



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**12<sup>th</sup> March 2026**

**Vol. V No. 19**

# THE HANSARD

Thursday, 12<sup>th</sup> March 2026

The House met at 2.30 p.m.

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

## PRAYERS

## QUORUM

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

*(The Quorum Bell was rung)*

Hon. Members, we now have a quorum to transact business.  
Clerks-at-the-Table.

## PAPERS

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

1. Second Quarter Report on the Implementation of the Equalisation Fund for the Financial Year 2025/2026.
2. Intergovernmental partnership agreement between the national government, through the Ministry of Education, and the County Government of Wajir.
3. Reports of the Auditor-General and financial statements for the year ended 30th June 2025 and the certificates therein in respect of—
  - (a) Agricultural Development Corporation.
  - (b) Butula Technical and Vocational College.
  - (c) Bishop Mahon Teachers Training College.
  - (d) Chanzeywe Technical and Vocational College.
  - (e) Chesta Technical Training Centre.
  - (f) Consolidated Kenya Pipeline Company Limited.
  - (g) Financial Inclusion Fund (Hustler Fund).
  - (h) Government Investments and Public Enterprises – The National Treasury.
  - (i) Kamwenja Teachers Training College.
  - (j) Kenya Accountants and Secretaries National Examinations Board Foundation.
  - (k) Kenya Accountants and Secretaries National Examinations Board Foundation (KASNEB).
  - (l) Kenya Civil Aviation Authority.
  - (m) Kenya Dairy Board.
  - (n) Kenya Electricity Transmission Company (KETRACO) Limited.
  - (o) Kenya Engineering Technology Registration Board.
  - (p) Kenya National Highways Authority.
  - (q) Kenya Rural Roads Authority.
  - (r) Kenya Seeds Company and its subsidiaries.

- (s) Kenya Slum Upgrading, Low-Cost Housing and Infrastructure Trust Fund.
- (t) Kenya Urban Roads Authority.
- (u) Kitelakapel Technical Training Institute.
- (v) Lapsset Corridor Development Authority.
- (w) Lereshwa Vocational Training Centre.
- (x) Leshau Vocational Training Centre.
- (y) Lodwar Technical and Vocational College (LTVC).
- (z) National Housing Department Fund.
- (aa) The National Treasury.
- (bb) Njabini Vocational Training Centre
- (cc) Nyayo Tea Zones Development Corporation.
- (dd) Occupational Therapy Council of Kenya.
- (ee) Physiotherapy Council of Kenya.
- (ff) Primary Health Care Fund.
- (gg) Pyrethrum Processing Company of Kenya Limited.
- (hh) Shamata Vocational Training Centre.
- (ii) Simlaw Seeds Company Limited (Subsidiary of Kenya Seed Company).
- (jj) Sports, Arts and Social Development Fund.
- (kk) State Department for Agriculture.
- (ll) State Department for Housing and Urban Development.
- (mm) State Department for Lands and Physical Planning.
- (nn) State Department for Social Protection and Senior Citizen Affairs.
- (oo) State Department for Water and Sanitation.
- (pp) Stores and Services Fund - State Department for Public Works.
- (qq) The Judiciary.
- (rr) The National Exchequer Account - National Treasury.
- (ss) Tobacco Control Fund.
- (tt) Valuers Registration Board.
- (uu) Wanga Technical and Vocational College.
- (vv) Water and Sanitation Development Project (IDA Credit Nos. 6029 and 6030 – KE).
- (ww) Water Sector Trust Fund.
- (xx) Water Services Regulatory Board.

I thank you, Hon. Speaker. I beg to lay.

**Hon. Speaker:** Thank you, Hon. Owen. Is Hon. Wangwe in the House? Chairman of the Public Investments Committee on Social Services, Administration and Agriculture. Is that Hon. Wangwe? He is not in the house.

Before moving to the next Order, allow me to acknowledge students from some institutions who are present in the House today. In the Speakers' Gallery, we have students from St Bakhita Secondary School in Mbeere North Constituency, Embu County. Please welcome them to the House.

*(Applause)*

Additionally, seated in the Public Gallery are learners from Ndima Kanini Academy in Mathira Constituency, Nyeri County, and St John Bosco Kyuasini in Kaiti Constituency, Makueni County. On my behalf and that of the House, we warmly welcome the students, their teachers, and those accompanying them to the Parliament.

(Applause)

Yes, Hon. Chepkonga.

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): Thank you, Hon. Speaker. I have a Paper to lay and a Notice of Motion to move. You duly approved them.

**Hon. Speaker:** Approval and being on the Order Paper are two different things. However, go ahead if you have the Paper to lay.

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): I beg to lay the following Paper on the Table:

Report of the Committee on Delegated Legislation on its consideration of the Draft Salaries and Remuneration Commission (Remuneration and Benefits of State and other Public Officers) Regulations of 2025.

I thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Bishop Kosgei, I am told you are holding brief for your Chairman.

**Hon. (Dr) Jackson Kosgei** (Nominated, UDA): Yes, Hon. Speaker.

**Hon. Speaker:** It is good practice to inform the Speaker if you are holding a brief. That way, we know you have such a brief. Ordinarily, a written note accompanies such a brief. Nevertheless, I will give you an opportunity to lay the Paper as scheduled.

**Hon. (Dr) Jackson Kosgei** (Nominated, UDA): Thank you, Hon. Speaker. I am well guided. I beg to lay the following Paper on the Table:

Eighth Report of the Public Investments Committee on Social Services, Administration and Agriculture on consideration of audited financial statements of the following State corporations—

1. Communications Authority of Kenya for the financial years 2019/2020 to 2023/2024.
2. Kenya Medical Training College for the financial years 2021/2022 to 2024/2025.
3. Kenya Medical Supplies Authority for the financial years 2019/2020 and 2020/2021.
4. Public Benefit Organisation Regulatory Authority for the financial years 2007/2008 to 2023/2024.
5. Child Welfare Society of Kenya for the financial years 2019/2020 to 2023/2024.
6. Kenyatta University Teaching, Referral and Research Hospital for the financial years 2020/2021 to 2024/2025.

I beg to lay.

**Hon. Speaker:** Next Order.

## NOTICES OF MOTIONS

### ADOPTION OF REPORT ON DRAFT SALARIES AND REMUNERATION COMMISSION REGULATIONS, 2025

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): Thank you, Hon. Speaker. I was consulting a Member of the caucus of lawyers that you appointed. We were discussing very important matters, notwithstanding that I have an important Notice of Motion to move.

I beg to give notice of the following Motion:

THAT, this House adopts the report of the Committee on Delegated Legislation on its consideration of the Draft Salaries and Remuneration Commission (Remuneration and Benefits of State and other Public Officers)

Regulations, 2025, laid on the Table of the House on Thursday, 12th March 2026 and pursuant to the provisions of Section 26(2) of the Salaries and Remuneration Act, Cap 412D, this House approves the Draft Salaries and Remuneration Commission (Remuneration and Benefits of State and Other Public Officers) Regulations, 2025, with amendments.

**Hon. Speaker:** Bishop, the Chairman of the Public Investments Committee on Social Services, Administration and Agriculture.

**Hon (Dr) Jackson Kosgei** (Nominated, UDA): I have already presented, Hon. Speaker.

**Hon. Speaker:** We are now on Notices of Motions.

**Hon (Dr) Jackson Kosgei** (Nominated, UDA): Okay.

**Hon. Speaker:** Are they combined into one Motion, or are they separate notices?

**Hon (Dr) Jackson Kosgei** (Nominated, UDA): They are all in one Motion.

**Hon. Speaker:** Go ahead and give the Notice of Motion then.

**Hon (Dr) Jackson Kosgei** (Nominated, UDA): I had surrendered everything. May I have it?

**Hon. Speaker:** Go ahead, Hon. Bishop.

ADOPTION OF THE REPORT OF THE PIC ON SOCIAL SERVICES,  
ADMINISTRATION AND AGRICULTURE IN ITS EXAMINATION  
OF AUDITED FINANCIAL STATEMENTS

**Hon (Dr.) Jackson Kosgei** (Nominated, UDA): Thank you very much for giving me the opportunity to learn best practices.

Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the 8th Report of the Public Investments Committee on Social Services, Administration and Agriculture on its examination of the audited financial statements of the following State Corporations, laid on the Table of the House on Thursday, 12<sup>th</sup> May 2026:

1. Communications Authority of Kenya for the Financial Years 2019/2020 to 2023/2024.
2. Kenya Medical Training College for the Financial Years 2021/2022 to 2024/2025.
3. Kenya Medical Supplies Authority for the Financial Years 2019/2020 and 2020/2021.
4. Public Benefit Organisations Regulatory Authority for the Financial Years 2007/2008 to 2023/2024.
5. Child Welfare Society of Kenya for the Financial Years 2019/2020 to 2023/2024.
6. Kenyatta University Teaching, Referral and Research Hospital for the Financial Years 2020/2021 to 2024/2025.

I submit, Hon. Speaker.

**Hon. Speaker:** Thank you, Bishop. Chairperson, Select Committee on Implementation, Hon. Raphael Wanjala.

ADOPTION OF REPORT ON STATUS  
OF REPORTS ON PETITIONS AND RESOLUTIONS

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

THAT, this House adopts the Second Report of the Select Committee on Implementation on the Status of Reports on Petitions and Resolutions passed by the House, laid on the Table of the House on Thursday, 26<sup>th</sup> October 2023.

Thank you, Hon. Speaker.

**Hon. Temporary Speaker:** Next Order.

## QUESTIONS AND STATEMENTS

### REQUESTS FOR STATEMENTS

**Hon. Speaker:** Hon. Edith Nyenze. She is not in the House! Hon. Martin Pepela.

#### TRAGIC ROAD ACCIDENT AT MALAHA JUNCTION ALONG WEBUYE - KITALE ROAD

**Hon. Martin Wanyonyi** (Webuye East, FORD-K): Thank you, Hon. Speaker, for this opportunity. I rise to request a Statement regarding a tragic road accident that occurred on 9<sup>th</sup> of this month on the Webuye - Kitale Road.

Pursuant to the provisions of Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding a tragic road accident that occurred at the Malaha Junction along the Webuye - Kitale Road.

Hon. Speaker, on 9<sup>th</sup> March 2026 at approximately 10.00 p.m., a tragic accident occurred at Malaha Junction along the Webuye-Kitale Road involving a trailer, several passenger vehicles, and motorcycles. This accident claimed the lives of 15 people, and it is important to mention that 10 people passed on at the scene, and five others passed on while receiving treatment at Webuye County Referral. Another 20 people are admitted to Webuye Referral Hospital and are still receiving treatment. In addition, two other victims were referred to the Eldoret Teaching and Referral Hospital for specialised treatment. Hon. Speaker, I thank you for this because it took your intervention to secure beds for these two patients.

This unfortunate incident is not an isolated occurrence. The said stretch of road at the Malaha Junction has, over the years, been reported as a high-risk accident zone with frequent crashes occurring at night or during adverse weather conditions. The stretch lacks adequate road signage, clear road markings, and other essential safety infrastructure. This has contributed to the occurrence of road accidents. Noting that Malaha Junction has been identified as a high-risk accident zone over the years, the Kenya National Highways Authority (KeNHA) must take appropriate measures to bring the road infrastructure up to acceptable safety standards.

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

1. A report on any safety audit conducted of the road at Malaha Junction along the Webuye-Kitale Road, and if so, whether the road zone has been officially designated as an accident blackspot.
2. Measures being undertaken by KeNHA to enhance safety at the junction, including the installation of properly designed and clearly marked speed bumps, adequate road signage, clear road markings, reflective studs and any other appropriate road safety interventions and timelines for completion of the installation of these road safety measures.
3. Plans by the Ministry of Roads and Transport to compensate families of the victims and measures put in place to support victims of the accident that occurred at Malaha Junction.

Hon. Speaker, I thank the Head of State for the moral and financial support that he gave the families of the victims who lost their loved ones. Hon. Speaker, I also thank you for not only supporting the families but also for taking the time to visit them.

I thank you, Hon. Speaker.

**Hon. Speaker:** You want a joy ride.

**Hon. Martha Wangari** (Gilgil, UDA): Yes. Thank you, Hon. Speaker, for giving me this opportunity. We send our condolences to the victims of the terrible accident that occurred in Webuye. Fifteen people died, and others are still in very critical condition. That is not a small thing. I say this because between Gilgil and Nakuru, we have seen families being wiped out in road accidents. It is quite sad that the Ministry of Roads and Transport has to be prompted by this House to issue a statement, especially when we have families that are grieving. No one from the Ministry makes any statement!

This should not only set the ball rolling on the Webuye accident, but also make it the norm rather than the exception that, when an accident occurs, it is declared a national calamity. It should actually warrant all the attention, not only from the Ministry of Roads and Transport, but also from the National Transport and Safety Authority (NTSA) and the Ministry of Interior and National Administration. It should actually be an all-hands-on-deck situation.

I thank Hon. Wanyonyi and hope that this Request for a Statement will send a signal that they should not wait for this House to prompt them. Let them be there on site and be seen to walk with the victim's families. We send our condolences to the families in Webuye.

**Hon. Speaker:** Hon. Otiende Amolo.

**Hon. (Dr) Otiende Amollo** (Rarieda, ODM): Thank you, Hon. Speaker. Allow me to thank Hon. Wanyonyi for raising a matter of concern, even as I bring condolences of the people of Rarieda Constituency and mine to the bereaved families.

Let it be on record for those who doubt that the work of a Member of Parliament includes raising such matters. It is not the traditional three roles that people talk about. Any matter of concern to constituents or citizens is a matter of concern to a Member of Parliament. Hon. Speaker, I thank you because I know you went to the scene as soon as you learnt about what happened.

Three issues stand out. The first is that, as we understand, the initial accident involved two bodaboda riders. As we address this matter, let us pay particular attention to the lawlessness that bodaboda create in this country. There ought to be a special police unit focused solely on them, because they have become a law unto themselves. They do not obey traffic rules.

Second, let it be clear that such matters should concern NTSA immensely. The NTSA ought to know that, under Articles 94 and 95 of the Constitution, nothing can have the force of law unless it is passed by Parliament. So, as they go ahead to introduce new laws of spot fines and all that, to the best of my knowledge, we have not had occasion to debate that kind of law on how it is to be implemented and what it is supposed to achieve. It is very important that such ideas, while good, be brought to the people's representatives for interrogation, fine-tuning, and to ensure they are in tandem with the wishes of the people and the law.

Lastly, it is my hope that, just as this Government recently demonstrated when we lost our colleague, the Hon. Ng'eno, and his other colleagues, it will also come in and assist the 15 families. As I understand it, almost 10 of those who passed on are from the same family.

I so submit, Hon. Speaker.

**Hon. Daniel Wanyama** (Webuye West, UDA): Thank you, Hon. Speaker. Let me join my colleagues to console the families of those who lost their lives. The place where the accident occurred has been a black spot for a long time. What is lacking there is road signage. I do not know why, whenever contractors are given work, they do not put up signs and lines that could help motorists stay vigilant on the road. Therefore, it is important that the Cabinet Secretary

clearly come out to assist these families. In fact, one family lost five members. A father lost five children!

**Hon. Speaker:** Six members.

**Hon. Daniel Wanyama** (Webuye West, UDA): In fact, six children at a go! That is very grievous. So, we just want the Government, as it assisted Hon. Ng'eno's bereaved people, to also come out and assist these people. Victims in hospitals will incur very big bills. How I wish that the Government could step in to assist them so that they do not agonise over the bills.

I thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Dido Rasso.

**Hon. Ali Raso** (Saku, UDA): Thank you very much, Hon. Speaker. I join our colleague, Hon. Wanyonyi, to send my condolences to the families who lost their loved ones and a quick recovery to those in the hospital.

In this country, people dying in road accidents appears to be the new normal. After they are buried, people quickly forget. But 16 people dying at one spot should be concerning to the country. Immediately after the incident happened, the road should have been closed because it is a black spot. Something should have been done, including diverting traffic. The Government should expand that road, but, apparently, once everything is said and done and people are buried, we forget. What we must ask the Committee to do is not just issue a Statement, but also visit the area so they can recommend to the Ministry what needs to be done.

We lost a colleague last week, and the Government stepped in and assisted in many ways. In this particular case, a family lost six family members! That really calls for something to be done to help. The Government must look for resources to help families of those who died, and also those in hospitals. The Government must pay their bills.

Thank you, Hon. Speaker.

**Hon. Speaker:** Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. Allow me to also join the House, first, in sending a message of condolences to the families of the people who lost their lives in the grisly road accident in Webuye. I also pray that those who were injured may find healing and a quick recovery.

