



**THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT**



Fifth Session

Tuesday, 17th February, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 17th February, 2026

*The House met at the Senate Chamber,
Parliament Buildings at 2.32 p.m.*

[The Temporary Speaker (Sen. Wakili Sigei) in the Chair]

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Temporary Speaker (Sen. Wakili Sigei): Senators, you may now resume your seats. Clerk, do we have quorum to start the session?

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

You may ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Clerk, kindly, ascertain that we now have quorum.

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

Serjeant-at-Arms, please, stop the Quorum Bell. Clerk, you may call the first Order.

Hon. Members, there is a Supplementary Order Paper that is in your gadgets. You may switch to it for purposes of following the proceedings.

Clerk, call the next Order. There are a number of Papers that are meant to be laid by the Senate Majority Leader.

Clerk, could you facilitate the Majority Whip?

Majority Whip, proceed.

PAPERS LAID**REPORT OF THE AUDITOR-GENERAL ON
FINANCIAL STATEMENTS OF VARIOUS ENTITIES**

Sen. (Dr.) Lelegwe Ltumbesi: Mr. Temporary Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, 17th February, 2026-

(a) Reports of the Auditor-General pursuant to the Senate resolutions of Tuesday, 11th, November, 2025 on the referral of statutory instruments and Papers submitted during recess for the year ended 30th June, 2025.

Financial statements of the county executives of the following-

Report of the Auditor-General on financial statement on County Executive of Meru, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Bomet for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Nyamira for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Trans Nzoia for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Marsabit, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Isiolo for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of West Pokot for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Kirinyaga for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Turkana for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Nyeri for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Samburu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Nyandarua for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Murang'a for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Kiambu for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Laikipia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Kilifi, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Tana River, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Narok, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Makueni, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Siaya, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Kisii, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Bungoma, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Busia for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Kakamega, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Mandera for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Taita Taveta for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Garissa for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Executive of Kericho, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Mombasa for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Executive of Vihiga, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Executive of Elgeyo Marakwet, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Executive of Nandi, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Executive of Uasin Gishu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Executive of Nairobi City, for the year ended 30th June, 2025.

(b) financial statements of the following county assemblies-

Report of the Auditor-General on financial statement on County Assembly of Meru, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Assembly of Bomet, for the year ended 30th June, 2025.

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Report of the Auditor-General on financial statements on County Assembly of Trans Nzoia for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Assembly of Marsabit, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Assembly of Isiolo, for the year ended 30th June, 2025.

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Report of the Auditor-General on financial statements on County Assembly of Mandera for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Assembly of Taita Taveta for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Assembly of Garissa for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Assembly of Kericho for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Assembly of Mombasa for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Assembly of Vihiga for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Assembly of Elgeyo-Marakwet for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Assembly of Nandi for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Assembly of Uasin Gishu for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Nairobi City County Assembly for the year ended 30th June, 2025.

(c) Financial statements of county revenue fund of the following-

Report of the Auditor-General on financial statement on County Revenue Fund, County Government of Meru, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Bomet, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Nyamira, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Trans Nzoia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Marsabit, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund, County Government of Isiolo, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of West Pokot, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Kirinyaga, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Turkana, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Nyeri, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Samburu for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Nyandarua for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Murang'a for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Kiambu for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Laikipia for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund – County Government of Kilifi for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund - County Government of Tana River for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund - County Government of Narok, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund - County Government of Makueni, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund - County Government of Siaya, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund - County Government of Kisii, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund, County Government of Bungoma, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund, County Government of Busia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund, County Government of Kakamega, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund, County Government of Mandera, for the year ended 30th June, 2025.

Report of the Auditor-General on County Revenue Fund, County Government on Taita Taveta, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund, for County Government of Garissa, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Revenue Fund, County Government of Kericho, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund, County Government of Mombasa, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Revenue Fund, County Government of Vihiga, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Revenue Fund, County Government of Elgeyo Marakwet, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Revenue Fund, County Government of Nandi, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on County Revenue Fund, County Government of Uasin Gishu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on County Revenue Fund - County Government of Nairobi City, for the year ended 30th June, 2025.

(d) Financial statements on the county receiver of revenue of the following-

Report of the Auditor-General on financial statement on Receiver of Revenue - Revenue Statements, County Government of Meru, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue- Revenue Statements, County Government of Bomet, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Nyamira, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Trans Nzoia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Marsabit, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver of Revenue-Revenue Statements, County Government of Isiolo, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of West Pokot, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Kirinyaga, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Turkana, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Nyeri, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Samburu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Nyandarua, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Murang'a, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Kiambu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Laikipia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Kilifi, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Tana River, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Narok, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Makueni, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Siaya, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Kisii, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Bungoma, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver of Revenue-Revenue Statements, County Government of Busia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Kakamega, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver of Revenue-Revenue Statements, County Government of Mandera, for the year ended 30th June, 2025.

Report of the Auditor-General on Receiver of Revenue-Revenue Statements, County Government of Taita Taveta for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver of Revenue-Revenue Statements, for County Government of Garissa, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on Receiver of Revenue - Revenue Statements, County Government of Kericho, for the year ended 30th June, 2025

Report of the Auditor-General on financial statements on Receiver of Revenue - Revenue Statements, County Government of Mombasa, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on Receiver of Revenue - Revenue Statements, County Government of Vihiga, for the year ended 30th June, 2025.

(Loud consultations)

The Temporary Speaker (Sen. Wakili Sigei): Order, Sen. (Dr.) Khalwale and Sen. Ali Roba.

(Sen. (Prof.) Tom Ojienda stood in his place)

Sen. (Prof.) Tom Ojienda, resume your seat. Let us have---

(Sen. (Prof.) Tom Ojienda, took his seat)

Sen. (Dr.) Lelegwe Ltumbesi: Mr. Temporary Speaker, Sir, report of the Auditor-General on financial statement on Receiver of Revenue - Revenue Statements, County Government of Elgeyo Marakwet for the year ended 30th June, 2025.

Report of the Auditor-General on financial statement on Receiver of Revenue - Revenue Statements, County Government on Nandi, for the year ended 30th June, 2025.

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Report of the Auditor-General on financial statement on Receiver of Revenue - Revenue Statements, County Government of Uasin Gishu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Receiver on Revenue-Revenue Statements, County Government of Nairobi City, for the year ended 30th June, 2025.

(e) Financial statements of the following-

Report of the Auditor-General on financial statements on Kakamega County Revenue Agency, for the year ended 30th June, 2025.

Mr. Temporary Speaker, Sir, I beg to lay.

(Sen. (Dr.) Lelegwe Ltumbesi laid the documents on the Table)

The Temporary Speaker (Sen. Wakili Sigei): Order, hon. Senators. Clerk, call the next Order.

(Sen. Kibwana consulted loudly)

Hon. Members, that is why I was calling you to order. Once you are in the House, you should be ready to prosecute your businesses. It is not the business of the Speaker to guide you on what to do.

Sen. Kibwana, proceed.

NOTICE OF MOTION

MAINSTREAMING FRAMEWORK FOR CLEAN COOKING

Sen. Kibwana: Thank you, Mr. Temporary Speaker, Sir. I beg to give notice of the following Motion-

THAT AWARE THAT, Article 42 of the Constitution guarantees every person the right to a clean and healthy environment, which includes access to safe energy options;

FURTHER AWARE THAT, over 900 million Africans, including more than 90 per cent of households in Kenya's rural areas, still rely on traditional biomass (firewood, charcoal, animal waste) for cooking, resulting in high levels of indoor air pollution that cause premature deaths, particularly among women and children;

CONCERNED THAT, in Kenya, indoor air pollution has been linked to over 23,000 annual deaths, with women and girls bearing the disproportionate burden of time spent collecting firewood and cooking, limiting their education and economic opportunities;

NOTING THAT, traditional cooking methods contribute significantly to deforestation, greenhouse gas emissions, and climate vulnerability at the county level, undermining national commitments

under the Energy Act, 2019, the Climate Change Act, 2016, and Kenya's Nationally Determined Contributions (NDCs);

RECALLING THAT, the Africa Clean Cooking Summit (Paris, 2023) mobilised USD2.2billion in commitments for clean cooking, and the International Energy Agency has recommended urgent financing and policy action to achieve universal access by 2040;

ACKNOWLEDGING, the efforts of some counties, development partners, and private sector actors in piloting clean cooking projects but recognizing that these remain small-scale and fragmented;

NOW THEREFORE, the Senate resolves that the: -

(1) Council of Governors develops county-level policies, frameworks and budgets that mainstream clean cooking into devolved energy and health functions;

(2) National Treasury and Ministry of Energy prioritise clean cooking in financing frameworks, including results-based financing and blended finance models to de-risk private investment;

(3) County Governments incorporate clean cooking targets in their County Integrated Development Plans (CIDPs) and ensure public institutions such as schools, health facilities and prisons adopt clean cooking solutions;

(4) National Treasury and County Governments to fast-track letters of authorisation to unlock carbon finance markets (Article 6.2 and CORSIA) for clean cooking projects;

(5) County Governments engage the private sector actors and community organisations to expand clean cooking access, create local jobs, and reduce pressure on forest resources.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Next Order.

Proceed, Leader of Majority.

APPROVAL OF SENATORS TO SERVE IN
VARIOUS STANDING COMMITTEES

Sen. (Dr.) Lelegwe Ltumbesi: Mr. Temporary Speaker, Sir, I beg to give notice of the following Motion -

THAT, NOTWITHSTANDING, the resolution of the Senate made on 12th February, 2025 on the approval of Senators to serve in various Standing Committees of the Senate and pursuant to Standing Orders No.197, 199, 228 and the Fourth Schedule of the Standing Orders, the Senate approves the following Senator, nominated by the Senate Business Committee, to serve in Standing Committees of the Senate as follows –

(a). Standing Committee on Health

Sen. Vincent Kiprono Chemitei Cheburet, MP, to replace Sen. David Wafula Wakoli, CBS, MP; and

(b). Standing Committee on National Security, Defence and

Foreign Relations

Sen. Vincent Kiprono Chemitei Cheburet, MP, to replace Sen.

Tabitha Keroche Karanja, MGH, MP.

The Temporary Speaker (Sen. Wakili Sigei): Clerk, let us move to the next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Temporary Speaker (Sen. Wakili Sigei): Proceed, Sen. Essy Okenyuri.

LIMITED ACCESS TO CANCER MEDICATION

Sen. Okenyuri: Thank you, Mr. Temporary Speaker, Sir. I rise, pursuant to Standing Order No.53(1), to seek a statement from the Standing Committee on Health on a matter of national concern regarding the ongoing crisis at the Kenyatta National Hospital and other health facilities across the country that provide cancer treatment.

Due to stockouts of life-saving drugs, there have been severe disruptions in access to critical cancer medicines. As a result, patients are forced to choose between delayed treatment in public facilities or paying exorbitant prices in private health facilities. Although the enhanced oncology benefit under the Social Health Authority (SHA) was intended to provide financial protection to cancer patients, beneficiaries have been unable to access the Kshs800,000 cover as the new benefit package has not been fully implemented or operationalised.

In the Statement, the Committee should address the following –

(1) The current status of the availability, supply and distribution of essential cancer medicine at the Kenyatta National Hospital (KNH) and all public health facilities offering cancer treatment across the country.

(2) The causes of reported stockouts and the measures being taken by the Ministry of Health, the SHA, and relevant agencies to address the lack of access to cancer treatment medicine.

(3) The implementation status of the enhanced SHA oncology benefit package, including timelines for full operationalisation and interim measures in place to bridge existing treatment gaps.

(4) The measures taken or proposed to strengthen accountability, oversight and proper management of cancer medicines including safeguards against theft, diversion, or loss of critical drugs.

(5) Any additional policy or operational initiatives being undertaken to decentralise cancer treatment services and reduce the burden on referral facilities such as KNH.

Thank you.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, before I proceed to permit some additional statements, I have a communication to make.

(Sen. Murango and Sen. Maanzo consulted loudly)

Order, Sen. Murango and Sen. Maanzo. Please, take your seats.

(Interruption of Statements)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATIONS FROM MIGORI AND BUSIA COUNTY ASSEMBLIES

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, I would like to acknowledge the presence, in the Speaker's Gallery, this afternoon of visiting delegations from the County Assemblies of Migori and Busia.

The delegation comprises of five officers from the Hansard Department of the County Assembly of Migori and two officers from the Department of Serjeant-at-Arms of the County Assembly of Busia, who are undertaking a benchmarking visit in the Senate.

Hon Senators, on behalf of the Senate and my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

I will allow the Senator for the County of Migori and Busia to welcome them. Before I do that, I have a further communication from the Chair regarding visiting teachers and students from Karima High School in Murang'a County.

VISITING DELEGATION FROM KARIMA HIGH SCHOOL, MURANG'A COUNTY

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, I would like to acknowledge the presence in the Public Gallery this afternoon of visiting teachers and students from Karima High School in Murang'a County. The delegation consists of five teachers and 223 students.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to the delegation. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

Thank you.

Sen. Eddy is present, so I give you one minute to welcome the delegation from Migori County. Sen. Joe Nyutu from Murang'a, you will welcome the students from Karima High School. Sen. Omtata Okiyah from Busia will also have a moment to welcome the officers from Busia County.

Sen. Oketch Gicheru: Mr. Temporary Speaker, Sir, thank you for the opportunity. It is my honour to welcome the team from Migori. I cannot overstate the importance of keeping HANSARD as a record of what happens in these newly formed assemblies in our communities. I am a better Senator today because I benefitted a lot from people who came to this House before us. They are people I have admired. These are people like Sen. Orengo, Baba Raila Amollo Odinga and J.M. Kariuki, who were in these Houses, long time ago. I encourage you not to take your work lightly. What you are

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doing in the assemblies, in keeping those records, is very important. However, most importantly, when you are here, also take your time to learn from the best in the Senate.

I hope that when you leave the premises of these Chambers, you will get to greet Sen. Edwin Sifuna together with me as well as Sen. Ledama Olekina because they are the ones sandwiching me here. They give me a lot of knowledge. Where I cannot consume the answer, they keep on tending me. Their greeting is always not just a greeting. They have better ways that they greet people that when they go back home, they are happy.

