our boys. They should be strong father figures. Let us raise our children collectively as it were in the past. We have become too individualistic and capitalistic as a country. Everybody just thinks about themselves and their nuclear families.

I can see my time is about to end.

A lot has been done. However, this needs to start at the family level. Families must stop protecting perpetrators of gender-based violence and femicide. In one of the police stations, one police officer asked the mother of a child who went to report about her girl being defiled...

Hon. Temporary Speaker, please add me just three minutes. I am leaving ...

The Temporary Speaker (Hon. Omboko Milemba): Hon. Member, you need to summarise.

Hon. Naisula Lesuuda (Samburu West, KANU): I am summarising on the way forward.

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Member! This is your Motion and Members are here waiting to support you. Proceed.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you.

The policeman and a policewoman laughed at the girl and asked the mother if she is indeed, a child just because she looked over 18...

The Temporary Speaker (Hon. Omboko Milemba): I will give you one minute. Remember it is your own Motion and other Members want to speak on it.

Hon. Naisula Lesuuda (Samburu West, KANU): So, quickly, the police, the ODPP and the Judiciary should know that there has to be consequences. There has to be serious penalties. By the way, I learnt that we have a register of offenders who have been jailed. Please let it be in public. Let everybody know who these offenders are, so that our girls do not date rapists and defilers. So, the justice system has to work in this country. It will not matter how many meetings we have and how many times we will talk in this House. There has to be very serious consequences for killing and raping. If the ODPP, the police and the Judiciary messes or interferes again with any case, they will know that, as a people, we are angry.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Martha Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Temporary Speaker. Being an Adjournment Motion, I know that the Standing Orders give us five minutes. Therefore, I will try to be brief.

First, I congratulate Hon. Naisula Lesuuda for this Motion. If you looked at the numbers who stood to support this Motion and compare with the numbers now, you will see that sometimes we do not walk the talk yet this is a matter that is hurting our country. This issue cannot even be reduced to a matter of legal framework, because the Constitution of Kenya 2010 speaks about the rights enjoyed by every human being, including children. In fact, there is a whole chapter, Article 43, that talks about the rights of children. We also have provisions on non-discrimination and principles of governance. The Constitution is very elaborate on this matter.

We have many laws that address the issue – the Sexual Offences Act, 2006; the Prohibition of FGM Act, 2011; the Children Act, 2016, and the Victim Protection Act. We do not have a shortage of legal framework, and yet what we are witnessing is more daring and glaring sexual offences against children, and physical attacks on women and children. Data from the Kenya National Bureau of Statistics is damning. Forty per cent of women aged 15 to 49 have experienced some form of physical violence since age 15. This abuse is not just physical. It includes sexual, emotional and economic violence as well as harmful practices such as FGM. It also includes online gender-based violence such as cyberstalking, harassment and the non-consensual sharing of intimate images and videos.

Even women in this House have been victims. Many have been blackmailed by intimate partners. We have seen women paraded in political rallies, and told “turn around, let us see your behind”. In 2025, this remains a form of sexual harassment. Allow me to cite one case. I know every Member in this country has a story of gender-based violence and children. In Kangema, in a place called Kanorero, a woman murdered her two children to punish her husband. In my constituency, on 12th September 2023, a girl named Jasmine Njoki, aged 12, was gang-raped and murdered while walking home from school in Kasambara. That case was never resolved. I raised the question on this Floor several times without receiving a substantive response.

One of the biggest challenges we face is evidence collection. In any SGBV or sexual offence case, once evidence is mishandled at the source, it cannot be remedied later in court. In the case of that girl in my constituency, DNA samples meant to nail the culprits had to be taken to Kisumu for analysis. Why do we not have DNA diagnostic centres in every county? We must walk the talk. The Ministry of Interior and National Administration must do better. We must ensure that the Kenya Medical Research Institute (KEMRI) offices or equivalent facilities are in every county so that DNA analysis is accessible. Because what happens today

is that when perpetrators are arrested but not charged, or when they are released on bail, they return to the villages and intimidate their victims, asking them: “What are you going to do?”

We must walk the talk as legislators, leaders, and parents to protect our children and the vulnerable in our communities.

I thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Ruweida Obo.