Every now and then, we have to bury the dead and incur heavy expenses to take care of people who are injured in road accidents. I heard there are people who have gone to court over the telematics traffic control system or the camera systems on our roads. I watched some clips circulating on social media following that accident. I saw a bodaboda rider speeding past the crowd that had already gathered after the grisly road accident on the Webuye–Malaba Road. Members of the public were trying to slow him down.

I also spoke to the Member for Webuye West, Hon. Daniel Wanyama. I must say *pole* to him, the people of Webuye and Bungoma County at large, for that loss. I saw in the news yesterday a family that lost six members. You can imagine the magnitude of that loss. This is why we must support many of these government programmes, including the installation of speed cameras on our roads. If the truck had not been moving at the speed reported around the accident scene, that accident would not have happened. That tells you the duty that those of us who are public officers hold.

Hon. Speaker, allow me to thank you for taking time out of your busy schedule yesterday to go to Webuye to console the bereaved and comfort those in the hospital. That is what leadership calls for. When I saw your pictures of your visit to those families, I wondered whether the new Director-General of the National Transport and Safety Authority (NTSA) had visited the accident scene. What about the Director-General of the Kenya National Highways Authority (KeNHA) and the Cabinet Secretary for Roads, Transport and Public Works? I know they are busy people, but when accidents like these happen, it is important that people from the

highest levels of Government visit the scene. Indeed, such accidents can be related to the state of the road or issues that agencies like NTSA need to address.

I cannot confirm whether what is circulating on social media is true because one must always verify such information. Many young Kenyans do not bother to verify what they see on social media. I have not had time to check the NTSA website to see the list of areas they have deployed cameras to confirm whether what is circulating on social media is true. However, we must install speed cameras on all bitumen-standard roads in this country. Any tarmacked road should have a speed camera.

Therefore, I urge the Director-General of NTSA and the Principal Secretaries for Transport and Roads to visit the accident scene before the end of this weekend. I also hope the Chairperson of the Departmental Committee on Transport and Infrastructure will cause the Ministry to take action so that we can end this carnage on our roads. Even losing one life is too much. As a House, we must act together to exercise oversight and ensure the Ministry and NTSA act to stem the rising tide of road carnage in the country.

We lost too many people in December and January. Even COVID-19 did not kill as many people as those who die on our roads. If we do not act, we will continue losing lives. I ask the Chairperson of the Departmental Committee on Transport and Infrastructure to cause the Cabinet Secretary for Roads, Transport and Public Works, and the Director-General of NTSA to appear before the Committee or this House and tell us what they will do about this road carnage. We cannot continue using the Floor of the House and our time to send condolences. There must be something we, as a House, can do to make the Ministry end this road carnage. When Kenyans are using the roads—whether as pedestrians, bodaboda riders, drivers or cyclists—I urge them to be careful and mindful of other road users.

Let me finish by saying *pole* to the people of Webuye and the people of Bungoma County, especially the families who are bereaved, and particularly that family that lost six members. I assure the Member for Webuye that, as the Member for Kikuyu and Leader of the Majority Party, I will support the people of Webuye in whatever way possible. Please, pass by my office. I will support them. I encourage all of us to extend a hand of support to the Member for Webuye so that those families can send off their bereaved in a dignified manner. That is the least we can do for now. *Pole sana* to the bereaved. May those in the hospital recover quickly.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Rindikiri.

**Hon. Mugambi Rindikiri** (Buuri, UDA): Thank you, Hon. Speaker. I join my colleagues in sending my condolences to the people of Webuye, Bungoma County, and Kenya at large following this terrible accident. I have just come from another terrible road accident. We also buried my Chairman because of an air crash. There are many black spots that are well known to road agencies, particularly the KeNHA. We have one such spot in my constituency, called Soboiga, where three or four accidents occur almost every month. Some of them are fatal.

As the Leader of the Majority Party has said, the time has come for people to take responsibility for what is happening on our roads. The KeNHA must take responsibility, as that is where the greatest problem lies. All the transnational roads create inconveniences for drivers. Fatal accidents occur at bends and curves. We are not only asking for a Statement but also an action plan.

The Government is trying to do so much to build dual carriageways. I thank the Government for the progress made on major trunk roads, such as the Rironi-Malaba, Mwea-Isiolo, Mwea-Meru, and many others. The time has come for us to prioritise action on what is killing our people. Acquired Immunodeficiency Syndrome (AIDS) did not kill as many people as road accidents. You can imagine the agony the parents go through because of accidents that can be avoided. The drivers may be careless, but there are black spots that require engineering

intervention. We need to call a spade a spade. State agencies responsible for some of these roads have failed Kenyans and us.

I thank the President and this House for their support for the National Infrastructure Fund. I hope much of this money will be spent on constructing good roads without black spots and that they will be convenient for our people to use. On behalf of the people of Buuri, I stand with our brothers and sisters in Webuye. We will see what to do as a constituency.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you.

Hon. Members, I want us to end there. Allow me also to thank those who have spoken on this matter. As your Speaker, some of the people who perished are known to me personally. Some come from very deprived and poor families. One family lost six on the spot. A woman who was expectant perished with the new life she was carrying, and many others. We are organising a send-off for these loved ones, who are residents of Bungoma. We will have a fundraising programme in Webuye town on Saturday. We do not expect all of you to come there, but Hon. Martin Wanyonyi Pepela and Hon. Dan Wanyama are coordinating.

We will have an interdenominational service on Monday at Panpaper Stadium in Webuye. We will appreciate those of you who can join. You can imagine six graves in one compound at once. Yesterday, we saw the father of the six who perished. He got hold of my hand and asked, “Baba, do I have to live anymore?” That question is legitimate in the circumstances.

So, Leader of the Majority Party, this is not just about Webuye. We have had similar accidents in many places, and we need a Marshall Plan. Imagine the driver of that truck, after killing those people, got out of the truck and disappeared into a cane plantation and has not been seen up to now. We have mental patients on our highways. How else would anybody behave like that in normal circumstances? So, we encourage the Departmental Committee on Roads and Infrastructure to ensure that we do not have a repeat of Webuye anywhere else in Kenya, because a life in Vanga, Mandera, Webuye, or Timau is a life every Kenyan must cherish. Thank you for the support. Members from Bungoma, I know you want to speak to this, but you will have the opportunity to do so on Saturday in Webuye.

Hon. Members, before we call the next order, allow me to acknowledge in the Public Gallery students of White Star Junior Secondary School from Lang'ata, Nairobi County. In the Speaker's Gallery are students from Koilel Forces Academy in Gilgil, Nakuru County, and from Koinonia Education Centre in Naivasha, Nakuru County. On my behalf and on behalf of the House, I warmly welcome the students, their teachers, and those accompanying them to this Parliament.

Also in the Speaker's Gallery, we have 15 officers from various state agencies. They are from departments, county assemblies, and the National Government–Constituencies Development Fund (NGCDF) Board. They are participating in a training programme on Protocol and Event Management in the Legislature with our Centre for Parliamentary Studies and Training (CPST). On my behalf and that of the House, we welcome them to the House of Parliament.

*(Applause)*

Next, we have Hon. Mary Emaase. I am sorry, let us hold that. Hon. Wanjala had two Notices of Motion. You ought to have said that you had two notices. I allowed you to give one notice. Please, go ahead. This is under Order No. 6. Give your second Notice of Motion.

**Hon. Raphael Wanjala** (Budalang’i, ODM): There are two notices of Motion, Hon. Speaker.

**Hon. Speaker:** You have two? Okay, go ahead.

## NOTICES OF MOTION

### ADOPTION OF REPORT ON IMPLEMENTATION STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS

**Hon. Raphael Wanjala** (Budalang'i, ODM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Third Report of the Select Committee on Implementation on Implementation Status of Reports on Petitions and Resolutions passed by the House, laid on the table of the House on Thursday, 5<sup>th</sup> December 2024.

### ADOPTION OF REPORT ON IMPLEMENTATION STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS

**Hon. Raphael Wanjala** (Budalang'i, ODM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Fifth Report of the Select Committee on Implementation on Implementation Status of Reports on Petitions and Resolutions passed by the House, laid on the table of the House on Wednesday, 3<sup>rd</sup> December 2025.

Thank you, Hon. Speaker.