I welcome you and thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Wakili Sigei): Proceed, Sen. Okiyah Omtatah.

Sen. Okiyah Omtatah: Mr. Temporary Speaker, Sir, thank you for the opportunity to welcome the delegation of the Serjeant-at-Arms from Busia County Assembly.

You are most welcome to this assembly. I hope you learn best practices from both this House and the National Assembly. From here you will go back and serve the Assembly of Busia with due diligence and through an upgraded way of doing things.

Mr. Temporary Speaker, Sir, Busia Assembly is an interesting one. One of the top assemblies in this country, with more than 70 per cent of its members being graduates. So, it is an Assembly that we celebrate. We hope that the Serjeant-at-Arms will be up to the task and ensure that these young men and women representing us deliver on their mandates and serve the people of this Republic.

Thank you very much. We shall have a proper handshake outside the Chamber. You are most welcome.

Sen. Khalwale, I recognise you.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Joe Nyutu.

(Sen. (Dr.) Khalwale spoke off record)

I will not allow that, Sen. Khalwale. He was actually catching your attention to concentrate on his welcome remarks. Do not worry about any other comment that he could have made.

Proceed, Sen. Joe.

Sen. Joe Nyutu: Thank you, Mr. Temporary Speaker, Sir. I also take this opportunity to welcome the students and teachers of Karima High School in Murang'a County. We welcome them to this Chamber and ask the students to do what brought them here. They should watch how debate is done here. This will enrich their debating capabilities and skills when they go back to school. I want to believe that they have a good debating club. I congratulate the teachers for choosing to bring their students here to provoke in them students the urge to debate.

I hope that they will have enough time to watch us debate here in a mature way. They are young people, and young people across the country are saying; "*sisi ndio Sifuna*". They can also see Sen. Sifuna here, so that when they go back to Murang'a and start saying "*sisi ndio Sifuna*," they will have seen the Sifuna alongside the rest of us.

Thank you, Mr. Speaker. We welcome these learners to this House.

The Temporary Speaker (Sen. Wakili Sigei): Now, we are going back to the statements pursuant to Standing Orders No.53.

Proceed, Sen. Samson Cherarkey.

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(Resumption of Statements)

DECEPTIVE RECRUITMENT OF KENYAN YOUTH TO RUSSIA

Sen. Cherarkey: Thank you, Mr. Temporary Speaker, Sir. With your indulgence, I request for a statement on the exploitative and deceptive recruitment of Kenyan youth to Russia. This is not about the famous Russian guy who has been taking advantage of girls, but on another matter.

The Temporary Speaker (Sen. Wakili Sigei): Read your statement.

Sen. Cherarkey: I rise, pursuant to Standing Order No.53(1), to seek a statement from the Standing Committee on National Security, Defense and Foreign Relations on a matter of national concern regarding the exploitative and deceptive recruitment of the Kenyan youth to Russia under the guise of civilian employment opportunities.

Mr. Temporary Speaker, Sir, credible reports indicate that several Kenyan youths were allegedly promised legitimate civilian jobs abroad only to find themselves exposed to military engagement in the ongoing Russia-Ukraine conflict. Some families have reported loss of contact with their relatives, while others have sought clarification regarding the circumstances under which they can travel and the protections available to them. These developments raise serious concerns regarding the regulation of foreign recruitment agencies, protection of Kenyan citizens abroad, potential traffic risks, human trafficking and the adequacy of oversight mechanisms governing overseas employment opportunities.

In the Statement, the Committee should address the following -

(1) The number of Kenyans currently missing, stranded or otherwise unaccounted for in the Russia-Ukraine conflict war and the current status of investigations into the reported deceptive recruitment of the Kenyan citizens, including the responsible agencies and progress made to date.

(2) The extent of coordination between the Ministry of Foreign Affairs and Diaspora Affairs, relevant security agencies and foreign governments in tracing, protecting, repatriating, or otherwise accounting for Kenyans affected by these recruitment schemes.

(3) The measures taken to identify, disrupt and dismantle recruitment networks operating locally or internationally and the actions being pursued against all accountable individuals or entities involved in misleading or exploitative recruitment practices across the country.

(4) The support mechanisms in place for affected families, including financial, legal and socio-psychological assistance, consular support and timely communication regarding the status of investigations and efforts to trace their relatives in the Russia-Ukraine conflict.

(5) The adequacy of existing laws, policies and regulatory frameworks governing foreign employment and recruitment of Kenyans abroad and any gaps that may have enabled exploitation or human trafficking.

(6) The measures and reforms being undertaken to strengthen oversight, verification and enforcement mechanisms to prevent the recurrence of deceptive foreign

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recruitment, including public advisories, a verification protocol for overseas job offers, and enhanced safeguards to protect the welfare and rights of Kenyans citizens seeking employment abroad.

Thank you.

The Temporary Speaker (Sen. Wakili Sigei): Lastly, the Senator for Busia, Sen. Okiya Omtatah.

CHALLENGES FACING COMMUNITIES ALONG TANA RIVER DAM

Sen. Okiyah Omtatah: Mr. Temporary Speaker, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Energy on a matter of countywide concern regarding the challenges faced by communities living along the Tana River Dam cascade, the mitigation measures in place and the unequal compensation of affected persons.

The Tana River hosts a series of major dams: Masinga, Kamburu, Gitatu, Kindaruma and Kiambere, central to Kenya's hydropower generation, yet downstream communities in the Tana River and parts of Garissa counties have long-endured recurrent flooding linked to dam spillages. These floods, which are often predictable and frequently result from controlled releases, have caused property destruction, livelihood losses, displacement and serious public health challenges, compounded by persistent gaps in early warning systems, coordinated dam managements and community preparedness. Despite this, affected communities are rarely compensated as flooding is commonly treated as a natural or seasonal event, overlooking the role of power generation infrastructure and undermining principles of fairness, equality and shared national responsibility.

In the Statement, the Committee should address the following –

(1) measures in place to prevent and mitigate dam-induced flooding along the Tana River's seven forks hydroelectric dams, including early warning systems and interagency coordination;

(2) the criteria used to classify flooding incidents along the Tana and the basis for excluding many from compensation mechanisms;

(3) details of compensation, relief, or support provided to affected communities over the past five years from 2021 to 2026;

(4) plans to establish a compensation and benefit sharing framework for downstream communities affected by hydropower dams;

(5) the respective roles of Ken Gen, the Cabinet Secretary of the Ministry of Energy and Petroleum, the National Drought Management Authority (NDMA) and the county governments in safeguarding and ensuring equitable treatment of these communities.

Mr. Temporary Speaker, Sir, I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Okiya Omtatah.

Hon. Senators, I will give 10 minutes for Members who would like to comment on those three statements; the statement by Sen. Essie Okenyuri, the statement by Sen. Okiya Omtatah, and the one by Sen. Cherarkey.

Sen. Maanzo, you may proceed.

Sen. Maanzo: Thank you, Mr. Temporary Speaker. I want to commend and support Sen. Cherarkey's statement.

Quite a number of Kenyans have left the country, having been misled into believing that they are going to be employed and that they are going to earn a living and have a future. This has happened in several countries. Some of them ended up being stranded. This has happened several times in the Arab world. This has happened in Russia where we saw reports that some have even died there. Some left here not knowing exactly that they were going to be at the front of the war and ended up losing their lives.

(Sen. Maanzo's microphone went off)

The Temporary Speaker (Sen. Wakili Sigei): Give the mic to Sen. Maanzo.

Sen. Maanzo, you may proceed to the Dispatch Table.

Sen. Maanzo: Thank you, Mr. Temporary Speaker, Sir. Some were hoping to have a future. If you take an untrained Kenyan to become a soldier and go and fight at the forefront of the war, you can expect disaster, certainly death. Quite a number of them have died.

Therefore, I would like the Ministry of Labour and Social Protection and the Ministry of Foreign and Diaspora Affairs to give an account of how many Kenyans are outside; who left here through agencies, or who left by themselves to get employed.

Kenyans living in the diaspora are very important to this nation. They make remittances and they take care of families at home. Recently, I saw the diaspora in America very determined to make Kenya succeed and make Kenya great again.

So, the role of diaspora is very important and, therefore, the young people leaving the country need to have full protection. This is the role of the Ministry of Foreign and Diaspora Affairs. We have to know which country they are in, whether we have an ambassador in that country and whether that ambassador has an account of these Kenyans.

I was very impressed when I went to South Africa recently and found that our Ambassador in South Africa has a list of Kenyans living in South Africa. Kenyans living in South Africa even have their contact, they know and every time they appear in the embassy, they get assisted very quickly. It should be the same with the Arab world.

One time, I lost somebody from Makueni County in the Arab world and for a long time, they were stuck there. It forced me to go there myself to get the body back home. I did, but with a lot of challenges. The Cabinet Secretary of Foreign and Diaspora Affairs gave me very little assistance. I realised that the ambassador there deals with several countries. The challenges are many. The embassies are not properly funded, even on sudden occurrences, such as arrests, deaths, and the like. Kenyans must feel protected. Those working abroad must know that Kenya is their first country and Kenya is protecting them.

Mr. Temporary Speaker, Sir, I do support. I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Munyi Mundigi, you may proceed.

Sen. Munyi Mundigi: Asante, Bw. Spika wa Muda, kwa kunipa nafasi hii ili niweze kuchangia kauli ya Sen. Okenyuri, kuhusu ugonjwa wa saratani.

Nakumbuka vizuri sana kwamba wakati Serikali hii iliingia uongozini, tuliambiwa kuhusu SHA na tunaendelea. Tulijua kwamba SHA ikianza kufanya kazi, ugonjwa wa saratani katika kaunti zote utakuwa umeshughulikiwa. Lakini kumekuwa na shida. Pia, tunajua mambo ya bajeti ya SHA. Mpaka leo hii, hajifanya kazi vile inavyofaa kwa sababu wagonjwa wengi wanaugua ugonjwa wa saratani.

Nimesikia kuwa watu wengine wakienda hospitalini saa zingine wakati saratani imefikia *stage* ya mwisho, wao hurudi kwa familia kuchanga pesa za matibabu. Kwa hivyo, ninaunga mkono hili jambo ili liweze kuangaliwa ama Waziri wa Afya aweze kusema vile itakuwa, ndiposa mambo haya yote yawe sawa. Familia nyingi zimeisha. Siku hizi, hata vijana na watoto wa umri mdogo wana shida.

Pia, ningependa kuchangia kauli ya Sen. Cherarkey, Seneta wa Kaunti ya Nandi, kuhusu mambo ya Russia. Mimi ni mmoja wa wanakamati wa Kamati ya Leba na Ustawi wa Jamii. Sio Russia peke yake, hata Dubai na kona zote, vijana wetu wanaendelea kuteseka. Ningemba tuweze kuangalia sana. Waziri wa Leba na Ustawi wa Jamii anastahili kuangalia ili ajue mambo haya yote yataweza kuisha vipi.

Shida kubwa ni maajenti. Mtu anapewa barua ya kwenda kuwa mtalii kwa muda wa miezi mitatu lakini akienda anapotea. Pia, kuna *panya routes* ambazo zinastahili kujulikana na tuone vile tunaweza kusaidia, ili watu wetu wasipate shida.

Watu wengi wameenda Russia kwa kutumia *panya routes*. Wanafanya makosa na wakati wameuawa ndio sisi tunajua. Hii inaleta aibu kwa Serikali na husababisha Serikali kutukanwa kwa sababu ya makosa ambayo sio yake. Mimi ninaomba Serikali iweze kuangalia mambo ya *panya routes* na maajenti wote ambao wanafanya makosa waweze kunyang'anywa zile leseni.

Asante, Bw. Spika wa Muda.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Richard Onyonka, you have the Floor.

Give him the microphone, Clerk.

(Technical Hitch)

Be a little patient, Sen. Onyonka, because the system is new. You can submit from the Dispatch. Whether it is technology or your inability to use it, it is a different story.

Sen. Onyonka: Ninashukuru sana, Bw. Spika wa Muda, kwa kunipatia nafasi hii. Pia, mimi nimeamua kuzungumza lugha ya taifa kwa sababu Mzee, Sen. Mundigi, amejihuisha vivilyo na ningependa kumwambia asante sana kwa kujaribu kuhakikisha kuwa tunaendeleza lugha yetu ya taifa.

The Temporary Speaker (Sen. Wakili Sigei): What is your point of order, Sen. Munyi Mundigi?

(Loud consultations)

Please, give Sen. Munyi Mundigi the microphone.

Sen. Munyi Mindigi: Bw. Spika wa Muda, asante kwa kuruhusu Seneta wa Kaunti ya Kisii kuongea. Lakini ningependa kumfahamisha kwamba sasa hivi tukiwa

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katika kikao hiki cha Seneti, mimi sio Mzee Mundigi, mimi ni Seneta wa Embu County, Sen. (Dr.) Munyi Mundigi.

Asante.

(Laughter)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Onyonka, you may proceed.

Sen. Onyonka: Asante, Bw. Spika wa Muda. Nilitumia neno “Mzee” kwa heshima wala sio kwa ajili ya miaka yako. Lakini kwa vile umejitambua, inaonekana kuwa miaka yako ni minge sana. Pole.

(Laughter)

Bw. Spika wa Muda, ningependa kusema kuwa ugonjwa wa saratani ni ugonjwa ambao umetufikia hivi sasa. Nchi yetu ya Kenya, kuna utafiti ambao umefanywa kwa kuuliza ni sababu gani inayofanya ugonjwa wa saratani uanze kuuwa Wakenya vile unavyowaua wakati huu.

Jambo la kwanza ni chakula tunachokula wakati huu. Wale ambao wamepewa nafasi ya kuchunguza na kuhakikisha kuwa chakula hiki ni chenye afya na thamani, wanavunja sheria. Ukiangalia the Kenya Bureau of Standards (KBS)--- Sukari ambayo tunatumia na yale maji ambayo yanauzwa siku hizi ambayo yamo ndani ya chupa---

Mimi ningependa Kamati ya Afya na haswa, Wizara ya Afya tujaribu kujiuliza, ni shida gani ambayo imetokea ambapo Wakenya wengi sana wameanza kufa kwa ugojwa wa saratani. Unasababishwa na nini?