Hon. Ruweida Mohamed (Lamu East, JP): Asante sana Mhe. Spika wa Muda kwa kunipa nafasi hii ili nichangie. Pia, namshukuru na kumpongeza Mhe. Naisula Lesuuda kwa kuleta mjadala huu. Kwa hakika, ni ukatili kuua kiumbe chochote. Ni ukatili zaidi kuua mwanamke ama mtoto maana huenda hawezi kujitetea.

Kabla sijaendelea kuzungumza, nataka nirekebishe hapa kuhusu kile kisanga kimezungumziwa na kinachotembea mtandaoni. Nimehakikisha nimempigia Mwakilishi wa Wanawake wa Tana River na amenihakikishia sio kwao. Nimetuma hiyo video kwa KEWOPA. Huyu mama amesema kuwa alikuwa akifanya mzaha tu. Lakini, mzaha huo kwa maisha, kuchukua watoto na kuwaweka kwa mashimo sio mzaha. Nawahakikishia kuwa sio Tana River. Hata hivyo, kisa kama kile si sawa kokote duniani.

Katika eneo bunge langu la Lamu Mashariki, wanawake wanapitia haya masaibu. Kwa sababu ya changamoto za usafiri, shida hizi zetu ni mara kumi zaidi ya za mkaazi wa Nairobi. Mfano, ni Kata ya Basuba na kulingana na eneo hiyo, kituo cha polisi cha Kiunga ndicho mtoto aliyenajisiwa anastahili kufika. Ni rahisi kwake kupitia Hindi na Mokowe mpaka Lamu ili ashitaki kesi hiyo.

Wakati mwingine, gharama ya safari hii kutoka Mangai hadi makao makuu ya kaunti ndogo kule Hindi ni Ksh7,500 kwa pikipiki. Angeenda Kiunga kwa kuwa ni karibu. Lakini hawezi kufika pale kwa sababu ya usalama ama changamoto nyingine. Mambo mengi yanafanyika lakini yananyamaziwa. Hii ni kwa sababu anaona ameshaathirika kisha atumie Ksh7,500 kupata thibitisho ambalo huwa lishapotea. Hii inakuwa changamoto zaidi.

Nimeenda mpaka kwa Inspekta Mkuu kuomba kuwa hii *gender-based desk* iboreshwe. Naomba kina mama hapa tuanzishe sheria ya kuhakikisha hiyo *gender-based desk* imetiwa nguvu. Lazima kila kituo kiwe nayo. Tutafute mbinu zaidi za kusaidiana pale ambapo hakuna vituo maanake majanga haya yamekuwa mengi na yanasikitisha. Tunaweza kushughulikia mengine na hatuwezi kushughulikia mengine.

Wakati mwingine, viongozi wanakutishia ukisema. Hii ni kwa sababu wanatafuta kura. Wanakuuliza, “unaingilia kesi hii, wajua nani anahusika?” Pia, viongozi wengine wanatumia nafasi yao kunajisi ama kutumia wanafunzi wale vibaya. Tatizo hili lipo na ni katili. Sehemu nyingine zina matatizo zaidi.

Naomba kina mama na Wabunge tulio hapa tupatie ile *toll number* ya 1195 nguvu. Wakati mwingine unapiga kujieleze kuwa umepata shida fulani na watakupa mawazo ya lipi la kufanya. Kama Serikali inaweza, naomba ihakikishe imewapa nguvu zaidi. Ingekuwa vizuri sana hata kama wangepewa ndege kama kitengo kimepangwa kuwafikia waathiriwa kwa haraka.

Hiyo namba 1195 inafanya kazi nzuri lakini haina nguvu. Tunesonga mbele iwapo ingepewa nguvu zaidi kuwafikia wale wahalifu haraka haraka. Asante, Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Omboko Milemba): The Chairlady of KEWOPA, Hon. Leah Sankaire.

Hon. Leah Sankare (Kajiado County, UDA): Thank you very much, Hon. Temporary Speaker. I rise to support the Motion and thank my sister, Hon. Naisula for bringing it.

The issue of GBV and femicide is not only a women's issue; it has become a national crisis. This is a matter that requires a holistic approach, as it has escalated into a disaster in our country. It is worrying to hear about the number of reported cases of femicide and gender-based violence. However, I must emphasise that these are only the cases that have been

reported. There are thousands upon thousands of unreported cases occurring in our homes and constituencies.