**Hon. Speaker:** Let us go back to Order No. 7. Proceed, Hon. Mary Emaase.

## STATEMENTS

### KILLING OF SECURITY GUARDS IN TESO SOUTH

**Hon. Mary Emaase** (Teso South, UDA): Hon. Speaker, I rise to request a statement following the killing of four security guards in my constituency, one of whom was killed today. I read this Statement Request with a very heavy heart. It is, indeed, a very sad day.

Pursuant to the provisions of Standing Order 44(2) (c), I rise to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the rise in cases of insecurity in parts of Western Kenya and other areas of the country.

In recent months, there has been a worrying surge in violent criminal incidents across the region, including the brutal killing of watchmen, attacks on businesses and homesteads, theft of property and livestock, and loss of innocent lives. These incidents have instilled fear among residents and significantly disrupted economic activities in the affected areas. For instance, on the night of 9<sup>th</sup> March 2026, three watchmen were brutally murdered during attacks on two shops in Simbachai, while another watchman was killed in Amukura within Teso South Constituency. Today, one watchman was killed in the Koturu area of Teso South Constituency. On the same night, another person was attacked and killed in Nambale.

Home invasions and theft have also been reported in Butula, in parts of Bungoma County. Residents have woken up to find their homes ransacked and valuables stolen. In Butere Constituency, establishments including Planet Garden Hotel, Guava Resort, Zarita Resort, and Suez Resort were broken into between December 2025 and January 2026. Electronics and other valuables were stolen.

The Constitution guarantees every citizen the right to life and the protection of property by the State. However, the recent wave of criminal incidents raises serious concerns regarding the adequacy of security responses in the affected areas.

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

1. The measures being taken by the government to address the rising cases of insecurity, particularly in Western Kenya, specifying the actions taken to address the reported incidents.
2. The steps being taken to enhance police presence, strengthen investigations and improve response capacity in the affected areas.
3. The actions being undertaken to ensure that perpetrators of the recent killings, attacks on businesses and homesteads, and theft of property, are swiftly apprehended and brought to justice.

Hon. Speaker, allow me to send condolences to the affected families – the four families who have lost their only breadwinners through deaths that should never have occurred. I would want to plead with this House, starting with the Leader of the Majority Party, that, as we support those affected in Webuye, we also support those affected in Teso South so that they are able to bury their loved ones in a dignified manner.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Next is Hon. Dido Raso.

*(Hon. Ali Raso stood up in his place)*

Hold on, Hon. Raso.

*(Hon. Dick Oyugi raised his hand)*

Yes, Hon. Dick Maungu. Do you want to joyride?

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

**Hon. Speaker:** Go ahead.

**Hon. Dick Oyugi** (Luanda, DAP-K): Thank you, Hon. Speaker, for the opportunity. What Hon. Mary Emaase has raised is a matter of serious interest for those of us who come from the Western Region. Insecurity is not affecting only the counties mentioned. It is also being experienced in Vihiga County, particularly in Luanda Constituency.

We have gangs, some with guns, moving around. On Monday, I led a very peaceful protest in my constituency on matters of security because a business lady was shot dead by a G3 rifle. Shops were robbed. Therefore, the matter that Hon. Emaase has raised is not only for her area but for the entire region. As the Committee provides feedback, it would be helpful to have a comprehensive statement on what the Ministry is doing to ensure that safety and security issues are addressed across the entire Western Region.

Thank you.

**Hon. Speaker:** When can you bring a response?

**Hon. Ali Raso** (Saku, UDA): Hon. Speaker, our Committee will be meeting the Inspector-General (IG) of the National Police Service and his team. We will share this concern with him as a matter of priority. We will bring a comprehensive report to the House once we resume from recess.

**Hon. Speaker:** Thank you. We also did not commit the Departmental Committee on Transport and Infrastructure to Hon. Pepela's request for a statement. Is Hon. GK in the House? Hon. Komingoi? He is the one who has been answering questions. Is there anybody from that Committee? The Leader of the Majority Party, the Departmental Committee on Transport and

Infrastructure, is completely absent from the House. Alert them to bring a response when we resume.

Next is Hon. Lenguris Pauline.

HUMAN-WILDLIFE CONFLICT  
IN SAMBURU COUNTY

**Hon. Pauline Lenguris** (Samburu County, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44 (2) (c), I rise to request a statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding a human-wildlife conflict incident in Kisima Location, Samburu County.

A tragic incident recently occurred in Naiborkeju Village, Mbarigon Sub-location, Kisima Location in Samburu County, where three women were separately attacked and killed by an elephant on 25th and 28th February 2026, respectively. The victims were Susan Loming'an of ID No. 3310143, Anisha Loming'an of ID No. 2632254, and Simalel Lelechipan of ID No. 37446064. The incident happened while the victims were fetching firewood a short distance from their homesteads near Miyai Dam, a registered water pan that serves both wildlife and the local community.

The incident has left the entire community in deep shock and distress, with the children of the deceased now left as orphans and exposed to severe social and economic vulnerability. Residents of Kisima Location and the surrounding area have endured persistent threats from wildlife, especially elephants straying from the nearby Kirisia Forest. Despite the increasing cases of human-wildlife conflict in the area, there appears to be inadequate mitigation, response and protection mechanisms to safeguard the lives of local residents.

Hon. Speaker, it is against this backdrop that I request a statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. The status of investigations into the tragic death of the three women from an elephant attack in Naiborkeju Village, Kisima Location, Samburu County and the immediate steps taken by security and relevant authorities following the incident;
2. The immediate measures being undertaken by the government, in collaboration with relevant agencies, to guarantee the safety and security of residents in Kisima Location and other areas prone to human-wildlife conflict;
3. The comprehensive, long-term strategy being implemented by the government to address the persistent human-wildlife conflict in Samburu County and other affected regions, including measures to prevent future loss of life and protect communities living near wildlife conservation areas.

I thank you, Hon. Speaker.

**Hon. Speaker:** Chair, Departmental Committee on Tourism and Wildlife, Hon. Kareke? Any Member from the Committee? Leader of the Majority Party, inform them to bring a response when we resume.

Hon. Stephen Mogaka. He is not in the House. Hon. Martha Wangari.

INCREASED COSTS OF  
ACQUIRING BIRTH CERTIFICATES

**Hon. Martha Wangari** (Gilgil, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2) (c), I request a Statement from the Chairperson of the Departmental

Committee on Administration and Internal Security regarding the increased charges for the issuance of Birth Certificates.

Birth registration is a right of every child, as enshrined in Article 53 of the Constitution, as it confers legal identity and nationality. Birth certificates are also fundamental civil registration documents that enable children to access essential services such as education, healthcare, and other government services. It is therefore imperative that access to this critical document remains affordable to the ordinary citizen. High fees charged for the issuance of birth certificates limit a citizen's right to identity and inhibit access to essential services.

Recently, the government revised the fees for applications and changes of particulars for birth certificates on the e-Citizen platform, thereby increasing the cost of accessing civil registration services. The charges were revised for Birth Certificate Registration from Ksh50 to Ksh200; Late Application for Birth Certificate from Ksh150 to Ksh500, and Change of Particulars from Ksh90 to Ksh1,000.

In addition to these charges, a convenience fee of Ksh50 is charged for each application made through the e-Citizen platform. The migration of these services to the e-Citizen platform has also compelled many citizens who lack digital access or literacy to seek assistance from cybercafés and other intermediaries, who charge additional fees ranging from Ksh150 to Ksh250 to open e-Citizen accounts or process applications, further increasing the cost of obtaining a birth certificate.

Hon. Speaker, it is against this background that I request a statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. Justification for the upward revision of the fees for the issuance of birth certificates and an indication of whether public participation was carried out to ensure that citizens can afford such services.
2. Measures put in place by the government to ensure that digitisation of civil registration services through the e-Citizen platform does not disadvantage citizens who lack digital access or literacy, particularly those in rural and marginalised areas.
3. Steps taken by the Ministry of Interior and National Administration to restore the charges to the previous rates of Ksh50 for current applications, Ksh150 for late applications, and Ksh90 for change of particulars, to ensure the affordability of services to all citizens.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Wangari. Chair of the Departmental Committee on Administration and Internal Security. Hon. Raso, when can you bring a response? Just hold on. Yes, Hon. Nicholas Ng'ikor.

**Hon. Nicholas Ng'ikor** (Turkana East, JP): Hon. Speaker, I just want to ride on what Hon. Wangari has said on the issue of birth certificates.