Jambo la pili kuhusu ugonjwa huu ni kwamba ni wa kuuwa. Serikali imejihusisha kwa kusema kuwa kuna hela ambazo zitatolewa kuenda kwa kila kaunti ili kuwe na hospitali. Mimi ningependa kuuliza wale ambao wanahuksika wahakikishe kuwa jambo hili linaangaliwa. Serikali ijihusishe na wale ambao wanatibu wale wanaugua kutokana ugonjwa wa saratani. Wajaribu wawezavyo kuhakikisha kuwa Wakenya wa kawaida, wale ambao hawana pesa za kuenda ng'ambo kutibiwa, wanapata nafuu hapa nchini mwetu.

Jambo la mwisho ambalo ningependa kuzungumzia ni kuhusu kauli aliyoleta Sen. Cherarkey. Ndugu Cherarkey, kusema ukweli, sababu ambayo inafanya Wakenya kudhulumiwa jinsi inavyofanyika ni kuwa sisi, viongozi na maafisa, wakiwemo wale wa zamani, hatuweki mikataba ambayo inalinda Wakenya wakienda nje kufanya kazi.

Wakenya wakienda kufanya kazi kule nje, hakuna mtu anashughulika, si wafanyakazi wa Serikali, wakiwemo mabalozi wanaofanya kazi kule nje, ni wabaya. Ningependa kutoa shukurani kwa Serikali ya Mhe. William Ruto kwa sababu msichana Mkenya aliyekuwa anaenda kunyongwa kule Burma aliponea chupuchupu kwa sababu Serikali iliingilia jambo hilo.

Tungependa Serikali iendelee kufanya mambo ambayo yatafanya Wakenya waheshimiwe. Mhakikishe kuwa SHA inafanya kazi ili wagonjwa wa saratani wapate matibabu, watu wetu watoke Russiana tuwachane na hayo.

Asante, Bw. Spika wa Muda.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Members, the time allocated for comments on statements is over. We will proceed to transact the next Order. I had directed that we have 10 minutes for comments on the Statements.

Clerk, please call the next Order.

MOTION

APPROVAL OF SEN. KIPRONO CHEMITEI CHEBURET, MP TO SERVE IN SELECT COMMITTEES OF THE SENATE

The Temporary Speaker (Sen. Wakili Sigei): Sen. Wafula, on behalf of the Senate Majority Leader, please, move the Motion under Standing Order No.8.

Sen. Wafula: Mr. Temporary Speaker, Sir, I beg to move-

THAT, NOTWITHSTANDING, the resolution of the Senate made on 12th February, 2025 on the approval of Senators to serve in various Standing Committees of the Senate, and pursuant to Standing Orders 197, 199, 228, and the Fourth Schedule to the Standing Orders, the Senate approves the following Senator nominated by the Senate Business Committee to serve in Standing Committees of the Senate as follows –

(a) Standing Committee on Health

Sen. Vincent Kiprono Chemitei Cheburet, MP to replace Sen. David Wafula Wakoli, CBS, MP; and

(b) Standing Committee on National Security, Defence and Foreign Relations

Sen. Vincent Kiprono Chemitei Cheburet, MP to replace Sen. Tabitha Keroche Karanja, MGH, MP.

I request Sen. Cherarkey to second.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Samson Cherarkey, proceed to second the Motion.

(Sen. Oketch Gicheru spoke off record)

Sen. Wafula: Mr. Temporary Speaker, Sir, could you protect me from Sen. Eddy?

The Temporary Speaker (Sen. Wakili Sigei): Sen. Wakoli, please, take your seat to allow Sen. Cherarkey to second your Motion. You are protected because Sen. Eddy is harmless.

(Sen. Wafula sat at his place)

Sen. Cherarkey: Mr. Temporary Speaker, Sir, this is a procedural Motion. As you are aware, Article 123 of the Constitution of the Republic of Kenya and the Senate Standing Orders are very clear on the role of committees.

I take this opportunity to welcome Sen. Vincent Kiprono Chemitei, Cheburet as a Member of the Committee on Health and the Committee on National Security, Defence,

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and Foreign Relations, has what Tanzanians would refer to as *nguvu mpya*. As you are aware, the health sector is undergoing serious challenges.

Under the Fourth Schedule of the Constitution, health is one of the key devolved functions. Therefore, we expect the Committee on Health to rise up to the occasion now that they have a new Senator by the name Sen. Vincent Kiprono Chemitei Cheburet of Baringo County. He should assist them.

Mr. Temporary Speaker, Sir, last year you had health problems in Bomet. We have been having issues of cancer and SHA even in Nandi, which is a going concern. For example, in Kapsabet County Referral Hospital, there are no drugs and medical services.

There is also another challenge because there are so many stalled health projects in our counties. Therefore, we need the Committee on Health, led by the Senator for Uasin Gishu, to up their game now that they have the numbers.

Finally, I am a Member of the Committee on National Security, Defence and Foreign Relations. I can tell you that there are many challenges. I know the Chairperson of the Committee, Sen. Fatuma Dullo, who is a ranking Member of this House, having served longer than most of us, will tell you that the plate is full. You are aware that national security is critical.

There was an incident where young people were caned in Nandi County while playing pool. We need that issue to be resolved.

We are facing issues of extrajudicial killings. There is a young man called Ayomo who was unfortunately killed in Kitengela over the weekend. I urge our colleagues who organise political rallies, because I can see a number of them in this House, not to sponsor violence in their own meetings. They need to notify the police in good time. They should issue notifications and stop sponsoring violence in their own meetings.

I am calling upon the Committee on National Security, Defence and Foreign Relations---

Hon. Senators: On a point of order!

The Temporary Speaker (Sen. Wakili Sigei): Sen. Cherarkey, there are so many points of order. I will allow the one by Sen. Wambua.

Sen. Wambua: Mr. Temporary Speaker, Sir, Sen. Cherarkey is casting aspersions on his own colleagues. He has done two things. First, he has said that he can see Members here who have been organising political rallies and inciting people against their own political rallies. Could he name and give evidence of those Members organising violence in their own political rallies? Could he substantiate what he is saying?

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Cherarkey, the Speaker also noted specific reference by Sen. Wambua of Members in the House who are sponsoring violence. Please, proceed to substantiate. If not, you know what to do.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, there is no offence in organising a political rally. That is the first bit. The second bit is that from the intelligence and police reports and statements, a number of colleagues in the political class have been organising political rallies and we have seen allegations of them sponsoring violence. Therefore, I do not need to substantiate the obvious because they know.

You can see the former Secretary General (SG) of the Orange Democratic Movement (ODM) looking at me. I saw him and the Deputy Party Leader in the rally and a number of---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Cherarkey, I hope you were listening to the Chair. I also heard you making those statements. Now I am directing. If you are unable to substantiate, you know what to do.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, could I request to do that tomorrow at 2.30 p.m.? Please, note that some of the information will be classified. Therefore, you will need to guide me on that.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Cherarkey, you are expected to substantiate on the allegations made against your colleagues. Proceed to conclude seconding the Motion.

Sen. Cherarkey: Well guided, Mr. Temporary Speaker, Sir. Please, note that most of the information will be classified.

Hon. Senators: Point of order!

The Temporary Speaker (Sen. Wakili Sigei): Order, hon. Senators. Allow Sen. Cherarkey to conclude. I have directed that tomorrow at 2.30 p.m., Sen. Cherarkey will substantiate the allegations made. That is an order from the Chair. Allow him to conclude. I will not allow any other point of order.

Sen. Cherarkey, please conclude.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, they should be aware that I have---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Cherarkey, please conclude. Please, do not tempt the Chair.

Sen. Cherarkey: But the Standing Orders said I have 20 minutes?

The Temporary Speaker (Sen. Wakili Sigei): Please, conclude.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, thank you. I was mentioning the Committee on National Security, Defense and Foreign Relations. We have seen cases of escalation of insecurity in Turkana where some people were killed. I am aware that the Senator for Turkana is here with us. He has been complaining a lot. In addition, we have the re-emergence of gangs across the country. We have seen a number of gangs re-emerging, including what we saw in Mtwapa.

Therefore, Sen. Chemitei, led by our able Senator, Fatuma Dulo, who is a ranking Member and the Chairperson of the Committee on National Security, Defense and Foreign Relations, should be seized of this matter and ensure that all these issues are dealt with.

In conclusion, on this small matter, I have seen that the Cabinet Secretary for Gender, Culture, the Arts and Heritage has given directions. I hope the Committee on National Security, Defense and Foreign Relations takes note. There is a Russian man who took advantage of our ladies in this country. Kenya is so open to everybody. You just come, tell a lady you are beautiful and then tell them to go to your house. You also tell them that your English is broken.

I ask the Committee on National Security, Defense and Foreign Relations, *suo moto*, to direct the Inspector General of Police and the Cabinet Secretary concerned, including the one for Gender, Culture, the Arts and Heritage, to appear and tell us why the Russian and other foreign nationals are taking advantage of our girls and women.

However, I am aware that my Majority Whip is saying that the Russian should be invited to the “Men’s General Conference” to address and teach them ways of the master. Some of us have been suffering. Fare has been “eaten.” We also do coffee dates and then somebody from nowhere appears and he is eating our “cabbages” and everything.

I hope that we shall be able to resolve this matter. I thank the Cabinet Secretary for Gender, Culture, the Arts and Heritage for directing that the Russian and any other national who is taking advantage of our girls and women, be arrested. Our women and girls should be left for Kenyan men only. We should not allow anybody else.

Mr. Temporary Speaker, Sir, with those many remarks, I beg to second.

The Temporary Speaker (Sen. Wakili Sigei): I will now propose the question.

(Question proposed)

Hon. Senators, you are aware that this is a mere Procedural Motion. With your concurrence, I proceed to put the question. I thank you.

(Question put and agreed to)

Clerk, you may now call the next Order.

MOTION

EXTENSION OF TIME FOR CONSIDERATION OF THE CROPS (BIXA) REGULATIONS (LEGAL NOTICE NO. 145 OF 2025)

Sen. Mungatana, MGH: Thank you, Mr. Temporary Speaker, Sir. I beg to move

THAT AWARE THAT, the Crops (Bixa) Regulations (Legal Notice No. 145 of 2025) were tabled in the Senate on Thursday, 25th September, 2025, and referred to the Select Committee on Delegated Legislation for consideration pursuant to Section 12(1) of the Statutory Instruments Act;

COGNIZANT THAT the Committee is required to make a report within twenty-eight sitting days after the date of referral of the instrument by the Senate pursuant to Section 15 (2) of the Statutory Instruments Act which will lapse on Tuesday, 17th February, 2026;

AWARE THAT Section 15(3) of the Statutory Instruments Act, provides that by a resolution, Parliament may extend the time for consideration of a Statutory Instrument by a period not exceeding twenty-one calendar days;

NOTING that the Committee requires more time to consider concerns raised by stakeholders on the Regulations;

NOW THEREFORE the Senate resolves to extend the timeline for the consideration of the Crops (Bixa) Regulations (Legal Notice No.145 of 2025) for a further twenty-one (21) days pursuant to section 15(3) of the

Statutory Instruments Act, to enable the Committee consider objections raised by the public and make its resolution on or before Tuesday, 3rd March, 2026.

Mr. Temporary Speaker, Sir, if we do not get the extension, according to the Statutory Instruments Act, these regulations will take effect automatically. Some of the stakeholders have already expressed worries because they impose a levy, a 1 per cent levy, on processed BIXA. They are also proposing 3 per cent levy on raw BIXA that is for export. They are proposing 2 per cent levy on imported BIXA products.

The public has raised concerns over these regulations. The public wants us to look at them again. The committee needs more time. We also need to listen to more of the small-scale farmers because these regulations that have been proposed by the executive, they have put some heavy requirements on registration, licensing, traceability and quality standards for all producers and growers of BIXA in Kenya.

These growers are mostly found in Kwale County. If you look at the small-scale growers there, for them to comply with these regulations, it will be very costly. They have put these concerns before the committee. We would like to get more time to consider these regulations. We would like more people to come and express their ideas on what we need to do with these regulations.

There is also a pricing committee that has been proposed in these regulations by the ministry. People are fearing that maybe this pricing committee can exclude small-scale farmers and give producers an advantage

Mr. Temporary Speaker Sir, as the Committee on Delegated Legislation, we are before this House to request that we be given more time so that we can accord opportunity to those people who have concerns over these regulations. Further, so that we can apply our minds and give proper recommendations before this House that will serve our producers at the grassroots level as well as the large-scale farmers who are in this business of Bixa production.

With those few remarks, I request this House to approve extension of time as we have requested, so that we can have time to make resolutions on or before Tuesday, 3rd March, 2026.

I beg to move and ask my colleague, who is also a member of the Committee, Sen. Consolata Wakwabubi, to second.

Sen. Consolata Wakwabubi: Thank you, Mr. Temporary Speaker Sir, for affording me this opportunity as one of the Members of the Committee on Delegated Legislation. I state categorically that Bixa is a significant cash crop in Kenya that has several uses. For example, it is used in the food industry as a colourant, for medicines and also in cosmetics. It, therefore, impacts on human beings. As a committee mandated to look at legislation and scrutinise some of these statutory instruments, it is important that we scrutinise it critically and bring out what is important and what can be consumed.

I second Sen. Mungatana's humble request that we be given more time to work on it.

(Question proposed)

Hon. Senators, this is a Procedural Motion. With your concurrence, I will proceed to put the question.

(Question put and agreed to)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, for the convenience of the House, we will reorganise the Order Paper and call Order No.11, for purposes of approval of the Senate Calendar for the Fifth Session.

The Senate Majority Whip will do it on behalf of the Senate Majority Leader.
Proceed to do that.

MOTION

APPROVAL OF THE SENATE CALENDAR FOR THE FIFTH SESSION

Sen. Wafula: Mr. Temporary Speaker, Sir, I beg to move-

THAT, pursuant to Standing Order No.32(1), the Senate approves its Calendar (Regular Sessions) for the Fifth Session (February to December, 2026), laid on the Table of the Senate on Thursday, 12th February, 2026.

I request my good friend, Eddy, to second.