Each day, it becomes increasingly alarming, especially for women leaders, as we often receive distressing calls about individuals - be it women, girls or even boys - who have suffered from GBV or fallen victim to femicide. This trend in our country is indeed worrying. The safety of women and children, indeed everyone is at stake. We live in constant uncertainty about who might be next. Over the past month, I have had to deal with about four or five cases in my county, which is very unfortunate. One such case involved a woman working in Kiserian Town. She left her workplace around 7. 00 p.m. and the next morning, she was found dead in her house which was also half-burnt. Tragically, the following week, another woman working in Kiserian Market was also discovered dead in her home. This situation has become unbearable.

It is unacceptable that the lives of women and children are in jeopardy and we must take decisive action. This is not just a woman's issue; it is a holistic issue that demands our immediate attention. I believe we should officially declare it a national disaster to ensure it receives the attention it urgently requires.

One critical issue we are facing is that every case in Kenya is bailable. It is disheartening to find that a suspect held in custody even someone accused of murder, is granted bail and left to roam free, potentially continuing their violent actions. This is a matter that must be addressed in this House. We need to ensure that individuals suspected of murder are not granted bail or bond allowing them to escape justice.

Additionally, we face significant challenges due to lack of DNA diagnostic centres in every constituency or county. Many cases remain unreported and even if they are reported, victims must often travel several kilometres to access diagnostic services. This is an issue that requires urgent attention. We are calling for national engagement on this topic. Our Judiciary, police, leaders and everyone in this country need to speak out against GBV and seek effective solutions to curb this alarming trend.

Furthermore, we request that gender desks be relocated from police stations to hospitals. Currently, when victims go to report these crimes, they often have to navigate back and forth between police stations and hospitals. By moving these gender desks to hospitals, we could facilitate easier reporting for victims while ensuring they receive immediate treatment. These are the necessary reforms we are advocating so as to ensure that victims do not have to endure the arduous process of reporting at a police station only to have to return to a hospital, often losing vital evidence along the way. These are the changes we are calling for.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Eve Obara.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker, for giving me the opportunity to contribute to this Motion. At the onset, I support the Motion and thank the Mover, Hon. Lesuuda for bringing it.

Over the last few months, on the wall of KEWOPA cases of women and children who have either been killed or assaulted in various areas have been posted. We have also seen harrowing stories across the nation of women and men who have been killed by people who are expected to protect them.

Recently, there was a case in Busia where a lady was stabbed to death in the full view of her child. The husband went further to rape the house girl in the full view of the child again. You do not even want to imagine what that child is going through at this moment, and yet, this is not the only case. We have had cases of women thrown down balconies by men they met through social media. Some of them are known to them, while others are not. This has been going on for a long time. As women, we have to speak up. This matter must be addressed seriously by this Nation.

I support my colleagues that we should have GBV desk in each and every sub-county preferably, manned by a lady. This is for the simple reason that women are naturally

emotionally prepared to sympathise with the affected persons. I come from a rural constituency and we have had cases of women being killed by men who have inherited them. In one of my forums in my constituency, I asked the Assistant County Commissioners (ACCs) and chiefs within the communities to insist on certificates of good conduct from some men who appear from nowhere and start living within the community. They must say where they have come from. Some of them might be murderers.

You can remember the case of the lady from Eastleigh who was killed? The driver came from Ethiopia and had killed someone before coming to Kenya. He had camouflaged his background by stating that he was in the army and was a good man. He did many good things for the lady's family, and yet, in the end, he killed her. Kenyans must be vigilant and ensure that people who come to our communities are reported.

I believe that our bodaboda riders are our first line of security. They are the people who know strangers in the community. The police should work closely with them to root out these characters from the society.

Thank you very much, Hon. Temporary Speaker. Once again, I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Timothy Toroitich.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute on this very important subject. I wish to thank Hon. Lesuuda for being such a pragmatic leader in this country and bringing this Motion which is addressing this pertinent matter. However, in this country, many people misinterpret the term "gender" to mean women. Even in our Constitution the drafters interpreted the term "gender" to mean women.

Be that as it may, the gender that has suffered in this country insofar as violence is concerned is the female gender. As a man in this country, I wish to condemn femicide and GBV in the strongest terms possible. However, this issue has a foundation in our Constitution, in particular, Articles 29 and 53. For the avoidance of doubt, Article 29(c) of the Constitution says that every person has the right to freedom and security which includes the right not to be subjected to any form of violence. Article 53(d) of the Constitution also says that every child has a right to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment.