The issue of birth certificates has become a major concern for residents of this country, especially those in remote areas. Where I come from, my constituents travel all the way from Lokori, which is the headquarters of my constituency, to Lodwar, which is more than 300 kilometres away. The fee is not the only issue. The department concerned must send officers to every constituency headquarters so that those services can get closer to the people, rather than having people travel far and spend almost Ksh550 on late registration.

**Hon. Speaker:** Hon. Nicholas, you just passed a law in this House, which was assented to by His Excellency the President three weeks ago, devolving the issuance of these documents – that is, birth certificates and ID cards to each sub-county. Which are your constituencies that you are complaining about?

**Hon. Nicholas Ng'ikor** (Turkana East, JP) Hon. Speaker, I have two sub-counties in my constituency. I have Turkana East and Suguta sub-counties. Up to now, we do not have ...

**Hon. Speaker:** Sub-county means sub-county. So, follow up with the implementation. Hon. Raso, when can you bring a response? Hon. Wangari, you can assist Hon. Nicholas, who is a defender of your law.

**Hon. Ali Raso** (Saku, UDA): Hon. Speaker, Hon. Wangari sponsored the Bill.

**Hon. Speaker:** Yes.

**Hon. Ali Raso** (Saku, UDA): We worked with her through the Committee. Sometimes we have to be very careful with what we ask the Executive to do. However, we will bring a response in the first week after we resume.

Thank you.

**Hon. Speaker:** Hon. Edith Nyanze.

EFFECTS OF DEVASTATING FLOODS  
FOLLOWING RECENT HEAVY RAINS

**Hon. Edith Nyanze** (Kitui West, WDM): Thank you, Hon. Speaker, for giving me this opportunity to make my Statement.

**Hon. Speaker:** This is your second call. Apologise to the House for coming late.

**Hon. Edith Nyanze** (Kitui West, WDM): Hon. Speaker, let me take this opportunity to apologise to the House for coming late and thank you for giving me the opportunity to make my Statement.

**Hon. Speaker:** Go ahead.

**Hon. Edith Nyanze** (Kitui West, WDM): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2) (C), I rise to request a statement from the Chairperson of the Departmental Committee on Regional Development regarding the effects of the devastating floods that have affected several parts of the country following the recent heavy rains. Over the past few days, heavy rainfall has triggered flooding in many parts of the country. Rivers have burst their banks, homes have been swept away, farmlands have been submerged in water, and critical infrastructure has been destroyed. Families have been displaced overnight and are now seeking refuge in schools, churches and other makeshift shelters with limited access to food, clean water and other basic necessities.

The city has not been spared from the devastating effects of floods. Neighbourhoods such as Mathare and Kibra witnessed alarming scenes as floodwaters swept through homes, forcing families to flee to safety in the middle of the night. Traders at Gikomba Market reportedly lost merchandise worth millions of shillings after stores were submerged by floodwaters, while businesses along River Road and Kirinyaga Road were forced to close as their shops were flooded. Motor vehicles towing in rising water disrupted economic activities in the city centre. Several Kenyans have tragically lost their lives after being swept away by raging flood waters, trapped in submerged vehicles or caught up in collapsing structures during the heavy rains.

The scale of devastation being witnessed raises serious concerns about the country's preparedness to deal with such disasters. Blocked drainage systems, poorly planned settlements in flood-prone areas, and inadequate disaster response mechanisms continue to expose citizens to preventable tragedies year in, year out.

It is against this background that I seek a statement from the Chairperson of the Departmental Committee on Regional Development on the following:

1. The interventions put in place by the government to rescue, evacuate and support families displaced by floods across the country.

2. A report on the relief and humanitarian assistance being provided to the affected households, including food, shelter, medical support and other essential services, including the number of beneficiaries identified.
3. The long-term interventions being implemented to strengthen disaster preparedness, improve drainage, urban planning and flood control infrastructure, and protect communities living in flood-prone areas.

Let me also take this opportunity to pass my condolences, especially to the families who lost their loved ones last week during the floods. Many people also lost their property.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Mwangi, do you want to ride on this one?

**Hon. Amos Maina** (Starehe, JP): Thank you, Hon. Speaker, for giving me this opportunity to add my voice. First, I would like to send my condolences to the people who lost their loved ones in the tragic flooding of Nairobi County, especially in my constituency along the Grogan area. I join my colleague in seeking ways to develop lasting solutions. Floods have been a recurrent issue for many years. It is time we put our efforts together at both the national and county levels to address flooding in Nairobi. Whenever it rains, it floods. It is quite unfortunate that this time around, we lost a large number of people, and many businesses were affected. Many shops were flooded, and people lost their business stocks, cars and other property.

It is only recently that the President signed a cooperation agreement with the County Government of Nairobi to take over the function of water collection and drainage, so that this issue is addressed once and for all. We all understand that one of the major causes of flooding in Nairobi is the poor drainage system, specifically a lack of proper tunnels to channel stormwater. I understand that the infrastructure in Nairobi, as regards water and drainage, was planned in the 1960s. It has not been revisited ever since, even with the emergence of urbanisation that led to massive population growth in the city. Such are the issues that the government should address once and for all. It is unfortunate that whenever it rains in Nairobi, the city turns into a lake. This is not the time to shift blame. It is time to address the issue of flooding, as it has devastating effects.

Thank you.

**Hon. Speaker:** Yes, Hon. Fatuma.

**Hon. Fatuma Mohammed** (Migori County, Independent): Shukrani, Mhe. Spika. Ningependa nami pia niongeze sauti yangu kwenye mjadala huu. Hata sisi tulipata shida ya maji kwetu Migori. Daraja letu kubwa la Migori lilivunjika, na likazolewa na maji. Kwenye soko ambako mamake Mhe. Junet hununua Samaki kwa sasa halifikiki. Mamake hawezi kununua samaki tena.

*(Kicheko)*

Ni shida kubwa sana.

**Hon. Speaker:** Ni mamake peke yake ambaye hununua samaki hapo?

**Hon. Fatuma Mohammed** (Migori County, Independent): Mamake hununua samaki hapo. Ni *customer* wa *aunty* yangu. Wanajuana.

*(Kicheko)*

Mama wengi wanafanya bishara pale. Katika soko la Migori, kuna zaidi ya wafanyibiashara elfu mbili ambao walipoteza bidhaa zao, na bishara zao sasa zimeanguka na hawawezi kumudu familia zao tena. Naiomba serikali iweke mfuko wa dharura ili isaidie wafanyibiashara wadogo. Kama tuna ndoto ya kuenda Singapore, ni hawa wafanyibiashara ndio watafanikisha ndoto hiyo. Naomba hili lifanyiike, na utoe sauti yako. Nitakualika kwenye

harambee kubwa uwe *Guest of Honour*, uwasaidie akina mama waweze kuuza samaki tena, ili mamake Mhe. Junet awe *customer* tena kwa hilo soko.

Ahsante.

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Mhe. Spika, kwa vile nimemskia mama wa Migori, Mhe. Fatuma akinena kwa Kiswahili, naomba nami pia ninene kwa Kiswahili. Nimemskiza Mhe. Mwago, na ninahisi uchungu alionao kwa sababu ya maafa yaliyotokea juma lililopita kwa sababu ya mafuriko jijini Nairobi. Niliona mambo mengi kwenye mitandao ya kijamii usiku huo. Watu walimkemea Gavana wa Nairobi. Si kusema kwamba Gavana wa Nairobi hana jukumu la kuhakikisha kwamba jiji ni safi, na mitaro ya majitaka imerekebishwa. Pia, nimewasikia viongozi wengine humu jijini wakizungumza. Nampongeza Rais William Ruto kwa sababu aliposhika hatamu ya uongozi, alileta kazi ya kuboresha Mto Nairobi. Kwa lugha ya kimombo iliitwa *Nairobi River Restoration Project*. Hiyo kazi si ya kuboresha usafi wa mto pekee, bali pia ni ya kupanua upana wake ili maji yaweze kutembea bila kufurika kwenye nyumba za watu.