The Temporary Speaker (Sen. (Wakili Sigei): Sen. Eddy, proceed to

Sen. Oketch Gicheru: Mr. Temporary Speaker, Sir, this is a very important Motion, to the extent that this Senate must focus on some serious issues in this Session. I know that there is pressure because we want to focus on other things. Indeed, they have started to talk about other things. However, the calendar is very important.

So, right from the start, I wish to second this as moved. I would like to emphasise that there are very critical issues that we must consider in this calendar year. I have emphasised a time without number that we need to look at how our counties are being run because this is the year when you will start seeing a lot of discrepancies and variances in our accounts in the counties, where people want to siphon resources to go to the campaigns with. This is not casting any aspersions on the side of the governors. Rather, it is a trend that we have seen. I hope that in this calendar year, we will focus on the books of governors and not just deal with them in the committees. Let us see them coming here to be debated.

Alongside that, we must interrogate and engage the national Government in the Budget Policy Statement (BPS) that has just been tabled. There are a lot of things that I hope that we, as a House, will be able to look at. Most importantly, let us do our work to ensure that we enhance the audit machinery and function of this House, with regards to how money is being spent in this country.

Mr. Temporary Speaker, Sir, I second. I thank you.

(Sen. Korir stood in her place)

The Temporary Speaker (Sen. (Wakili Sigei): Sen. Joyce Korir, take your seat.

(Sen. Korir sat in her place)

(Question proposed)

Hon. Senators, similar to the previous two Motions that we have dealt with, this is another Procedural Motion, and with your concurrence, I will proceed to put the Question.

(Question put and agreed to)

(Resumption of Statements)

Hon. Members, I have received a request from Members, which I had earlier on acceded to, that, we give additional eight minutes for Members to comment on the Statements earlier on by Sen. Okenyuri, Sen. Cherarkey and Sen. Omtatah. I will give each Member two minutes. So, we have the eight minutes shared among four Members. From my dashboard, I have Sen. Sifuna. I will give two Members on this side and two on the other side.

Sen. Sifuna, please, proceed.

Sen. Sifuna: Mr. Temporary Speaker, Sir, I would like to comment on the Statement brought by the Senator for Nandi County on the luring of Kenyans into the Russian-Ukraine war.

Mr. Temporary Speaker, Sir, towards the end of last year, I attended the launch of a report by Oxfam titled: *“Kenya’s Inequality Crisis - The Great Economic Divide.”* Just to highlight that report for the benefit of the House, nearly half of Kenyans live in extreme poverty. The Senator for Mandera County was just briefing me on the drought situation there. They have over 10,000 households that are affected by drought.

The second notable thing that the study found out is that the top one per cent in Kenya control 78 per cent of the country's financial wealth, while a majority struggle.

Thirdly, Mr. Temporary Speaker, Sir, and last, that the richest 125 individuals in Kenya hold more wealth than a combined 43 million of us in this country.

Why do I bring this report here? I want to argue that it is, in fact, ourselves who have created an impossible situation and life for Kenyans, that it is very easy for them to fall into these traps. When you are looking at your family starving, and somebody tells you, I can get you a job somewhere, you will most likely want to go and do that job, even when it might not be in your best interest.

We have heard of these stories in Myanmar, where Kenyans were lured to go and do some extortion business. Now in Russia, we have heard about the situation again. In Saudi Arabia, we met with the Kenyan ambassador to Saudi in December as well, Ambassador Ruwange, and he painted a very dire picture. Kenyans are very easily lied to by cartels that are operating within this country.

Mr. Temporary Speaker, Sir, it is incumbent upon the national Government to protect the life of the citizens and property. The stories we hear, because we have seen

international media reporting that some of these agencies that are being used to lure Kenyans into these traps are owned by very powerful people in Government. I am sure that unless we uncover those cartels, these problems will persist. So, we must look at ourselves. What sort of environment and society have we created for the young people, of these 125 richest individuals in Kenya? It would be very interesting to see if there is anyone below the age of 35 in that group. We must resolve the situation of our own people, so that we save them from these traps that have been set by these cartels.

I thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Wakili Sigei): Sen. Wakoli, please, proceed.

Sen. Wafula: Thank you, Mr. Temporary Speaker, Sir, for this opportunity to contribute to this pandemic.

It is sad that we were just enjoying Valentine's day the other day. Kenyans surprised themselves with flowers and others with chocolates, while our Russian counterpart was ravaging our cabbages without any mercy. This matter reflects on the issue that Sen. Cherarkey has just raised about the Russian problem. I was sharing with Cherarkey and asking him, our young people are dying. They are being duped, as Sen. Sifuna said, that there is greenland far away where they will always harvest milk and honey. Then, they go to Russia. However, as we say that, we have a similar scenario in counties of Kenya. County governments are behaving like the Russian cartels, duping our young people, taking them around in circles, some way back from 2016, with appointment letters, but no jobs to be done.

Courts have resolved that these young people be employed, but governors prefer boarding planes to various destinations in the world. Our young people are suffering and asking God where they went wrong.

Mr. Temporary Speaker, Sir, we must weigh in on this matter. As cartels in Government and those who are friends of the Government take advantage of our young people, we must call them out. Just as boldly as we are calling out county governments that are not remitting taxes and statutory deductions of our young people, yet they have an allocation called---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Wafula, your two minutes are up.

Sen. Olekina, proceed.

Sen. Olekina: Thank you, Mr. Temporary Speaker, Sir. I rise to make some brief comments on this disturbing Statement by the distinguished Senator for Nandi County. We must all ask ourselves how this Parliament is contributing to Kenyans running away due to unemployment. They seek for greener pastures abroad where they risk arrest, molestation or having their passports taken away. What are we doing to solve that problem? I am tired of us lamenting daily.

There is a law we are now considering on legal migration. We need to fast-track it. The Standing Committee on Labour and Social Welfare must bring that legislation. This will ensure only a handful of licensed agencies in this country are allowed to recruit migrants abroad.

Secondly, we must ensure that the Ministry of Labour and Social Protection, the Ministry of Foreign and Diaspora Affairs and the Executive work hand in hand to stop this.

Finally, our county governments must re-engineer their [County Integrated Development Plans](#) (CIDPs) to create employment locally. People are running away while governors line their pockets, yet our people die of hunger. It is uncouth that we have professors and highly educated Kenyans who remain jobless. Every day, I dare say, all of you receive requests from highly educated people seeking jobs or asking for help to pay their children's school fees. It behooves us and it is only us who can end this. We cannot lament or blame other countries; we must start from here.

I feel sorry for our embassies abroad. Most of them have no budgets and no money. In fact---

The Temporary Speaker (Sen. Wakili Sigei): Your time is up, Sen. Olekina.

Sen. Murango, proceed.

Sen. (Dr.) Murango: Asante sana, Bw. Spika wa Muda. Kwanza, ningependa kuchangia Kauli iliyoletwa na Sen. Okenyuri. Afya njema ni taja imara na kuishi ni faradhi. Ugonjwa wa saratani unapokumba familia, familia nyingi zinafilisika kutibu wapendwa wao. Wanabaki kuokota virobo kwa kufilisika.

Katika mpango wa Social Healthy Authority (SHA), wagonjwa wa saratani walifaa kupata tiba ya takribani shilingi 800,000. Ni vyema mpango huo uanze kufanya kazi haraka iwezekanavyo ili tuwatibu wagonjwa wanaohangaika na saratani. Hospitali zetu katika kaunti nyingi, licha ya kupata fedha nyingi, hazijatilia maanani kutibu saratani.

Kauli iliyoletwa na Seneta wa Kaunti ya Nandi inaeleza kwamba wale waliohusika kupeleka vijana kule wanafaa kunyang'anywa leseni zao na wasirudishiwe. Warusi hawakuja kuwashika vijana wetu mateka, bali walipelekwa na watu ambao waliwalipa pesa ili waweze kuwapeleka kule.

Asante.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Wambua.

Sen. Wambua: Thank you, Mr. Temporary Speaker, Sir. I want to go on record on the matter raised by Sen. Cherarkey. I wish to say two things. First, this matter is extremely serious and requires a Motion for proper discussion. It goes beyond Kenya. I was in Uganda with some of my colleagues last December for the games. At the airport, hundreds of young people were being ferried to Arabian countries to seek employment.

Today, when you visit the Jomo Kenyatta International Airport (JKIA), the majority of those travelling out of the country are young people leaving for jobs. The irony is that once these young people leave, our Government loses touch with them. They are recruited for decent assignments, but when they arrive, everything changes and there is nobody to follow up on their welfare.

Second, when governors met in Kilifi, this issue should have occupied their minds and time. They ought to have discussed how to help young people in their counties secure jobs, not how to escape accountability. These issues must be discussed seriously, even through a Motion. I thank Sen. Cherarkey for raising the matter, though I fault him for casting aspersions on his colleagues.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, I had indicated earlier that I would allow two Members from each side. You will notice that I have given an extra person.

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(Sen. Ogola spoke off record)

The Chair is on his feet, Sen. Beatrice.

I will exercise discretion, in the interest of our colleagues here, to allow Sen. Consolata and Sen. Beatrice two minutes each. We will then close the debate.

Sen. Wambua, I encourage you to pursue the matter in the form of a Motion, as you have proposed, so that Members can continue to contribute to it.

Sen. Consolata, proceed.

Sen. Wakwabubi Consolata: Thank you, Mr. Temporary Speaker, Sir, for according me this opportunity to contribute to Sen. Okenyuri's Statement on the accessibility of cancer medication. Cancer has become a menace in our community and across the nation.

As a country, there is need to ease the red tape and bureaucratic procedures that hinder patients from accessing treatment. In Bungoma County, for example, breast and cervical cancer cases are high. While screening is done, it remains expensive and inaccessible, especially for rural women.

I appreciate the Statement and urge that we examine the cost of treatment. Many rural women cannot afford the expenses, including transporting patients to referral hospitals. There is need to decentralise these facilities down to the grassroots. We must emphasise availability, supply, affordability and access to cancer treatment in all counties, not only in Bungoma, but across all 47 counties.

I support Sen. Okenyuri's Statement. Thank you.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Beatrice Ogola.

Sen. Ogola: Thank you, Mr. Temporary Speaker, Sir, for the wisdom you exercise while in the Chair.

I wish to support the Statement by my colleague, Sen. Essy Okenyuri, particularly on cancer treatment. I emphasise on the availability of services, access to early intervention and the strengthening of public facilities. Cancer treatment, if delayed, becomes so expensive to the public.

Mr. Temporary Speaker, Sir, even as the statement talks about KNH, by the time many patients arrive or are referred there, they are at later stages which come with a lot of expenses while treating the cancer patient.

In the last few weeks, I have had a patient, and I thank Coptic Hospital for the services they rendered to this patient. However, I keep on asking, if I managed to meet those expenses, what about the many Kenyans that are there? That is why the Ministry of Health should unlock the benefits that come with SHA. We want to see availability of services and many patients accessing cancer treatment services especially down at the health centres and dispensaries.

This is because we need to go to the next step of declaring cancer a disaster in this country. A number of people are suffering and they are not able to meet the expenses that come with the treatment of cancer. I would like to declare that SHA is---

The Temporary Speaker (Sen. Wakili Sigei): Your time is up, Sen. Beatrice. Take your seat.

Clerk, let us now resume Order No.12. You may call that out.

Vice-Chairperson, Mediation Committee to move the Motion, Sen. Wakoli.

MOTION

ADOPTION OF REPORT OF THE MEDIATION COMMITTEE ON THE COFFEE BILL (SENATE BILLS NO.10 OF 2023)

Sen. Wafula: Thank you, Mr. Temporary Speaker, Sir. I beg to move-

THAT, the Senate adopts the Report of the Mediation Committee on the Coffee Bill (Senate Bills No.10 of 2023), laid on the Table of the Senate on Thursday, 4th December, 2025, and that pursuant to Article 113(2) of the Constitution and Standing Order No.167(3) of the Senate, approves the mediated version of the Bill.

I appreciate the Almighty for crossing over to this year. As we left last year, the Kenyan coffee farmer was anxiously waiting to see how far this Bill goes. The Mediation Committee of this Bill was constituted by the Speaker of the National Assembly on 22nd July, 2025, pursuant to Standing Order No.149(2) of the National Assembly Standing Orders and the Speaker of the Senate on 20th May 2025, pursuant to Standing Orders No.116(2) of the Senate Standing Orders.

The Committee held five sittings to deliberate on the Coffee Bill (Senate Bills No.10 of 2023), in accordance with the Constitution and relevant provisions of the Standing Orders of the Senate and the National Assembly. Having considered the Coffee Bill, the Committee observed-

(1) The Coffee law will help to regulate the coffee industry in Kenya, as it will ensure that producers and manufacturers comply with established standards and guidelines. This will help to improve the quality of coffee products and ensure that consumers are protected from harmful and substandard products.

(2) A clear legal framework for the coffee industry will make it easier for investors to understand the regulatory environment and make informed decisions about investing in the sector. This can lead to increased investment in coffee production and processing facilities, which will create jobs and drive economic growth.

(3) The Coffee Bill (Senate Bills No.10 of 2023) has provisions that protect domestic coffee producers from unfair competition, from foreign imports and middlemen. This will help to support local coffee production and ensure that Kenya's coffee industry remains viable and sustainable.

(4) The coffee industry is an important part of Kenya's agricultural sector and promoting the growth and development of the industry will promote food security in the country. This is especially important given Kenya's dependence on imported coffee and other food products.

(5) A well-regulated coffee industry will generate significant revenue for the Kenyan Government through taxes and other fees. This revenue will be used to support important social programmes and infrastructure projects.

The Committee having reviewed the Coffee Bill (Senate Bills No.10 of 2023), recommends that the House approves the Bill with amendments as proposed in the schedule in chapter five of this report.

The Committee is grateful to the offices of the Speaker and the Clerks of both Houses of Parliament for the logistical and technical support accorded to it in the execution of its mandate.

Finally, we express our appreciation to Members of the Committee and the secretariat for their patience, sacrifice, endurance and commitment to the assignment which enabled the Committee to complete the task within the stipulated period.

It is now my special privilege and honour to commend this report to the Houses for approval on behalf of the Mediation Committee, pursuant to Article 113(2) of the Constitution, Standing Order No.150(1) of the National Assembly Standing Orders and Standing Order No.161(1) of the Senate Standing Committee.