I wish to inform Hon. Lesuuda that we have enough legal framework in this country to protect those who are vulnerable. We have our Constitution, the Sexual Offences Act, 2006, the Prohibition of Female Genital Mutilation Act, 2011, the Children's Act, 2022 and too many other enabling legislations in this country. The problem is implementation. Our implementing agencies are sleeping on the job. When a matter is reported before a police station or taken to court, what happens thereafter? The problem is the implementing agencies in this country. We have sufficient legal and institutional framework to address this issue. As a House, we must stand up and call out those agencies to enforce the law appropriately so that action can be taken against the culprits.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I also rise to support this Motion. I thank Hon. Naisula Lesuuda for introducing it at a time when we are facing many challenges. Just this weekend, Purity Momanyi, a resident of Kawangware Estate was battered by the husband. The reason behind this was economic stress. This issue of femicide has now been normalised because it is always victim blaming. It is very difficult sometimes to even face the situation. You are left to ask yourself, what do I do? If you go to court – for example, I know Purity is in court – it will take a while to find justice.

The other thing that we face in GBV is intimate-partner-violence. This is very common and tough because these are partners living together. Our gender and age dynamics are also

part of the biggest challenges that we face. But more importantly, the numerous challenges we face are when the victim and the perpetrator are a family, and are living together. You would wish to get a solution for them but our cultural norms are barriers that many women in this country face. I watched a video of a lady in Narok County which had very serious cultural barriers. In as much as, we are seeking to get solutions to this problem, there is a lot to be dealt with.

I thank the President because he gave each woman in this august House resources to go out and create awareness. We have created awareness but trust me, there is still a lot to be done. It is important for us to know...

The Temporary Speaker (Hon. Omboko Milemba): Hon. Elachi, did you say there are resources for awareness?

Hon. Beatrice Elachi (Dagoretti North, ODM): Yes, there are resources for awareness that were given by the Government, not the President. He was part of those who were advocating but the resources came from Government coffers. I am just appreciating because his support ensured that resources were made available. We have seen all women leaders going around ensuring that they create awareness for people to understand the magnitude.

This came about when, every day, we would watch the media and the first statement we would see is: "A university girl has been killed in Nakuru, Nairobi, Baringo or elsewhere." No county today can stand tall and say it has never reported cases of femicide. We need to go back and ask ourselves in the African context, what have we lost.

As I support, I also appreciate that the police still need a lot of capacity building and strengthening. With those few remarks, I beg to support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Jerusha Momanyi, make it brief so that many Members can speak to it.

Hon. Jerusha Momanyi (Nyamira County, JP): Thank you, Hon. Temporary Speaker, for according me this chance so that I can also support this Motion. I appreciate Hon. Naisula for bringing it.

For sure, as women Members and leaders, there is no single day we have not received reports of GBV in our constituencies or counties. Every day we see and hear reports and most of the affected are young girls, ladies and mothers. Sometimes, this is because of the prevailing hard economic times. Even though, we must understand that there is something deeply wrong within our communities. Life is sacred, and in our culture, whoever took a life was segregated. However, these days a person kills, is taken to court and within a short time they come out and walk around freely. Nobody seems to care.

We are perplexed at the rate in which GBV is growing. It is so alarming that as Kenyans, we must ask ourselves where our values have gone. What is happening? In my county, just two weeks ago, we buried four young people from the same family – a young man and girl who were married. The girl tried to leave, perhaps suspecting that she was not staying well. That decision cost her life. The young man ended up taking the life of the young girl, both her parents and their child. The level at which femicide has grown is too high. As a Government and as a country, we need to question ourselves and urgently look for solutions.

For example, our President had given a directive to the National Treasury and we got some money which enabled us to go out and carry out campaigns. But the campaigns were not enough. We have agencies that are supposed to make sure the law, which protects life, is followed. Unfortunately, these agencies are not doing their job properly. We do not know whether it is because they lack money. As a Parliament today, we know that these cases are giving the Government a very bad name. We are aware that every day, news comes out that a girl has been raped or a man has killed his wife. This is the sad reality we are living with. That is the news that should alarm Kenyans. We need to rise up and ensure that we get a solution to GBV and femicide, which is on the rise. We need to take care of the lives of our people.

Thank you. I support this.