Sisi, kama wanasiasa, wakati mwingine tunakuwa maadui wa watu tunaowawakilisha. Nimesikia kiongozi akisema kwamba nyumba zinabomolewa ni za jamii ya Wakikuyu peke yake. Ni lazima tukumbuke kuwa Nairobi si ya Wakikuyu peke yao. Mimi ni Mkikuyu. Mama yangu na baba yangu ni Wakikuyu. Wakikuyu waliopata maafa katika eneo bunge la Mhe. Mwago ni Wakikuyu na ni Wakenya. Kuna jamii nyingine ambazo pia zimepata maafa. Tusifanye siasa na maafa ya Wakenya. Tusifanye siasa na mambo ambayo yanahusu maisha ya watu.

Nimezaliwa Mkikuyu, na Mkikuyu ni Mkenya kama Mkenya mwingine. Ni lazima tuwe watu wanaotii sheria. Tunaketi hapa kila siku tukiunda sheria. Katika sheria tunazounda, tunasema kuna eneo tunaloita kwa lugha ya kimombo *riparian reserve* ya mto. Kwa nini tuwaambie watu wetu waende wakajenge karibu na mto, ilhali tunajua watapatwa na maafa? Pia tuwe waangalifu kama viongozi. Watu wasibomolewe nyumba kiholela. Hiyo ni haki yao. Pia tusilete siasa duni za ukabila.

Wewe unayeleta hizo siasa ndizo zilizokuporomosha kutoka mamlaka makuu kama kiongozi wa Kenya na zikakupeleka kijijini. Sasa kazi yako ni kunena kwenye mazishi. Unangojea nani afe ndiyo unene maneno machafu? Hata wakati ndugu yetu, Mhe. Ng'eno alipoaga dunia, tulisikia mtu katika mkutano wa kisiasa akinena maneno machafu. Hayo ni mambo ya aibu. Aibu kabisa!

Mhe. Spika, kuna watu huzaliwa wakiwa watukutu. Utukutu unakuwa ndani yako, halafu unaongeza ukabila na chuki, na unakuwa mweusi zaidi. Unakuwa na roho chafu. Tuache siasa duni. Tuache kuwachochea Wakenya kwa misingi ya kikabila. Mhe. Mwago amekuja na amezungumzia mambo muhimu hapa kuhusu mafuriko. Tusiangalie masuala ya mafuriko kwa misingi ya kikabila. Tuiangalie kwa mtazamo wa kwamba jiji la Nairobi linafaa kuwa la kisasa, jiji tunalosema *first-world city*. Hilo halitafanyika tukisema, kwa mfano, kwamba watu wakibomolewa pale *roundabout* ya Githurai ni tatizo.

Angalia maafa yaliyotokea Webuye, ambako tumekuwa tukituma risala za rambirambi leo. Yametokea kando ya barabara. Tunawaambia watu wetu waendeleo kuuza bidhaa zao kando ya barabara ilhali wamejengewa soko la kisasa. Kama viongozi, inafaa tuwaambie watu kwamba kama soko limejengwa, wafanyie biashara huko, na waache kuuza bidhaa zao kando ya barabara ndiyo magari za matatu zipate mahali pa kuegashwa kando ya barabara kwa utaratibu. Hiyo ndiyo kuwa kiongozi.

Ukiwa mwanasiasa mtukutu, mwenye roho chafu na aliyejaa chuki, utaendelea kuwachochea Wakenya. Nimesema ni aibu kwa wanasiasa wa aina hiyo. Sisemi ni Mhe. Mwago. Yeye nimemuona leo mara ya kwanza akija bungeni, na akaongea jambo ambalo

linahusu watu wa Starehe. Sijamsikia siku nyingine akiongea kuhusu mambo ya watu wa Starehe. Nampongeza sana kwa kuleta mjadala huo leo.

(Kicheko)

**Hon. Speaker:** Mhe. Junet, *endelea*.

**Hon. Junet Mohamed** (Suna East, ODM): Asante sana kwa kunipa nafasi, Mhe. Spika, ili nichangie mjadala huu. Kule tunapotoka, Migori, kama Mama Kaunti wetu alivyosema na kama unavyojua kwa sababu umeenda Migori mara nyingi, ni mji ambao una barabara moja kubwa. Hiyo barabara ndiyo iliyo na daraja kubwa moja linalogawa *constituency* yangu na ile ya jirani yangu. Daraja hilo ndilo wanadamu, malori, na pikipiki zinapita; pia hapo ndipo kuku na wanyama wote wanapita. Daraja hilo limevunjika.

**Hon. Speaker:** Limesombwa na maji?

**Hon. Junet Mohamed** (Suna East, ODM): Ndiyo, limesombwa na maji ya mafuriko tunayozungumzia. Sasa hakuna njia wala mawasiliano yoyote kati ya upande huu na ule mwingine. Kama serikali haitachukua hatua ya dharura, watu wengine watabaki upande mmoja, na wengine upande mwingine. Kuna mtu hata ameacha bibi yake upande mmoja, naye yuko upande mwingine. Amenipigia simu na hana njia yoyote ya kwenda huko. Naomba tuchukue hatua za dharura ili tuunganishe daraja hilo, ndiyo watu wapate nafasi ya kutembea ndani ya mji huo. Hiyo ndiyo *Uhuru Highway* yao. Hiyo ndiyo barabara moja waliyo nayo pekee.

Kama alivyosema Kiongozi wa Chama cha Walio Wengi Bungeni, Gavana ana jukumu lake la kutekeleza, na wananchi wana jukumu lao. Kama umeamua kujenga nyumba kwenye mdomo wa mto, wewe mwenyewe umechagua kukaa hapo. Ukianza kuondolewa unaleta maneno mengi ya ukabila. Sasa siutakufa tu? Ukijenga nyumba ya biashara au ya kuishi kwenye mdomo wa mto, hutolaumu mtu mafuriko yakitokea.

Mhe. Spika, juzi ulinipa ruhusa nikazungumzia ziara yetu ya Addis Ababa. Nimeambiwa kwamba katika jiji hilo, familia 20,000 walihamishwa na kupelekwa sehemu nyingine. Waliondolewa kwenye maeneo ya mito, ndio sababu unaona jiji hilo halina mafuriko kama zamani. Sasa kuna watu wanataka kutumia kila jambo kisiasa. Wakisikia watu wamekufa kwa mafuriko, wanageuza hali hiyo kuwa siasa. Wakisikia Mbunge ameanguka na ndege, ni siasa. Wakisikia mama amegongwa na pikipiki, ni siasa. Hawatoi maoni tofauti ya kuwasaidia wananchi. Wanachosema ni kuuliza ni kwa nini watu wanahamishwa. Kama watu wanahamishwa ili wasife na maisha yao yalindwe, unamlaumu nani?

Mhe. Amos Mwago amesema jambo la maana – kwamba watu wake wamekufa. Lakini kiongozi wake amefurahia watu wake kufa. Inafaa wakutane wazungumze. Kwa nini wanaruhusu watu wao kukaa katika sehemu hatari? Ukitembea ndani ya vitongoji vya jiji la Nairobi utaona kwamba watu wanakaa juu ya mto, na juu ya barabara. Wanajenga vioski kila mahali. Tukubaliane kama wananchi kwamba tunataka kuishi kwa njia ya kisasa, au tuendeleo kuishi bila sheria na utaratibu. Tukubaliane. Ni lazima watu wakome kutumia shida wanazopitia kufanyia siasa. Tunataka kumtuma Mhe. Amos kwa kiongozi wake. Tafadhali, ongea na huyo mtu. Maafa hayawezi kuwa njia ya kujinufaisha kisiasa. Hatuwezi kupoteza Wakenya zaidi ya hamsini kwenya mafuriko, halafu bado mtu aulize ni kwa nini watu wamehamishwa kutoka mtoni. Ina maana anataka watu waendeleo kufa?

Jiji la Nairobi ni la kila mtu. Haliwezi kuwa jiji la watu fulani peke yao. Jiji la Nairobi ni la makabila yote ya Kenya kwa ujumla. Kwa maoni yangu, tulifanya makosa wakati tulipokuwa tunatengeneza Katiba ya Kenya ya 2010 kwa kuweka Nairobi kuwa kaunti. Tungeiweka Nairobi kama *special zone*, yaani *metropolitan* iliyo chini ya Serikali Kuu ili Wakenya wote wapate manufaa yake na mbinu bora za kuishi na kufanya kazi. Sasa hivi, Nairobi imekuwa kama kijiji cha Gachagua. Watu wakiaga dunia, anapiga kelele. Anataka watu waendeleo kuaga dunia.