I thank you, Mr. Temporary Chairperson, Sir.

Sen. Wafula Wakoli, Chairperson, Mediation Committee on the Coffee Bill (Senate Bills No.10 of 2023).

I request Hon. Murango, who was my former Chairperson of the Committee on Agriculture, Fisheries and Livestock, to second.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Murango, proceed.

Sen. (Dr.) Murango: Asante, Bw. Spika wa Muda. Naunga mkono sheria ambayo imeletwa hapa na kusomwa na mwenyekiti wa Kamati ya Kilimo, Mifugo na Uvuvi katika Bunge la Seneti. Leo najivunia kusimama mbele ya Seneti, kuangazia Mswada ambao niliudhamini kama Seneta wa Kirinyaga na kuungwa mkono na Bunge la Seneti.

Safari ya kukuza kahawa ilianza kabla mwaka wa 1932, wakati wa walowezi. Kahawa si zao tu. Kahawa ni urithi wetu. Fedha za kigeni zinazoletwa na wakulima wa kahawa nchini ni takribani milioni 293 dola za Marekani. Wakulima wanaohusika moja kwa moja kwa ukulima wa kahawa nchini ni takribani milioni moja. Gatuzi zinazohusika na kukuza kahawa ni 33.

Kwa hivyo, tunapoongea maneno ya kahawa, tunaongea mambo muhimu sana kwa Kenya hii na kwa wakulima wetu. Ndio maana nikiwa mkulima wa kahawa nikiongea mambo ya kahawa, huwa nashikwa na hisia wakati mwingine kwa sababu ya yale mambo mazito ambayo mkulima amekuwa akipitia.

Bw. Spika wa Muda, ndio uanze kuzalisha kahawa mara ya kwanza, inahitajika kupanda, kupalilia na kuweka mbolea kwa miaka tatu ili upate zao la kwanza. Mara kwa mara wakati kahawa inapofikia kuvunwa, utapata wakiritimba wakiingilia na kuchukua fedha ambazo zinafaa kuwa za wakulima.

Ndio maana tulipopitisha sheria inayoratibu utendakazi wa vyama vyaya ushirika, katika kuangazia zao la kahawa, imekuwa na maana kuhakikisha kwamba fedha zinapopatikana katika soko la kahawa kutoka jiji la Nairobi, zinaenda mpaka mashinani na kusaidia wakulima.

Eneo la Kirinyaga mahali nimetoka, ndilo linaongoza katika ukulima wa kahawa mionganoni mwa wakulima wadogo. Kaanti nambari ya kwanza inayo ongoza ni Kiambu, lakini wanalima mashamba makubwa. Kaanti ya tatu katika kilimo cha kahawa ni Kericho, ikifuatwa kwa karibu na kaanti ya Nandi na zinginezo.

(*Makofi*)

Ninapoongea hapa, ninaongea juu ya zao lililo muhimu sana kwa Wakenya. Wanaokunywa kahawa ni wengi sana. Hatujafikisha kiwango cha kuridhisha soko ya kahawa. Kahawa ndiyo zao peke yake duniani ambayo ni ya pili kuuzwa na kununuliwa baada ya mafuta. Kwa hivyo, wanaouza mafuta tunayotumia kwa magari na viwanda vyetu wanafaa wajue kitu cha pili ni kahawa.

Lakini, ni lazima pia tuangalie sheria ambazo zinafinya wakulima wa kahawa. Mojawapo ni sheria ya malipo ya moja kwa moja. Sheria hii inakuja kuondoa kero ambalo lilikuwa limeenda kwa wakulima, kwamba mtu akiuza kahawa yake, alipwe na M-Pesa moja kwa moja na hii ingeua vyama vya ushirika ambavyo ni muhimu sana kwa wakulima. Wakati mkulima anapokuwa na matatizo ya karo ya shule au ya kiafya, katika utaratibu ulio katika vyama vya ushirika, anaweza kwenda kule na kupata fedha ili kujikimu kwa mahitaji yake.

Bw. Spika wa Muda, ya pili katika sheria hii ni kwamba, tunarudisha Bodi ya Kahawa nchini ambayo ilikuwepo miaka michache iliyopita na kuwekwa pamoja na shirika la Agriculture and Food Authority (AFA). Kahawa haiwezi kuwekwa pamoja na mazao ya mboga, karera na vibamia. Wale ambaو wanaumia wakati kahawa haijaangaliwa sana ni wakulima wa chini.

Bw. Spika wa Muda, wakati bodi itaundwa, kutakuwa na mkurugenzi mtendaji ambaye atakuwa pale. Kutakuwa na mwenyekiti ambaye atakuwa na macho ya kuhakikisha kwamba kahawa inapewa nafasi yake katika nchi hii. Pili, kutakuwa na taasisi ya uchunguzi ya kuboresha kahawa na miti ambayo inapandwa na wakulima.

Ukienda katika nyanja za juu, utapata kuna kahawa ambayo inapandwa sehemu zile na sio kama ile inayopandwa nyanja za chini; SL-34 na SL-28 ambayo inaweza kujikimu katika sehemu kama kaunti za Kajiado, Machakos na sehemu zingine nyingi za nchi hii.

Katika nyanja za juu, aina hii ya kahawa haiwezi kujikimu kwa sababu ya ugonjwa unaoitwa Coffee Berry Disease (CBD). Kwa hivyo, taasisi inayoitwa the Coffee Research Institute (CRI) itaweza kuangalia na kuangazia ili kuhakikisha ya kwamba mbegu na miche inayopewa wakulima inalingana na hali ya hewa katika sehemu zile ili tuweze kuongeza zao la kahawa na tuweze pia kupata fedha zaidi.

Pia, kuna kutafuta soko. Serikali imefanya kazi kuhakikisha kwamba kuna uhusiano mzuri kati ya Kenya na Marekani. Uhusiano kati ya Marekani na Brazil na nchi zingine kutoka Kusini mwa Marekani umekuwa mbaya. Hivyo basi Kenya ina nafasi zaidi ya kupeleka kahawa yetu katika nchi za ng'ambo, hususan America na kuiuza kwa bei nzuri.

Miaka iliyopita, kama miwili au mitatu hivi, bei ya kahawa imekuwa ikiongezeka. Tatizo limekuwa moja kwamba wakiritimba wameingia vyama vya ushirika na kuhakikisha kwamba mkulima hawezi kupata haki yake. Ndiposa ninasema kuwa ile sheria tulioipitisha hapa juzi, ambayo inaratibu utendakazi wa vyama vya ushirika itakuwa nzuri sana.

Nikimalizia, kuna fedha ambazo zinapeanwa kwa wale ambaو wanakuza mazao (Commodities Fund). Ni vizuri pia ziweze kufikia kila mtu. Nimeangalia jedwali lilopo na baadhi ya vyama vya ushirika ambavyo viliweza kupata fedha zile ni kutoka kwa kaunti ambazo sio zaidi ya tatu. Unapata kuna kaunti ambayo vyama vya ushirika vinne

vimepata pesa milioni 300. Unapata kaunti kama ya Nandi, Kirinyaga, Kericho, hata chama kimoja hakijapata.

Ndiposa ninasema kwamba, wakati utaratibu wa wale ambao wanataka kufutiliwa madeni kupidia taasisi ambayo inatoa fedha kwa wale ambao wanaiza mazao, ni vizuri tuangalie pia wale ambao wanatoa kahawa nyingi. Itakuwa ni aibu, kwamba hata shirika moja katika Gatuzi la Kirinyaga ambalo linaongoza kwa kutoa kahawa halikuweza kupata zile fedha.

Ukiangalia katika eneo la Nyamira, ni chama kimoja tu cha ushirika ndicho kiliweza kupata. Katika kaunti ya Makueni wala Machakos na kwingineko sikuona kitu. Mimi ninasema kwamba tusiwe na ubaguzi wakati tunapeana fedha ili tuweze kustawisha kilimo cha kahawa.

Kwa zile gatuzi zetu, wote wamelala. Ukiangalia pesa ambazo zinapeanwa, kati ya zile kaunti 33, ambao wanafaa kutoa fedha fulani katika bajeti zao ziweze kustawisha kilimo cha kahawa unapata kuwa hakuna fedha ambayo inawekewa mkulima wa kahawa.

Unapata minada ama mahali ambapo wakulima wanapeleka kahawa yao wanaweka katika nyaya za kuku ambazo zinaanguka na chakula kinafaa kiwe katika maanthari nzuri ili wazungu waweze kununua. Wakija kutembelea viwanda vyetu vya kahawa, wanapatana na hali ambayo si nzuri.

Ukiangalia zile tanki ambazo kahawa inawekwa ni mbovu, na pia vifaa vya kupakia kahawa haviko sawa. Tungeuliza magavana wapunguze matumbo. Wao kazi yao ni kuenda na kutukashifu.

Ninashangaa sana, tulizunguka sana na Sen. Wafula katika Kaunti ya Bungoma. Unapata wale wakulima wa Bungoma hawafaidiki na lolote kutoka kwa gatuzi la Bungoma lakini tulimwona gavana juzi kule katika hali ya kutafuta vile atafunga paka kengele Kilifi, anatukashifu sisi kuliko kuangalia wakulima wa Bungoma.

Ukiangalia chaguo la watu ambao wanakemea Seneti bila kufanya kazi yao, niliona kwa kumpa nafasi gavana huyo ni sawa tu na watu ambao wamefiwa kutumiwa mtengeneza jeneza kuja kuomboleza na kulia na wao. Hiyo inakuwa ni dhahiri kwamba hajakuja kulia na wale ambao wamefiwa amekuja biashara ya kuuza geneza.

Asante sana, Bw. Spika wa Muda. Ninaunga mkono Hoja ilivoletwa na Sen. Wafula.

The Temporary Speaker (Sen. Wakili Sigei): Now, hon. Senators, having heard that Motion seconded, I will proceed to propose the question.

(Question proposed)

Hon. Senators, this is now time available for your contribution. I call upon Sen. Samson Cherarkey to contribute to this Bill.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, from the outset, I support this mediated version of the Bill, the Coffee Bill (Senate Bill No.10 of 2023). I thank Sen. (Dr.) Kamau Murango who was very instrumental in this Bill. I also thank the Chairperson of the Mediation Committee and the Vice-Chairperson of the National Assembly, for this mediated version of the Bill.

I am happy, finally, the long walk of anchoring the Coffee Bill into action or into an Act of law has almost come to an end, where we expect the President to assent to this Bill to support what we used to call Guarantee Minimum Returns (GMR).

Mr. Temporary Speaker, I know you are part of the people who drafted the United Democratic Alliance (UDA) manifesto. One of the things that we looked at was the Guarantee Minimum Returns, and there were sector reforms, for the information of Sen. Wambua.

One of the reforms areas was the tea sector, which we are still struggling with. I saw in your region, KTDA spoke of Kshs23 per kilo. This is still very low. There was the issue of coffee, which we are looking at. There is also the issue of maize and mung beans. There is more if you read the manifesto. I am willing to share with the distinguished Commissioner and the distinguished Deputy Minority Leader our manifesto, so that you see we are still on track.

I remember that you and Sen. Okong'o Omogeni were in the National Dialogue Committee (NADCO). One of the issues you raised was how to create opportunities, not only in business, but also in the agriculture sector. These are the reforms that we really need to see.

I know Nyamira---

(Sen. Omogeni spoke off the record)

No, no, not on housing. We are today dealing with agriculture. Let us deal with one thing at a time.

Mr. Temporary Speaker, Sir, we have had more than 30 counties that depend on coffee. I am informed that even in your county, places like your constituency, Chepalungu, Konoin, and Sotik depend on coffee. We also have Bungoma, Nandi and many other counties like Kirinyaga and Kiambu. Most of these counties depend on coffee, and we have coffee.

For the statistics of the House, are you aware that 12.6 per cent of the population of the world consumes at least a cup of coffee daily? In fact, from the statistics that we have, that is approximately one billion people who consume coffee. Therefore, there is a huge market that we need to harness in terms of the coffee. About 10 billion kilogrammes of coffee are sold annually. It is also important that the House notes that 66 per cent of Americans take coffee. It is like "*kutoa lock*" for people who take other drinks, but not juice and water.

Mr. Temporary Speaker, Sir, the pricing of coffee is important. I thank Members of the committee for cleaning up the Bill which we have debated and passed. I am happy that farmers in Nandi County will celebrate that finally their journey of getting a legal framework towards--- That is our work. Under Article 96 of the Constitution, we are supposed to do oversight, legislation and representation. Legislation is our domain. Virtually, all sub-counties in Nandi County grow coffee. They include Tinderet, Aldai, Mosop, Chesumei, Nandi Hills and Emgwen.

Mr. Temporary Speaker, Sir, I want to thank a number of cooperative societies that are very instrumental in my county and across the country for ensuring that they support farmers in processing of coffee. For example, in Tinderet, we have Kipsiele

Farmers' Cooperative Society. We also have Kapsaos Cooperative Society in Aldai. Others include Cherondo Farmers' Cooperative Society, Lengon Coffee Cooperative Society and Kaabirer Farmers' Cooperative Society Ltd, just to name a few.

I also thank the World Bank because they supported us in building Chebonet Coffee Factory in Tinderet Sub-County. We thank them for the support they gave us as a county.

We know that agriculture is devolved. These are issues we expected governors who met in Kilifi to discuss, but they did not. Chebonet Coffee Factory is not fully operational yet we were given money by the World Bank. It is because of incompetence. The Sang administration has failed to operationalise Chebonet Coffee Factory that should be maximised. There should be enough electricity to ensure that pulping and milling of our coffee is done at Chebonet Coffee Factory in Tinderet Sub-County, Nandi County.

The second one is the issue of pricing. We are happy that at the moment, coffee is paying more than tea. The price ranges between Kshs52 to Kshs1,150 per kilogramme. For specialised beans, 500 grammes go up to Kshs2,400 depending on the company. The issue of pricing must be resolved once and for all, so that there is stability and value because it is a foreign exchange earner.