The Temporary Speaker (Hon. Omboko Milemba): Next is Hon. Fatuma Masito. Due to the overwhelming interest, take three minutes. Proceed.

Hon. Fatuma Masito (Kwale County, ODM): Asante sana, Mhe. Spika wa Muda kwa kunipatia fursa hii ya kuunga mkono Hoja iliyoletwa na Mhe. Naisula Lesuuda. Kusema kweli, Mhe. Lesuuda wewe ni shujaa.

Hili jambo la ubakaji, ulawiti na mauaji ya wanawake limekuwa likichukua vichwa vya habari mara kwa mara. Sijui ni pepo gani ameingia binadamu hadi mtu amuue mke wake. Tulisikia juzi tu mwanamke mmoja ambaye mume wake alidhulumu sana, na ni chombo chake cha kupata starehe. Katika Qur’ani Tukufu, inasemekana kuwa mwanamke ni mtu anayepaswa kuleta amani ndani ya nyumba. Mwanamke akikaa na mumewe, analeta furaha na utulivu. Mwanaume akirudi nyumbani kutoka kazini ama mahali popote, Qur’ani Tukufu inasema kuwa ni matumaini kwamba anapata utulivu mkuu nyumbani kwake.

Lakini tunashangaa mahali ulimwengu sasa hivi umefika. Hususan katika taifa letu la Kenya, ambapo mwanaume anaweza kumuua mke wake. Ni jambo la kuhuzunisha sana. Tukiangalia swala la ubakaji na ulawiti, ambalo limekita mizizi katika taifa letu, tunashindwa ni kwanini, ilhali wanawake wamejaa huku na wako tayari kupatiwa huduma. Lakini mwanaume anachukua mtoto mdogo wa chini ya mwaka mmoja, miaka mitano au miaka kumi na mbili, ambaye hata hajui ile starehe iko wapi. Huyu mwanaume anaona amepata mahali pa kufanyia starehe.

Sisi kama wanawake na wanaume katika Bunge hili ambao ni viongozi tunalipinga vikali swala hili la mambo ya ubakaji, ulawiti na mauaji ya wanawake.

Kusema ukweli, sheria ziko nyingi sana katika taifa hili. Katiba yetu ya mwaka 2010 ina sura nzima ya kuzungumzia haki za binadamu, haki za kuishi, na haki za watoto. Lakini bado watu wanapuuza mbali. Mahakama bado haitozi nguvu sawa katika masuala haya. Tuko na sheria ya watoto ambayo tunaita *the Children’s Act* na *the Prohibition of Female Genital Mutilation Act*. Hizi zote ni sheria ambazo zinaweza kutulinda sisi kama wanawake na watoto wetu.

Waswahili wanasema, “uchungu wa mwana aujuae ni mzazi.” Nikizungumza hivi nasikia uchungu kama mzazi nikiona vitendo kama hivi vikifanyika. Ninavilaani vikali vitendo hivi. Serikali yetu ya Kenya inafaa kupigana na swala hili, tukiongozwa na Rais wetu, ambaye amesisitiza sana swala hili. Mpaka ilifika wakati akasema atawezesha wanawake katika Bunge hili kupigana na kulizungumzia nyanjani swala hili. Mahakama, pia chukueni nafasi yenu. Serikali na polisi, shikeni nafasi hii. Pindi maswala haya yanapopelekwa mbele yenu, jifikirieni nyinyi kama wazazi. Jione wewe kama polisi, ingekuwa ni mtoto wako amefanyiwa vile, ungehisi vipi? Angekuwa ni mke wako ameuliwa, ungehisi vipi? Mimi nimeona kisa cha mwanamke aliyeuawa na mme wake...

(Hon. Fatuma Masito’s microphone went off)

The Temporary Speaker (Hon. Omboko Milemba): Interest *ni kubwa sana. Tumsikize Mhe. Sabina Chege.*

Hon. Sabina Chege (Nominated, JP): Thank you, Hon. Temporary Speaker. I also want to congratulate my sister, Hon. Lesuuda, for bringing this Motion.

As somebody mentioned, GBV affects both men and women. Just last week, a lady who suspected that her husband was having an affair with another woman woke up one morning and stabbed her three children. Two of them succumbed to their injuries but one is still fighting for her life in hospital. She also tried to take her own life.