Ni lazima Bunge hili lijadili mambo ya Nairobi. Tunahitaji kikao rasmi cha kujadili mambo ya Nairobi. Ninamshukuru Rais kwa kuunda jopo kazi la kuunganisha Kaunti ya Nairobi na Serikali kuu. Hilo ni ono nzuri sana. Ameona kuwa mji huu ni mkubwa sana na ni lazima uendelee mbele. Mhe. Amos, kama mwanaeneo bunge lako anataka kujenga kibanda, alijenge kwa Wamunyororo. Awaache wananchi wa Nairobi waishi kwa uhuru na amani.

*(Hon. Amos Maina stood in his place and spoke off the record)*

**Hon. Speaker:** Order, Hon. Mwago. Take your seat. Hon. Members, allow me to acknowledge students from St. Patrick's Hill School from Kajiado West Constituency in Kajiado County, and Matungulu Girls' High School from Matungulu Constituency in Machakos County, who are seated in the Speaker's Gallery. I also want to acknowledge students from Kangari Comprehensive School, Gilgil Constituency, Nakuru County; Koimbi Secondary School, Kiharu Constituency, Murang'a County; and St. Ann Suresh Raja Girls' High School, Gatundu North Constituency, Kiambu County, who are seated in the Public Gallery.

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

Next is Hon. Edith's Statement. Who is the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation? Hon. Bowen Kangogo? Mama Naomi, advise him to bring a response when we resume our sittings after recess. Is the Chairperson of the Departmental Committee on Regional Development, Hon. Lochakapong, in the House? Advise him to bring a response when we resume our sittings after recess.

Hon. Mumina Bonaya, we have many Statements; therefore, be quick.

#### INSECURITY IN ISIOLO COUNTY

**Hon. Mumina Bonaya** (Isiolo County, JP): Hon. Speaker, pursuant to Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding insecurity affecting teachers serving in the Isiolo-Kipsing region of Isiolo County.

The Isiolo-Kipsing Corridor in northern Kenya has persistently faced a severe teacher shortage. In response to concerns raised by leaders, the Teachers Service Commission (TSC) deployed teachers to address staffing gaps and expand educational access in this marginalised region. However, these teachers now face grave security threats, making the environment extremely dangerous despite national intervention.

On Wednesday, 18th February 2026, armed bandits barricaded the Isiolo - Kipsing Road and attacked road users, including teachers. In one incident, Mr Leonard Muriungi Meme and Mr Erick Mutuma, both serving at Lenguruma Primary and Junior School, were ambushed while travelling home from school to attend a relative's burial. The attackers fired bullets indiscriminately, but the two teachers escaped, although their motorbike was stolen. In another incident on the same day, two teachers from Leparua Secondary School, travelling home from duty, Mr Dennis Moranga Bosire and Mr William Gatobu Maingi, encountered bandits believed to be the same as those from the earlier attack. Mr Dennis Moranga Bosire escaped, while Mr William Gatobu Maingi was fatally shot. These incidents have caused significant concern among teachers in the region. Teachers now work under constant fear and psychological distress, with travel to and from their duty stations becoming increasingly dangerous.

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

1. Measures being taken by the Government and the TSC to guarantee the safety and security of teachers serving in the Isiolo–Kipsing region.
2. Status of investigations into the bandit attacks targeting teachers in the Isiolo-Kipsing Corridor, including whether the perpetrators have been brought to book.
3. Immediate and long-term interventions being implemented by the Government to restore security along the Isiolo–Kipsing Corridor and ensure teachers can serve without risking their lives.
4. Plans by the Government to compensate the family of Mr William Gatobu Maingi for their loss and other teachers for their property.

**Hon. Speaker:** Hon. Raso, will you bring a response when we resume our sittings in the first week after recess?

**Hon. Ali Raso** (Saku, UDA): Obligated, Hon. Speaker.

**Hon. Speaker:** Hon. Fatima Masito. Is your name Fatima or Fatimo?

**Hon. Fatuma Masito** (Kwale County, ODM): Mhe. Spika, naitwa Fatuma.

**Hon. Speaker:** Jina lako limeandikwa Fatimo. Mhe. Fatuma Masito.

#### INSECURITY IN KWALE COUNTY

**Hon. Fatuma Masito** (Kwale County, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the escalating insecurity in Kwale County caused by criminal gangs commonly referred to as the *Panga Boys*.

In recent months, residents of Kwale County, especially in Diani, Ukunda, and surrounding areas, have experienced a rise in violent robberies and machete attacks attributed to the criminal gangs known as the *Panga Boys*. Homes and businesses have been targeted, people injured, and communities reliant on tourism, trade, and small enterprises have been affected. Despite reported arrests and occasional crackdowns, ongoing attacks raise concerns about the effectiveness of current security interventions and the absence of a comprehensive strategy to address these threats.

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

1. Whether the Ministry has undertaken a comprehensive security assessment of the activities, structure, networks and operational patterns of the *Panga Boys* in Kwale County, and the status of investigations, arrests, prosecutions and convictions arising from these incidents;
2. Specific and immediate measures are being implemented to dismantle and eliminate these gangs, including enhanced police patrols and deployments, specialised security operations, intelligence-led crackdowns, and strengthened community policing interventions in the affected areas.
3. Long-term strategies being instituted to address the root causes of youth involvement in criminal gangs, such as unemployment, drug and substance abuse and social vulnerability, and whether structured rehabilitation, reintegration, and youth empowerment programmes have been established to prevent recurrence.

**Hon. Speaker:** Hon. Raso.

**Hon. Ali Raso** (Saku, UDA): Thank you, Hon. Speaker. I am not sure if you saw the recent media clip about what is happening in Mombasa. Mr Nuno, the Regional Police

Commander, was addressing this issue. If it is working in Mombasa, we can escalate it to Kwale. We will respond to the House in the first week after recess.

**Hon. Speaker:** Thank you. Mama Masito, you will get your response in the first week after recess. Hon. Mwago Amos.

SHORTAGE OF TEACHERS IN  
STAREHE CONSTITUENCY

**Hon. Amos Maina** (Starehe, JP): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Education regarding the shortage of teachers employed by the Teachers Service Commission (TSC) in day secondary schools within Starehe Constituency, Nairobi County.

Day secondary schools in Starehe Constituency are currently experiencing acute teacher understaffing, which has negatively affected the quality of education and increased the teacher-to-student ratio. Reports from school administrators, parents and other stakeholders indicate that several institutions within the Constituency are severely understaffed. For instance, Nairobi South Secondary school reportedly has only 10 teachers serving over 600 students, while Pumwani Girls Secondary school has approximately 29 teachers serving over 570 students. Similarly, CGHU Secondary School is reported to have only 13 teachers serving the entire student population, among other day secondary schools within the constituency facing similar challenges.

The teacher shortage has strained education in the Constituency, leading to overcrowded classrooms, heavier teacher workloads, less subject specialisation, and compromised curriculum delivery, all of which affect academic performance and educational quality. The situation is worsened by the Competency-Based Education (CBC), which depends on a sufficient number of trained teachers in specialised areas.

Over reliance on Board of Management (BOM) teachers has made day secondary education in Starehe very costly for parents, who most of them live in shanties in the informal settlements, who some of them have their shanties along the Nairobi River and Ngong River, and whose parents also trade in shanties along highways, some of which have been demolished in the recent demolitions that have been happening in this country, making the situation unbearable for most of the parents in Starehe Constituency.

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

1. Report on any recent assessment conducted by the Ministry of Education regarding the teacher-to-student ratio in day secondary schools in Starehe Constituency.
2. Measures being taken by the Ministry of Education, in consultation with the TSC, to deploy additional teachers to the affected schools in Starehe Constituency.
3. Plans to ensure that teachers currently deployed to the schools receive adequate training.
4. Long-term measures being implemented to ensure the timely replacement of teachers in schools in cases of retirement, resignation, death and other forms of natural attrition.

Lastly, I appreciate the spirit of Marie Antoinette as depicted by the Leader of the Majority Party and the Leader of the Minority Party regarding demolitions in Nairobi...

**Hon. Speaker:** Order! I approved your statement, and I did not see Marie Antoinette in it.

*(Laughter)*

The Chairperson of the Departmental Committee on Education. Leader of the Majority Party, inform the Chairman to respond to Hon. Mwago within the first week after recess.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Much obliged.