We discussed the issue of Kenyans working abroad. Are you aware that Kenyans who work outside the country bring us close to Kshs1 trillion? That is why when I saw Sen. Wambua being passionate---

Are you aware that Kenyans working outside the country give us more earnings than tea and coffee that used to be our traditional foreign exchange earners? In fact, in future, we must think of coming up with a fully-fledged Ministry of Diaspora Affairs. If we have one revenue stream giving this country almost Kshs1 trillion, that must be guided.

Finally, is on the issue of security. Mr. Temporary Speaker, Sir, I do not know whether your county suffers from this. We are witnessing re-emergence of gangs. Last year, I buried three people who were killed while guarding stores of coffee beans for farmers in Tinderet Sub-County. Up to date, the police have done absolutely nothing to apprehend those who killed others in Tinderet Sub-County while they were guarding our coffee beans.

You may remember the famous story of Chepkube during Kenyatta One era. That is black gold. I was told the other day that a lorry that was ferrying coffee beans was attacked somewhere between Timboroa and Burnt Forest and they went away. We are having re-emergence of coffee theft. Sen. (Dr.) Murango should be very keen because Central Kenya used to suffer from coffee theft.

I know the Inspector General of Police has the Anti-Stock Theft Unit (ASTU). We also have the National Government Administration Police Unit (NGAPU) that works closely with chiefs. We should have the Anti-Coffee Theft Police Unit to protect our factories and stores where coffee is stored.

I buried people while others were injured, but no one has been arrested. That is black gold. Sen. Wambua, I know Kitui is also facing some of these issues, but we must come out strongly.

Mr. Temporary Speaker, Sir, you told me that you have started planting coffee in Bomet. I want to warn you in advance that these people are unfair to farmers. They wait

for farmers to suffer because of harvesting and pulping. Immediately they put in coffee beans into gunny bags to be taken to the market, that is when thieves strike. The saddest thing is that those thieves normally kill because they do not just take coffee beans.

The Inspector General of Police has powers. I will bring a Motion seeking formation of the Anti-Coffee Theft Police Unit specifically to deal with the issue of coffee theft. We have the Diplomatic Police Unit (DPU). We do not have the Parliamentary Police Unit, but I do not know whether that has been formed. We have VIP Protection Police Unit to protect us. Why should you be protected by the police if you have not stolen anything from Kenyans?

I saw the former Governor of Makueni eating ‘madondo’ and chapati as referred to in the streets. People were saying that he is a man who never touched anything that belongs to the people and that is why he can walk freely.

Finally, is the issue of Coffee Cherry Advance Revolving Fund (CCARF). We must be keen to ensure that CCARF is given. We want to see other counties such as Kitui become part of counties that grow coffee because the future of farming is coffee.

Tea has been experiencing problems and Kenyans are now focusing on coffee. I want to appeal to the Committee on Agriculture, Fisheries and Livestock, and the President that when we conclude with coffee matters, we must also deal with coffee sector reforms.

Mr. Temporary Speaker, Sir, I remember we were with you in Kericho trying to crack the whip on the issue of coffee. We need to also discuss issues of mung beans. I am told this is a season of mangoes in Ukambani, but they are getting wasted. We need to ensure there is value addition.

Those are issues that governors should be discussing. I expected Governor Malombe to discuss about value addition on mangoes, so that we have mango juice being taken in this Parliament. I usually feel sad because the juice that we have in the Members’ Restaurant is imported from South Africa and other countries yet mangoes are rotting in Ukambani day and night. I know you will talk about Del Monte Kenya Limited, but it is not sufficient enough. They are busy concentrating on sand cartels where---

Mr. Temporary Speaker, Sir, I know you have done some construction somewhere. Most of the sand that we use for building comes from Kitui. However, as I speak, the people of Kitui do not get any value. We need to have such conversations.

I expected governors from regions where coffee is grown, including Nandi, to discuss how we can have value addition. By the time coffee leaves Kipsiele Kaabirer or Chebonet, it should be ready for consumption. Why do we export it raw to go for value addition in companies in America?

The name is escaping my mind. There is a company that sells coffee. We have Java House here. There is one in America. There is a name. I can see that a Clerk who has stayed in some parts of that world knows it. Oh, Starbucks. Yes. Thank you for that information. It looks like a number of my colleagues have travelled around the world. That is why they know some of those destinations. Starbucks coffee does value addition. Java also does it but the value to *mkulima* or the farmer in Kirinyaga is not replicated with the pricing that you are getting.

Mr. Temporary Speaker, Sir, I am happy. The fifth point is that we need to trade coffee at the Nairobi Stock Exchange. I thank the President. He has rescued Nairobi City

County by signing a cooperation pact because it was suffering from poor development and poor service delivery. I am happy that the President has seized the moment and taken some of the functions to assist Nairobi.

The reason I am talking about this is that the Nairobi Stock Exchange (NSE) is located in this city. One, Nairobi City County is the face of Kenya. Two, it is the capital city. Three, it hosts most of the critical international agencies. So, we need a Nairobi City County that is functional and accessible so that we can see its value.

Mr. Temporary Speaker, Sir, you are a lawyer of long standing. I expected you to run for the position of the Law Society of Kenya (LSK) president but I did not see your name. I would have voted for you on Thursday when LSK elections will be held.

On Nairobi City County, Sen. Wambua, my Chairperson of County Public Accounts Committee and I must sit and see if we can amend the Constitution to allow Nairobi to be run as a metropolis by the national Government. This because you can see that it is not easy to run Nairobi City County. Governor Sakaja had to go and request help from President William to run it.

We understand that this county is clogging with poor drainage network and poor planning. Many issues are going wrong, for instance corruption and many other things. Those are some of the issues. Nairobi is a very critical point in this and we thank the President.

Colleagues, I have another important point; the role of the Attorney General (AG). I call out the Attorney General because you heard the Majority Leader say that most of the Bills that come to the Senate do not incorporate the role of devolution. It took the Mediation Committee to amend and put in the role of county governments yet agriculture is devolved. I ask the Attorney General of the Republic of Kenya or the people in the State Law office to take note. It looks like their mentality is still stuck to the days before devolution. They should be aware of Chapter 11 on the principles of devolution.

I appeal to colleagues that any Bill that comes to the Senate without a clear role of devolution must be rejected pronto. That is the only way. This is because the Fourth Schedule allows. The Attorney General and the State Law Office must be made aware of this.

In conclusion, I have seen the Senate delegation of Nairobi. One of the ways that people get married or date is that they must go to coffee dates. So, coffee farmers have been very supportive towards many marriages and relationships. This is because they ensure coffee is grown hence one can take somebody to coffee dates. The only mistake I have with the Russian is that he never took anybody to a coffee date. I do not know whether it is because there is no coffee in Russia.

I appeal that as a country, we need to protect our people from these foreign nationals. We need women to come out, for instance, Sen. Beatrice Ogola, and be the leading light to ensure our girls and women are not taken advantage of. I thank the Cabinet Secretary for Gender, Culture, The Arts and Heritage who has ordered that the Russian man should be tracked.

I also thank Ghana. It has issued a red alert on the purported Russian guy. It has pushed for extradition of the individual who took advantage of our women and girls. That is what Kenya should also do. I know that Russia does not support extradition.

Mr. Temporary Speaker, Sir, as a lawyer, you know that the process of extradition is lengthy but that Russian should not leave Kenya. He should be tried in Kenya. He should be locked in Kenya because the offence is under Sexual Offences Act. He just used words like; you are beautiful, can we go and I speak broken English. That is it. It is very unfortunate.

With those many remarks, I tell coffee farmers that this is their gift for this new year. All the Senators who participated in passing this Coffee Bill, including you for presiding over the House, especially on the issues of coffee matters, should be remembered in 2027 during voting. I know you are a generous man. When we pass this Bill, invite us for coffee dates so that we can celebrate by drinking more coffee.

I yield, Mr. Temporary Speaker, Sir. I support.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Cherarkey, you can be sure that that will be available because we want to brand and market our coffee.

Two is, the Chair was not available to vie for the Law Society of Kenya presidency. However, I invite you to elect someone who is honourable, professional, responsible, who will take the Law Society of Kenya to the next level, come Thursday next week. They have campaigned and you know the best candidate ought to be given the opportunity to serve the society.

Proceed, Sen. Wambua.

Sen. Wambua: Thank you, Mr. Temporary Speaker, Sir. I stand here in support of the work done by the Mediation Committee on The Coffee Bill (Senate Bills No.10 of 2023). I thank that Committee, comprising Members from the Senate and the National Assembly, for coming up with a version of a Bill that is reasonable and acceptable to both Houses of Parliament. In fulfilment of our Standing Orders, No.166, the Committee has discharged its responsibility and done it well.

I single out the Senator for Kirinyaga, Sen. (Dr.) Murango, who at some point was the Chair of my Committee, where I used to sit, the Committee on Agriculture, Fisheries and Livestock for passionately pushing forward the agenda of the Kenyan farmers and especially coffee and macadamia farmers. I remind him, that at some point two years ago, Sen. (Dr.) Murango gave me four seedlings of coffee that I went to plant in Kitui and I decided to do a very serious experiment. I planted the four seedlings and just let them fight the battle. I did not give them any special treatment. I did not spray them. I did not water them during the dry season. I am here to tell Sen. (Dr.) Murango that three of those seedlings have now given fruit in a dry place called Kitui.

So, what am I saying? I am saying that we must stop to listen and believe in the lies that coffee can only survive in certain areas. With proper care, we can produce enough coffee, not just for ourselves, but for the world market and produce very quality coffee.

I congratulate the coffee farmers in Kenya that now a Bill has been passed and we expect that the President shall assent to it to become Law. Our coffee farmers will begin to reap the full benefits of their produce.

I have been on record on different fora complaining that many coffee farmers work very hard but very few of them can afford Instant Coffee. With the new law, I hope the market shall be properly regulated and it will put the coffee farmer at the centre of the

coffee business. Even as traders and middlemen in coffee business benefit, at the local, regional and international level, the farmers will get their due benefits.

I wish to draw the attention of this House to a level of mistreatment meted on coffee farmers from a region in Ukambani called Matungulu in Machakos County. At some point - and the records will bear me witness - the coffee farmers of Matungulu consistently produce the best quality coffee in the country but when it comes to the sharing of the Coffee Cherry Fund, those farmers have been overlooked.

I call upon the Committee on Agriculture, Fisheries and Livestock to take it upon themselves to visit those small-scale farmers who are producing top quality coffee in this country and region in Matungulu and see how best they can be helped to continue doing what they know best.

Mr. Temporary Speaker, Sir, I have made reference to our Standing Orders 166 on the establishment of mediation committees. It shall be remembered that I have been very consistent on the need to push the Mung Beans Bill to become law so that ndengu farmers can also benefit from the support by both national and county governments.

Let it go on record today that this information that was spilled out there that the Bill sought to punish ndengu farmers was very misleading and very unfortunate in a country where those who are perpetrating that argument could just simply have made reference to the published Bill and realized that there was nothing punitive to mung bean farmers.

In the wisdom of the leadership of both Houses of Parliament, a Mediation Committee has been put in place that has not had opportunity to meet. Our Standing Orders are very clear and I wish to read 166 (6)-

“If the Mediation Committee fails to agree on a version of the Bill within 30 days of the appointment of the Committee by the Speakers of the Houses under paragraph 2 or if a version of proposed by the committee is rejected by either House, the Bill is defeated.”

I do not want to cast aspersions on my colleagues but it is very unfortunate that we are nearing the expiry of the 30 days of the Committee on Mung Beans Bill, to sit and consider the Bill.

Somebody maybe thought that Bill was about Kitui, Makueni or Machakos. It is not. Mung Beans are grown in not less than 37 counties in this country. If there are people who have a problem with supporting ndengu farmers in this country, I will let that matter rest there but give the assurance to those people who are the real enemies of ndengu farmers in this country, that when God allows Sen. Wambua to become the next governor of Kitui county, the first county law that we are going to pass will be the mung beans Bill to help our farmers and give them support from our government.

I will leave the rest to the Senators who have ndengu growing in their counties to decide what they want to do with their farmers.

Lastly, as we celebrate the achievements that this new law will accrue to the coffee farmers, Sen. Cherarkey has made reference to conversations that are taking place among county governors. For those governors whose counties grow coffee, we ask them to move with speed and make sure that once this Bill becomes law, they are able to do their bit in supporting their farmers to get the full benefits of this crop.

Mr. Temporary Speaker, Sir, Sen. Cherarkey has also mentioned that coffee is the gold of counties that grow the crop. He has even tried to invoke your name, Mr. Temporary Speaker Sir, in that debate in the construction industry and making reference to your involvement in constructions either here or in Bomet. One thing he has said, which is true is that, perhaps, the sand that you are using in the storey building you are putting up now, is the gold that comes from Kitui County.

Unfortunately, the people of Kitui do not get the benefits of that gold. There is no county in this country that exports as much produce as Kitui does with the sand. Over 200 trucks ferry sand from Kitui every day. Even the coffee that is produced from all the coffee growing counties is not even half the amount of sand that comes from Kitui. Unfortunately, the proceeds from that sand just goes to the pockets of a well-organized cartel.

Mr. Temporary Speaker, Sir, with your permission because I do not want to belabor that point, this week on Thursday, I shall be requesting you to allow me to issue a personal statement on that matter because under our, watch in our time, Kitui County has been turned into a desert by a cartel of greedy and selfish individuals who do not care about the future of our county.

I support the Motion and urge my colleagues to give a nod to this mediated version of The Coffee Bill (Senate Bills No.10 of 2023).

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Kiio Wambua, for your contribution.

Hon. Senators, I call upon Sen. Moses Kajwang' to contribute as well as to reply, since from my dashboard I have no other request other than Sen. Kamar who has just requested. I had been notified that Sen. Kajwang' will reply on behalf of the Mover of the Motion. So, I will then ask you to step down so that Sen. Kamar can make her contribution. I will call you at the end so that as you submit your comments; you can reply on behalf of Sen. Wakoli.

Sen. Kamar, please proceed.

Sen. (Prof.) Kamar: Thank you Mr. Temporary Speaker, Sir. The new gadgets are still unstable because I had pressed it, then it goes on and off, but thank you for being considerate to allow me to add my voice to this. I thank you because I was a Member of the Mediation Committee and---

(Sen. (Dr.) Murango consulted loudly)

Am I audible?