As we address what the law should do, I want to emphasise that we must have GBV desks at the police stations - whether it is male or female police officers manning those desks,

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the most important thing is that they must be trained on being humane. We know that there are some female police officers who may not have the empathy to handle victims of this nature.

Secondly, every district hospital should have a proper mental health facility. Growing up, whenever you spoke about mental health, people thought about that mad person in the streets, or at the marketplace, or people who looked untidy and shaggy. Those are the people who were thought to have mental illness. However, mental illness could be as a result of the pressures of life and other challenges that people are facing. Some have lost their jobs while others have broken families. Some are unable to manage by themselves. Many suffer silently from mental illness.

That is why a man can wake up one day and chop his wife into pieces, or a woman can wake up one day and kill all her children. We have seen bodies of women being collected from rivers. That has happened in my county. We have also seen elderly women getting raped. Even as we look at the laws, let us also look at how we can assist and help in terms of mental health. We must ensure that every Level 5 hospital has a proper and well-facilitated mental health department, so that we can help our citizens.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Florence Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you very much, Hon. Temporary Speaker. I also want to thank Hon. Naisula for bringing this important and timely Motion before the House.

As most Members who have spoken before me have said, it is high time that this country had an important conversation on GBV and femicide. Looking at the daily reports on GBV and femicide, I get the impression that we are living in a society where men have stopped being in charge. I am a pastoralist. We used to listen to our fathers and uncles giving us direction on different issues.

We have issues of FGM and early marriages. Recently in Narok, some young men were forcing a girl to get married to a partner of their choice. It now seems as though men are the villains in these incidents. A small girl is raped by a man. A young girl is forced into marriage to a man. A girl is forced to be married by a man. All these incidents are taking place because men in the society are not up to the task of fulfilling their roles.

We are calling upon men to take charge and love their women. Women are being victimised because of how men treat their wives and daughters. Most men love their daughters when they are very young. Young girls have a strong attachment to their fathers, but what happens when they grow up? There are many changes such that we are almost speaking to ourselves as women in the august House. In our homes, we know that men love their daughters. This should be reflected in our daily activities. Men should support us in the campaign against GBV rather than leaving it to women alone. Men should also take the microphones and tell society that it is time this stopped. In addition, I support the establishment of this desk in all Level 4 hospitals so that instead of the victim going to...

The Temporary Speaker (Hon. Omboko Milemba): Where are the men? Hon. Rashid Bedzimba.

Hon. Rashid Bedzimba (Kisauni, ODM): Asante sana, Mhe. Spika wa Muda, kwa kunipa fursa kuchangia Mswada huu na kupeperusha sauti yangu ya kukemea na kulaani unyanyasaji wa kijinsia.

Hili si suala la wanawake tu bali letu sote kama taifa. Hili ni janga la kitaifa na wale wanaochukua sheria mikononi mwao kufanya ukatili dhidi ya wanawake ni wahalifu. Kuna wanaume wanaishi na wake zao kwa kipindi kirefu. Mimi nimeoa karibu miaka 40 na ninaishi na mke wangu vizuri; tumebarikiwa na watoto, wake kwa waume. Kwa hivyo, wale wanaofanya jambo kama hili ni mashetani, wahalifu na wanatosha kupelekwa katika vyombo vya kisheria.

Vilevile, tatizo la unyanyasaji haliko tu kwa watoto wa kike; hata watoto wa kiume wadogo wanalawitiwa katika sehemu zinazodhaniwa kuwa salama. Kwa hivyo, hili ni janga la kitaifa. Ukitazama runinga zetu, kila siku kuna habari za mauaji na ubakaji. Baadhi ya matukio haya hufanywa na watu wa karibu sana ambao huwezi hata kuwatenganisha na watoto wako au ndugu zako. Hili ni kosa kubwa. Hivi majuzi, tuliona kaka akimpiga dada yake kwa sababu alimlazimisha aolewe na mtu asiyependezwa naye. Hiyo pia ni hatari kubwa. Unaweza fikiri ni suluhu la karibu, lakini hatari kubwa mbele inaweza kumpelekea mtu kuuawa.