The Temporary Speaker (Sen. Wakili Sigei): Sen. Kamar, you are loud enough. I will ask Sen. (Dr.) Murango to either be a decent neighbour or cross over the aisle to where he normally sits, so that we can hear Sen. Kamar in silence.

Proceed, Senator.

Sen. (Prof.) Kamar: Thank you Mr. Temporary Speaker, Sir. I would like to thank the Members of the Mediation Committee, led by Sen. (Dr.) Murango, who educated us a lot about the coffee sector. When you look at the declining number that was done by the Senate, it is because we became much educated and were able to understand a number of the things that were being discussed there.

I am saying this because although some of us did Bachelor of Science (BSc) in Agriculture, we did not do much in coffee, which is a new crop in Uasin Gishu County. I come from a county that has been feeding this nation for a very long time getting a maximum of Kshs20,000 per acre. However, in the recent times when coffee has spread to North Rift, we were surprised that there is a crop that can give you up to Kshs800,000 or Kshs900,000. Sen. (Dr.) Murango told me of over Kshs1million per acre. This is something new to that region. I really want to thank the New Kenya Planters Co-operative Union (KPCU) for spreading wings and moving to Western Kenya and North Rift. I think they were in the South Rift already.

There are so many things that this Bill has presented and a good number of them are bringing in the management of the crop to those of us who are beginners. We are very delighted with the fact that the Bill is going to continue to promote evidence-based coffee research so that we have research for every region of this country.

Mr. Temporary Speaker, Sir, coffee can be one of the best earners of foreign exchange in Kenya. The regulations were relaxed a little bit so that farmers can also process and export their coffee. People are actually amazed that they can export their coffee for much higher than the Kshs1 million that we are talking about, when we bulk the crop.

One of the areas that had been ignored for a very long time, which is being brought in by this Bill, is the extension services. Extension services are extremely important because not everybody who did Bachelor of Science in Agriculture in any of our universities concentrated on one crop. It was general and everybody was doing general crops. So, we need a new team of extension workers that can deal with coffee, right from disease prevention to everything coffee management, including the soil analysis so that we plant the right coffee seedlings in the right places in our farms.

It is encouraging that this Bill is also going to promote a farmer-centred way of managing a crop because it is focusing on how the farmers can reap the most as well as how farmers can be trained to do value addition. This is extremely important. We have talked of value addition and how Kenya and the whole continent of Africa is suffering from selling raw materials always. Coffee is one of those that used to be sold when it is in raw material. So, we need to reach the highest-level value addition so that we can retain the jobs here, as well as technology. If there is need for technology transfer, it is only when we are ready to maximize on value addition.

So, Mr. Temporary Speaker, Sir, I would like to thank my colleagues who were in the Mediation Committee, led by Sen. (Dr.) Murango, for the decline because it also educated the other Members and made the Members of the National Assembly understand why the Senate was focusing on this the way they did.

Again, I like the fact that this Senate is looking at the sectors that have been devolved very seriously. Since agriculture is devolved, then we do not just follow what has been rejected but look at it and explain to them. I saw this in the Mediation Committee; that, our team was able to explain calmly and convince the Members of the National Assembly that some of the amendments they were introducing were either not necessary or were not bringing any value to the Bill.

With those remarks, I would like to thank you and the Committee and support this Report.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Kamar.

Sen. Kajwang', Sen. Essie Okenyuri has also desired to speak. If you are mindful of me letting her speak, I could just allow you to---

Proceed, Sen. Essie.

Sen. Okenyuri: Thank you Mr. Temporary Speaker, Sir. I appreciate the consideration by Sen. Kajwang'.

I just remembered something that I need to highlight. I am one of the Members who sat in the Mediation Committee. I, therefore, would like to bring to the attention of Members that most of the very critical challenges that we have been having with farmers in those societies is to do with administration. We have people who are generally mismanaging that sector. I thought this is a good thing because the proposal here is to ensure that the people who are running the management system of coffee are qualified and well-schooled. For you to be in the Management Board, you need to have a degree and over five years of experience. I believe that this is a good and progressive proposal because we are not just going to have people without knowledge in that sector.

These are people who should be knowledgeable specifically about the coffee sector so that even if they are going to engage in management, they know well what they are doing and what consequences lie if they do otherwise.

I wish to also thank the Members of this Committee for it really took us a very long time to agree. Having sat in the Mediation Committee also gives me exposure on how people think differently. Our colleagues from the National Assembly would dispute on certain basic things and I was just wondering why they might not read from the Senate side of things. However, at some point, we had to agree on whatever the report shows. So, I thank my colleagues and I wish that Members support this because this is one way we are going to sort out the mess that we have experienced for quite some time.

Thank you, Mr. Speaker, Sir.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Moses Kajwang', please proceed.

Sen. M. Kajwang': Mr. Temporary Speaker, Sir, with the authority and concurrence of the Chair, and with the instructions of the Mover of the Motion, I beg to reply.

Mr. Temporary Speaker, Sir, as I reply, allow me to make some brief comments.

First, this House must congratulate the initial Sponsor of this Bill, Sen. (Dr.) Murango. It is very difficult to get a Bill converted into law in the current bicameral setup. It now appears that an average of three years is needed for a legislative proposal to reach an agreement.

Mr. Temporary Speaker, Sir, now that the Mediation Committee, comprising Members from both Houses of Parliament, has agreed on a version that is acceptable, I thank Members who debated and agreed to take the amendments suggested by the National Assembly. This is true law-making: The Senate or the National Assembly can originate a Bill and if there is disagreement, we do not fight in public or insult each other. We sit in mediation, go clause by clause and ensure agreement on the final outcome.

I look forward and hope that the Head of State will assent to this Bill immediately after the two Houses dispense with this Motion. I call on Sen. (Dr.) Murango that despite political convictions, this is such an important Bill that you should be present at State

House to witness its assent. This is because you have fought for the farmers, especially coffee farmers. When you were the Chair of the Standing Committee on Agriculture, Fisheries and Livestock, you spoke with passion about the fate of agriculture and farmers in this country.

Mr. Temporary Speaker, Sir, we know Sen. (Dr.) Murango has even gone to court to ensure our economy is not flooded with cheap rice imports that would kill the farmers of Mwea, Kano and Ahero. Therefore, Sen. (Dr.) Murango, this one, go to State House. This one, witness the signing. This one, demand to take the pen used to sign that legislation. The parliamentary tradition is that when you come up with such a good legislative proposal, you need to be there when it is assented. Politics can be set aside for purposes of this Bill.

Mr. Temporary Speaker, Sir, I wish to touch on a few issues that were in contention or the broad features of this Bill. Perhaps, there are Kenyans listening today who have not followed the debate on the Coffee Bill (Senate Bills No.10 of 2023). This Bill brings back the Coffee Board of Kenya and establishes a Coffee Research Training Institute.

We must have a conversation with the Cabinet Secretary for Agriculture and Livestock Development and the Council of Governors (COG) to ensure clarity on our strategic objective and direction for the agriculture sector. At some point, we established one super agency called the Agriculture, Food and Fisheries Authority (AFA) during the Mwai Kibaki days. It was hailed as a solution and a vehicle to take us to Vision 2030. Vision 2030 and Vision Singapore are not too far apart. However, we have torn apart what was established under AFA.

The first sector to devolve from AFA was fisheries. I was in this House in 2016 when we sponsored the Fisheries Management and Development Act. We felt AFA was not providing visibility and special care for fish farmers. Even though we have a very elegant piece of legislation supported by regulations, we established the Kenya Fisheries Service (KFS) and the Kenya Fish Marketing Authority (KFMA). We established a Fish Research Institute. We even established a Fish Levy Fund. Today, that legislation has not been fully implemented and we are still stuck on regulations.

That is why I was keen to see that we are not leaving too much to regulations in this proposal. When you leave too much to regulations, the regulation-making entities sometimes take too long to bring them to this House. This renders the hard work of Senators and Members of the National Assembly useless for lack of regulations.

After fisheries, tea and cotton devolved. Sen. Beth Syengo brought the Cotton Industry Development Bill, 2023. What was unfortunate was that after this House had painstakingly gone through the Bill - Sen. (Dr.) Murango reminded me that 30 per cent of Kenya's soil is black cotton soil - This means that only 30 per cent of the country could grow cotton. Instead of importing cotton from Egypt to feed industries in Athi River that export under the African Growth and Opportunity Act (AGOA) to the United States of America (USA), it is possible for us to produce cotton locally.

Mr. Temporary Speaker, Sir, what did the Cabinet Secretary do? He initiated a Presidential Memorandum stating that it was not part of the Government's strategic policy direction to establish additional state corporations. As a result, the Memorandum

asked Parliament to undo what the Cotton Industry Development Bill, 2023 was proposing.

For those of us from areas with black cotton soil, the question was: when we divested tea from AFA, there was no problem with state corporations. When we divested dairy, there was no problem. When we divested sugar and other products, there was no concern. Why then, when divesting cotton, was there suddenly concern about too many state corporations being established?

I hope we will not get such arguments in this case. The Coffee Board of Kenya (CBK) and the Coffee Research Training Institute (CRTI) might be considered additional state corporations. However, the impact they have on the economy must not be viewed simply as additional Chief Executive Officers (CEOs), drivers or bureaucracy. If you look at the economic impact of coffee and what we used to do versus what we can do, it does not matter whether you set up an institute or a board. If it brings proper alignment to the sector, the benefits will outstrip the costs.

This is a conversation the national Government should have with the Senate. We would be happy to review the Sessional Paper on agriculture. In 2021, a policy statement on the agriculture sector was brought to this House. However, you know that the current administration may have different priorities. I was pleased when I listened to the President addressing Parliament not long ago. He spoke of his new focus: food security, harvesting water, building super dams and promoting large-scale agriculture.

Yes, that is important, but we must also focus on smallholders. I believe this is part of the President's focus. The Cabinet Secretary for Agriculture and Livestock Development should make it easier by coming here, explaining the Government's policy on agriculture and we can bring the Council of Governors (CoG) on board. Those are the kind of conversations we would love to have with the governors.

As I wind down my reply, we have already said that we should not leave too much to regulation. It is becoming a concern not just in Kenya, but across the Commonwealth. It is now referred to as skeleton legislation, where Members of Parliament have become so lazy that they do the skeleton and leave the flesh to Cabinet Secretaries or regulators.

That can pose a problem. We have seen regulations that take force without coming to Parliament. On the other hand, we have also seen cases where Parliament requires regulations to be brought within a certain timeframe and that is not done. I recall one piece of legislation we debated in this House, which was part of the National Dialogue Committee (NADCO) Bills. It sought to put clear timelines and provide consequences to regulation-making entities that fail to act in good time.

The Cabinet Secretary in charge of Co-operatives and Micro, Small & Medium Enterprises (MSMEs) Development, Hon. Oparanya, has been engaging cooperatives and trying to revive coffee cooperatives. Of course, there is still the issue of outstanding loans that some of these cooperatives hold. However, Hon. Oparanya has made it clear that there was a colonial notion that coffee could only grow in certain parts of the country. There was also the notion that tea could only grow in areas called the White Highlands.

Homa Bay County is a coffee producer. In the Financial Year 2023/2024, we produced 629 bags. These fetched our farmers close to Kshs20 million. If you look at the value per bag, it is almost 10 times the value from maize. Some parts of this country, due

to many reasons and a colonial mindset, are still stuck with what we call poverty crops. Sen. (Dr.) Murango has just stimulated to me how a coffee farmer can make a million shillings on one acre a year.

Sen. Beatrice Ogola and I come from the sugar belt. She knows that what you call a successful sugarcane farmer is for you to make Kshs300,000 per acre a year and you have to be extremely lucky. Why are some regions of this country stuck with poverty crops while the real cash crops are still left in certain small pockets of this country?

Mr. Temporary Speaker, Sir, we need to democratize agriculture, and democratizing agriculture is by ensuring that where the soil agrees with a certain crop, we allow the people in that area to produce that crop. One thing I know about Kenyans and when I talk about Kenyans, it is about my parents, my family and my kinsmen; is that if today you told them that if you grow an avocado tree, at the end of the year, you are going to make a super profit, they will grow it. If you tell them to rear quail, they will do it. If you tell them to do macadamia or any other thing, they will do it. All you need to do is to prove to them that there is going to be a return on their investment and there is going to be a certain market at the end of the day.

The reason why we are stuck with sugarcane which is a poverty crop is that in my case, Sukari Industries is going to take your sugarcane. You know that there is a local miller close by who is going to take your sugarcane. So, that is better than nothing. A lot of our farmers have land which is rich. They have land that has got what we call in Swahili, *rotuba*. For many of our people, many the parts of this country have been classified as poor, but we are not poor because of lack of natural resources. We are poor because of what is ascribed to us, what is brought to us and what is promoted in our eyes are things that perpetuate poverty rather than things that get us out of that vicious cycle of poverty.

This Board is supposed to have a function on regulation, development, and promotion of coffee in this country is not going to restrict themselves to the colonial white highlands and to the areas that were defined in Sessional Paper No.10. They will look at this entire country and any corner of this country where coffee can be grown. They are going to promote the growing of coffee in those areas.

Mr. Temporary Speaker, Sir, I also hope that the Board will not just be focused on export, production and export. It is embarrassing that when we go to supermarkets and buy coffee, we cannot tell where the coffee in the cans and the coffee that has been packaged has come from. When you buy a packet of Nescafe, it is sometimes the coffee that was planted in your backyard, behind your house, but it travelled thousands of kilometers to be processed in a foreign country and travelled again thousands of kilometers back for it to be sold to you, using global supply chains that make the price not even triple but the price doubles in the order of hundreds. Why not produce our own coffee?

Mr. Temporary Speaker, Sir, Aliko Dangote in Nigeria is proving that Africans are smart. It is just that we just have this mindset the one in Swahili, *kasumba ya ukoloni*. We have an inferiority complex. They are able to refine their oil in Nigeria. Many years ago, it was thought that was impossible whilst even here in Kenya, we had a Kenya petroleum refinery.

There is a time we used to refine petroleum in this country. Today, we are producing oil in Turkana – and – the Motion will come before this House but we are not having conversations on refining it. We are having conversations on exporting it.

I hope that the Coffee Board of Kenya and the Coffee Research Training Institute working together within this framework that this House has approved will not just focus on exports or an exchange. An exchange who, true to the name, exchanges value; takes away from Africa and takes our produce to far off lands for it to come back in very exaggerated pricing.

Beyond value addition at the micro levels, county governors still have a responsibility, I am happy that in the Bill, the responsibility of county governors or county governments has been clearly defined unlike in the fisheries space where there is confusion on who should collect which license. We did not provide that clarity because the Constitution has got two words, fishing and fishery. The Constitution says that fishery is a national government function but fishing is a county government function.

It has created serious confusion, coupled with delays in regulation, that you find a fisherman is paying taxes to the national government and to the county government. You find someone doing a small cage fish farming in Lake Victoria paying taxation to both levels of government.

Sen. (Dr.) Murango and the team that was working on this has created a matrix indicating the kind of license and the entity that shall levy it. I am glad that there is that clarity; what the county government shall levy, what the national Government shall levy and what the capital markets shall levy.

[The Temporary Speaker (Sen. Wakili Sigei) left the Chair]

[The Deputy Speaker (Sen. Kathuri) in the Chair]

Mr. Deputy Speaker, Sir, we must tie this to warehouse receipts. The Senator for Nandi has talked about violent robbery within that space. If our warehouse receiving system was working effectively, it would provide good, proper storage for the finished product so that farmers do not have to be under stress to invest in high levels of security to ensure that they are not stolen.

Mr. Deputy Speaker, Sir, I will finalize by congratulating the team that was in mediation and the primary sponsor of this Bill, that finally there is hope that Kenya will come back to the league of coffee producers. In the 11th Parliament, with the then Senator for Meru, Sen. Kiraitu Murungi, we went to Costa Rica to see how they do their coffee.

The interesting thing is that the Costa Ricans told us they learned their coffee production from Kenya and here we were, going to Costa Rica to see how they do their coffee, bananas and sugarcane. In this country, Kenyans should not settle for less. We have the best brains, we have the best ideas and God blessed us with wonderful soil and wonderful geography. That is why our coffee is among the best in the world.

Mr. Deputy Speaker, Sir, with those remarks, I beg to reply but I also request that pursuant to Standing Order No. 66(3) to defer the putting of the question to a later date. I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Moses Kajwang', when Sen. Murango was the Chair of the Committee on Agriculture, Fisheries and Livestock, I remember there was a time he whispered to me that he was on his way to Costa Rica. That was Colombia?

When did Moses Kajwang' and my senior, Sen. Kiraitu go? I believe both countries did a lot of learning from Kenya, but we are still lagging behind.

Your request has been approved to put the question during the next sitting.

(Putting of the Question on the Motion deferred)

We go back to Order No.

BILL

Second Reading

THE KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILLS NO.72 OF 2023)

(Sen. Cheruiyot on 11.2.2026 – Afternoon Sitting)

(Resumption of debate interrupted on 11.2.2026 – Afternoon Sitting)

The Deputy Speaker (Sen. Kathuri): If my eyes are serving me well, the Senate Majority Leader is not here to reply. I will defer that business.

(Bill deferred)

Let us go to Order No.13.

MOTION

ADOPTION OF REPORT ON OUTSTANDING BENEFITS AND MAZIWA SACCO DUES TO FORMER KCC EMPLOYEES

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on a petition to the Senate by employees of the former Kenya Cooperative Creameries Limited (KCC) concerning non-payment of outstanding terminal benefits and Maziwa Sacco dues to former employees of Kenya Cooperatives Creameries Ltd, laid on the Table of the Senate on Thursday, 27th November, 2025.

The Deputy Speaker (Sen. Kathuri): This Motion is to be moved by the Chair, Standing Committee on Labour and Social Welfare. He is not in the House.

(Motion deferred)

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Hon. Senators, when I look at this Order Paper, going to Order Nos.14, 15, 16, 17, the Mover is here, but chairing the session. For No.18, 19 and 20, the owners of these Bills and Motions are not in the House and, therefore, I defer this business.

MOTION

ADOPTION OF REPORT ON DISMISSAL OF MR. TITUS NJOROGE
BY AIC AND NON-PAYMENT OF HIS ARREARS

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on a petition to the Senate by Mr. Titus Njoroge concerning his dismissal by the African Inland Church (AIC) of Kenya and non-payment of arrears owed to him, laid on the Table of the Senate on Thursday, 27th November, 2025.

(Motion deferred)

BILL

Second Reading

THE WILDLIFE CONSERVATION AND MANAGEMENT
(AMENDMENT) BILL (SENATE BILLS NO.46 OF 2023)

(Bill deferred)

BILL

Second Reading

THE WILDLIFE CONSERVATION AND MANAGEMENT
(AMENDMENT) BILL (SENATE BILLS NO.49 OF 2023)

(Bill deferred)

BILL

Second Reading

THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES
(CONTROL) (AMENDMENT) BILL (SENATE BILLS NO.1 OF 2024)

(Bill deferred)

BILL*Second Reading*

THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO.12 OF 2024)

*(Bill deferred)***BILL***Second Reading*THE COUNTY WARDS (EQUITABLE DEVELOPMENT)
BILL (SENATE BILLS NO.20 OF 2024)*(Bill deferred)***BILL***Second Reading*THE LIVESTOCK PROTECTION AND SUSTAINABILITY BILL
(SENATE BILLS NO.32 OF 2024)*(Bill deferred)***The Deputy Speaker** (Sen. Kathuri): Hon. Senators, you can now rise.*(Sen. (Dr.) Murango spoke off record)*

Yes, Sen. (Dr.) Murango, do you want to say something?

HOJA YA NIDHAMU

KUONGEZWA KWA BEI YA MAJI

Sen. (Dr.) Murango: Bw. Naibu Spika, ninajua kwamba kitu ambacho ninataka kuuliza hakiko kwenye ratiba ya leo lakini nitauliza tu ili unielekeze.Juzi, nililetewa ombi kutoka kwa wale amba wanatumia maji katika eneo la Kirinyaga; wakulima na wale amba wanatumia maji nyumbani kwao. Ombi lenyewe ni kwamba, kutohana na kanuni ambazo zilipitishwa kutoka kamati inayohusika na kanuni (*Delegated Legislation Committee*) katika Seneti, taasisi ya WARMA imeongeza bei ya maji Kenya nzima. Maji ambayo yalikuwa yanalipiwa sumuni kwa lita elfu moja, sasa hivi yanalipiwa shilingi mbili na sumuni. Imewabidi wameelekezwa kwamba ni lazima waweke (mita); vile vifaa vya kupima maji upya. Mbeleni walikuwa wanalipa shillingi**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

7,500 na sasa hivi ni kuanzia Shilingi 100,080 hadi Shilingi 500,000 pesa ambazo wakulima hawawezi kumudu. Kumpa ngamia na mbuzi maji sasa hivi, unafaa uanze kulipia.

Swali ambalo ninauliza ili unielekeze siku nyingine ama leo ni kwamba: inawezekana kwamba kanuni hizi zinapokuja bungeni, kamati husika, hata kama imekubaliana na kila kitu, waweze kuleta ripoti na baadhi yetu amba tuko na wakulima tuweze kusikiza na kuchangia kwa sababu hatuna nafasi hiyo?

Asante, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Sen. (Dr.) Murango, ni vyema ripoti ziwe zinaletwa Seneti lakini kamati hii ya Delegated Legislation, kwa miaka minge, nimeona kuwa wanapokubaliana na hoja yeyote, wanapitisha bila kurudi Seneti. Wakikataa wanakatalia katika kikao chao wala hawaleti katika kikao.

Mimi ninaona ni vizuri, vile umesema tubadilishe Kanuni za Seneti na haswa za Bunge lote kwa sababu vivyo hivyo ndivyo hufanyika katika Bunge la Kitaifa. Ripoti yoyote, kama ni kukubaliana na mwenye kuzileta zile Kanuni ama kukataa, ninaona kwamba ziwe zinafika katika Bunge hili ndiposa tuweze pia kuhusika nazo.

Pia, wawe wanaenda kwa wananchi ile ambayo tunaita kuhusisha wananchi (*public participation*). Kama wanapitisha ama hawapitishi, iwe inapitia katika public participation. Wamepewa nguvu nyingi bila kuhusisha Seneti wala wananchi.

Mimi ninalekeza kwamba baadaye tutaweza kubadilisha Kanuni za Seneti ndio tuweze kupata ripoti hizo moja kwa moja.

(Sen. Cherarkey spoke off the record)

Sen. Cherarkey, what is it?

(Sen. Cherarkey spoke off the record)

But I was giving a communication, a very good communication and very accurate. So, why are we opening this discussion again? You can see the Serjeant-at-Arms are upstanding because I did some communication already.

(Sen. Cherarkey spoke off the record)

Even the microphones are already retired.

Sen. Cherarkey: No, Mr. Deputy Speaker, Sir, they are not retired, I thought they were new. They are new but inefficient.

The Deputy Speaker (Sen. Kathuri): They are retired for the day because I pronounced---

Sen. Cherarkey: Mr. Deputy Speaker, Sir, the Serjeant-at-Arms need to relax; they should be at ease until you stand.

Mr. Deputy Speaker, Sir, I agree with your communication, but I just wanted to be specific with those regulations that are in operation in terms of the increment of water tariffs.

I know you have said that under the Instruments Act, all regulations must come to Parliament. You have to appreciate that some of the policymakers, including Cabinet Secretaries, think that Parliament is the National Assembly, which is contrary to Article 93. Parliament is the National Assembly and the Senate.

I agree with your direction, but in addition, they can bring these three Regulations like Water Services Regulation 2025, Legal Notice No.54; Water Harvesting and Storage Regulation 2025, Legal Notice No.57; Water Resources Regulation 2021, Legal Notice No.58. It will be very important because, water is life and if the increment of water goes up---

You even saw in the Uasin Gishu County Government the other day, they increased water by 100 per cent because of this regulation. So, if you are paying Kshs200, you ended up paying Kshs2,000, and you saw the protests when the Uasin Gishu County Government, through Eldoret Water and Sanitation Company, increased water.

Water is one of the commodities that should be free, clean, and available to every Kenyan. So, the only thing in this country that looks like the price cannot go up is salt, because everything is going up. On this, I thank you for your guidance and your experience that the Chairperson for the Committee on Delegated Legislation, Sen. Gataya Mo Fire, should be directed to come.

I know Sen. M. Kajwang' and of course, Sen. (Dr.) Murango, understand that if these regulations are enforced, the committee, Mr. Deputy Speaker, Sir, through your guidance, has the power to declare, null and void, and unenforceable within the Republic of Kenya.

So, Mr. Deputy Speaker, Sir, I thank you for your Solomonic direction. We stand guided, but kindly on behalf of Kenyans, on behalf of the great people of Meru, the Njuri Ncheke, who gave you saliva and everything, please stand with Kenyans.

I yield, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Last but not least, Sen. M. Kajwang', you may proceed.

Sen. M. Kajwang: Mr. Deputy Speaker, Sir, you have made a very, very profound communication on this particular matter of a statutory instrument. I have always told my friend, Sen. Gataya Mo Fire, that he chairs perhaps the most powerful committee in this House. It is his committee that is supposed to go through statutory instruments.

For avoidance of doubt, statutory instruments mean any rule, order, regulation, direction, form, Tariff of costs or fees, letters, patent commission, warrant, proclamation, bylaw resolution guideline, or other statutory instrument issued, made, or established in the execution of a power conferred by or under an Act of Parliament, under which that statutory instrument or subsidiary legislation is expressly authorised to be issued.

Mr. Deputy Speaker, Sir, subsidiary legislation is now becoming more than primary legislation, and what I called earlier, the laziness of legislatures across the Commonwealth. I know when you go for meetings of the Commonwealth and the IPU, you will hear this trend of legislators doing skeleton legislation and leaving subsidiary legislation to ministers and to people who head regulatory bodies.

I want to request that, as you have advised. We could amend Section 15 of the Delegated Legislation Act, and we must not impute any improper motive on the chair of that committee. The Act does not oblige him to bring a report back to the House, as you have rightly stated, and that is in Section 15. So, you could advise that we relook at Section 15.

The second thing we have not resolved is when the two Houses disagree on a regulation. When the two Houses disagree on a regulation, and we have heard this, the regulations on these other funds, the marginalisation funds.

The Deputy Speaker (Sen. Kathuri): Similar to the Equalization Fund?

Sen. M. Kajwang: It is the Equalization Fund, I am sorry, Mr. Deputy Speaker, Sir. There was a situation where the two Houses had different views on it. We have had cases where the National Assembly takes view X on a regulation, and the Senate takes view Y; we have no proper mechanisms for mediation. That is something that we could also deal with. Finally, where a regulation-making authority delays in bringing regulations to this House, what do we do to them?

So, this is profound, and the fact that we have established that almost every other regulation needs to come to Parliament, which means the Senate and National Assembly make this House a powerful House. We must support our brothers and sisters in that committee with the necessary amendments because, you wake up and you hear that the tariffs on the expressway have just changed overnight. You wake up and hear that water tariffs have just changed overnight. No taxation without representation. That was the basic principle upon which certain civilisations were established.

Mr. Deputy Speaker, Sir, I just wanted to congratulate your direction and maybe to challenge the committee to look at these additional points on subsidiary legislation.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, what Sen. (Dr.) Murango requested to be advised on was good. Our State Departments and Parastatals sneak in their regulations through the Committee on Delegated Legislation. Like now, Sen. (Dr.) Murango, they are sitting on very dangerous regulations seeking to have more levies on tea and the committee is seized of that matter. There was no public participation and nothing is happening.

If the committee agrees with them, then farmers will pay that levy beginning tomorrow. We must open up this matter and ensure that the Committee on Delegated Legislation is helped to make the right decisions. They should involve this House and also members of the public in accepting policies and regulations from the Executive.

Hon. Senators, let us rise.

ADJOURNMENT

The Deputy Speaker (Sen. Kathuri): Hon. Senators, that brings us to the end.

There being no other business on the Order Paper, the Senate stands adjourned until tomorrow, Wednesday, 18th February, 2026, at 9.30 a.m.

The Senate rose at 5.36 p.m.