Kwa hivyo, Serikali inatakiwa kuweka sheria kali kwamba mtu yeyote ambaye atafanya jambo hili awekwe kizuizini na asipewe dhamana, bora tu kuwe na uthibitisho kwamba mtu huyo ametenda kosa hilo. Ni lazima tuwe na ulinzi kwa sababu vizazi vyetu vina hofu. Huwezi hata kumwamini mjomba, shangazi au jirani. Mataifa mengine yanapotazama habari zetu, yanaona kama hatujastaarabika. Kwa hivyo, mimi ninalaani kitendo hiki na kusema hawa ni mashetani na wanatosha kuwekwa kizuizini.

Asante sana, Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Lillian.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Temporary Speaker, for giving me this chance to contribute to this Motion by Hon. Lesuuda. I stand to condemn these acts. We have been condemning them and shall continue to do so. However, as much as we condemn them, I do not think we will find a solution unless we change the policies. We spoiled the entire system when we accepted to make rape and murder cases bailable.

We have seen people commit murder, come back home and mingle with people. We bury the victims and the perpetrators remain around and continue threatening or committing other offences. It is high time we amended our Constitution to ensure that those who commit rape or murder are sentenced to death. By doing so, we will save this country. I speak in this manner because we lost two girls in one month in Saboti Constituency, Trans Nzoia County. One of them, a four-year-old, was defiled and murdered. Another one who is seven years old, was raped and murdered at the same time. When the suspect was arrested, we were not so sure whether he was the victim or not. We do not know who went and took his child a seven-year-old boy, who was murdered and his private parts cut and thrown apart.

So, as we speak, we cannot even say it is femicide only. Right now, I do not know what is happening. I do not know if it is a cult, but something is wrong. People are being killed daily. We hear everywhere that children, girls and women have been killed. I think the best way to solve this problem is to come up with a new policy to ensure that the perpetrators are jailed.

Thank you, Hon. Temporary Speaker. Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Is Hon. Kibet Kimingoi in the House? Then let us have Hon. Toto.

Hon. Linet Chepkorir (Bomet County, UDA): Thank you, Hon. Temporary Speaker, for also giving me this opportunity to support this Motion. I congratulate my sister, Hon. Lesuuda for bringing it. For the past few months, we have witnessed too many cases of femicide, defilement and GBV. For example, in my county there is a lady who was teaching in Kamureito High School. She was killed by her husband and up to now, the family has not received justice.

Just last week, in the same sub-county, in Rongena/Manaret Ward, there is one boy by the name of Emmanuel Kimutai who was killed by his father. May his soul continue to rest in peace. We also have a lady from Bomet East who was killed. She was an Early Childhood Development Education (ECDE) teacher. We have another one called Evelyn Ruto and many others. We condemn these acts in the strongest terms possible.

As I conclude, I urge the Government, through the Ministry of Gender, Culture, the Arts and Heritage, to build and equip rescue centres in each county so that we can reduce these cases.

Thank you very much. I support.

The Temporary Speaker (Hon. Omboko Milemba): What is it, Hon. Jematiah?

Hon. Jematiah Sergon (Baringo County, UDA): Hon. Temporary Speaker, according to Standing Order No.35.

(Several Members spoke off the record)

Hon. Temporary Speaker, I am restricted by Members. Maybe I will seek your guidance, but I wanted...

The Temporary Speaker (Hon. Omboko Milemba): You know, once you pronounce Standing Order No.35, you must proceed...

Hon. Jematiah Sergon (Baringo County, UDA): Hon. Temporary Speaker, I realise that we do not have enough quorum to undertake the business in the House.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well, the Serjeant-at-Arms, ring the quorum bell for 10 minutes.

Hon. Members, once lack of quorum and Standing Order No.35 are pronounced, then the Hon. Temporary Speaker must rise to the occasion and check if there is a quorum. Indeed, I confirm there is no quorum. Therefore, ring the quorum bell for 10 minutes. Meanwhile, no Member can get out of the House now. So, proceed.

(The Quorum Bell was rung)

ADJOURNMENT

The Temporary Speaker (Hon. Omboko Milemba): Ten minutes have lapsed. Hon. Members, a Member rose in her place to alert the Hon. Temporary Speaker that there was no quorum in the House. Indeed, I confirmed there was no quorum. Even after ringing the Quorum Bell for 10 minutes, I still confirm there is no quorum. Therefore, Hon. Members, let us be upstanding.

Hon. Members, the time being 7.20 p.m., this House stands adjourned until tomorrow, Thursday, 2nd October 2025, at 2.30 p.m.

The House rose at 7:20 p.m.

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