**Hon. Speaker:** Hon. Ojiambo Oundo.

OPERATIONS OF KUDURA POWER  
EAST AFRICA IN WESTERN KENYA

**Hon. Dr Ojiambo Oundo** (Funyula, ODM): Thank you, Hon Speaker. Pursuant to provisions of Standing Order 44(2)(c), I rise to request a statement from the Chairperson of the Departmental Committee on Energy regarding the operations of KUDURA Power East Africa in Western Kenya.

KUDURA Power East Africa Limited is a Kenyan enterprise specialising in the development and operation of renewable energy mini-grids in Western Kenya. Its primary focus is on providing reliable, affordable electricity and clean water to rural communities. However, despite this commendable initiative, the residents of Sidonge A, Dirakho, Rukada, Makhurusi, Mudoriko, Bwiri A and B, Namangumba, Mugonga, and Mukhondo in Funyula Constituency have raised concerns about the project's contribution to the growth of local communities. It is observed that the power supplied by KUDURA is unreliable during the rainy seasons and insufficient for heavy-duty appliances.

In addition, a tariff of Ksh88.33 per unit is significantly higher than the Ksh25 per unit charged by Kenya Power. Sadly, KUDURA has barred residents connected to their power supply from subscribing to alternative power providers to meet their electricity needs.

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

1. A report of the regulatory framework under which KUDURA Power East Africa Limited is operating, generating, and supplying power in Western Kenya.
2. Whether the operator has submitted the retail electricity tariff guidelines as required under Section 165 (7) of the Energy Act, 2019, and the agreement on leases granted to KUDURA Power authorising the imposition of tariffs on the power supplied, and the regulatory measures in place to control and oversee such charges.
3. Timelines within which KUDURA will upgrade the infrastructure to ensure a continuous and uninterrupted supply of power to households.
4. A report on the terms of agreement between KUDURA, Power East Africa, and the government, including whether the terms are subject to review to allow alternative service providers to provide power alongside KUDURA.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Oundo. Is the Chairperson of the Departmental Committee on Energy, Hon. Gikaria, in the House? Leader of the Majority Party, inform him to bring a response within the first week after recess.

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

**Hon. Speaker:** Hon. Nolfason Barongo. Is that how your first name is pronounced?

MEASURES TO IMPROVE  
MATERNAL HEALTH IN KENYA

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**Hon. Nolfason Barongo** (Bomachoge Borabu, ODM): Yes, Hon. Speaker. Pursuant to Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Health regarding measures to improve maternal health outcomes in the country.

Article 43(1) of the Constitution safeguards the right to the highest attainable standard of health, including reproductive healthcare for expectant women. Regrettably, cases of expectant mothers losing their lives or babies during delivery continue to be reported in the country. On Friday, 27th February 2026, Mrs Charity Nyaboke Nyasetia of ID No. 37xxxx66 and her unborn foetus tragically died just before delivery at the Kenyena Level 4 Hospital in Bomachoge Borabu Constituency. The heartbreaking double loss is concerning, given the claims that it may have resulted from delays or possible lapses in the provision of timely and appropriate emergency obstetric care.

While the delivery of health services is primarily a devolved function, the National Government retains responsibility for health policy, standards, and the regulation of health professionals. Mrs Nyasetia's death raises questions on the enforcement of national standards for maternal healthcare, emergency referral systems, and regulatory oversight over health facilities and medical practitioners. The seemingly avoidable death calls for clarity on the effectiveness of implementation of national policies, standards, and regulatory mechanisms governing maternal healthcare in counties.

It is against this background that I request a Statement from the Chairperson of the Departmental Committee on Health on the following—

1. A report on the status of investigations, if any, undertaken by the relevant national health sector regulatory and oversight bodies into possible professional negligence or breach of national healthcare standards surrounding the death of Mrs Charity Nyaboke Nyasetia and disciplinary action, if any, taken against those found culpable of negligence.
2. The measures by the national Government, through the Ministry of Health and relevant regulatory bodies such as the Kenya Medical Practitioners and Dentists Council (KMPDC), to ensure compliance with national standards for maternal and emergency obstetric care by health facilities across the country.
3. The status of implementation of national policies and programmes aimed at reducing preventable maternal and neonatal deaths, including strengthening emergency referral systems, ensuring availability of skilled personnel and access to essential maternal health commodities, particularly in Kisii County.
4. The mechanisms available for collaboration between the national and county governments to ensure accountability and continuous improvement in maternal health care services.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Barongo. Chairperson for the Departmental Committee on Health, Hon. (Dr) Nyikal. First week?

**Hon. (Dr) James Nyikal** (Seme, ODM): Thank you, Hon. Speaker. The first week after recess.

**Hon. Speaker:** Excellent. Hon. Wanami Wamboka.

#### INCREASED COLLAPSE OF BUILDINGS IN THE COUNTRY

**Hon. Wanami Wamboka** (Bumula, DAP-K): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works regarding the increasing incidences of building collapses in various parts of this country.

Hon. Speaker, in the recent past, several buildings across the country have collapsed, resulting in loss of lives, serious injuries, destruction of property and displacement of affected families. Reports following such incidents have often pointed to non-compliance with approved building standards, the use of substandard construction materials, weak enforcement of existing regulations and negligence by relevant regulatory and oversight authorities. While the issue of construction permits and enforcement of compliance with approved building standards is primarily a devolved function, the national government retains responsibility for formulating policies, regulations, and standards governing the construction sector. The recurring nature of these incidents raises concerns regarding the effectiveness of the current regulatory framework governing the construction industry, including the approval, inspection, and enforcement mechanisms.

Hon. Speaker, it is against this background that I seek an inquiry into the matter from the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works, pursuant to the provisions of Standing Orders 26, 216, 5A and 218(2) on the following:

1. Circumstances that have contributed to the increasing incidence of building collapses in the country, including the roles of regulatory and oversight bodies in approving and monitoring construction projects and works.
2. The current building approval processes, inspection, enforcement mechanisms, and the level of compliance with national construction standards across the country.
3. Accountability measures in place, including investigations, the prosecution of culpable persons, and proposed mechanisms for compensation and support for victims and affected families.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Wamboka. Hon. Rindikiri, that is directed to your Committee.

**Hon. Mugambi Rindikiri** (Buuri, UDA): Hon. Speaker, we will present our report one week after we return from recess.

**Hon. Speaker:** Thank you. Allow me to acknowledge, in the Speaker's Gallery, St. Stephen Makindu Boys School from Kibwezi West, Makeni County. Students, when you are called out, you stand up to be acknowledged.

*(Applause)*

Thank you. On my behalf and on behalf of the House, we welcome the students, their teachers and those accompanying them to the House of Parliament.

## STATEMENT

**Hon. Speaker:** Leader of the Majority Party, your Thursday Statement.

BUSINESS FOR THE WEEK OF  
31<sup>ST</sup> MARCH TO 3<sup>RD</sup> APRIL 2026

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. Pursuant to Standing Order 44(2)(a), I rise to present the following statement on behalf of the House Business Committee, which met on Tuesday, 10th March 2026, to prioritise business for

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consideration during the week and the business coming before the House in the week we resume from recess.

Hon. Speaker, I wish to commend the leadership of this House, all the committees and Members for the dedication and cooperation exhibited in this first part of the Session so far. Through our collective collaboration, I can authoritatively confirm that we have maintained a good pace and dispensed with matters that require consideration within the statutory timelines set during the First Session. In record time, we have concluded key priority business, including the Budget Policy Statement for Financial Year 2026/2027, the 2026 Medium-Term Debt Strategy, and the Division of Revenue Bill (National Assembly Bill No. 2 of 2026), all of which are budget-related and priority business.

The House also passed the National Infrastructure Fund Bill, now an Act of Parliament, of 2026; a critical legislation that provides a financing framework for the accelerated implementation of flagship infrastructure projects under the Bottom-up Economic Transformation Agenda. Additionally, the House passed the Miscellaneous Fees and Levy Amendments Bill, 2025, and approved nominees for appointment to the National Lands Commission (NLC) and to the post of Ambassador to the Kingdom of Denmark.

Hon. Speaker, in accordance with the calendar of the House, we are scheduled to take a short break following the rise of the House today and resume on Tuesday, 31<sup>st</sup> March 2026, at 2.30 p.m. As we take a well-deserved break, it is worth noting that the House still awaits reports from committees on various business referred to them for consideration, including those referred today.

Therefore, this short recess period gives committees ample time to expedite consideration of business pending before them and thereafter submit their reports to the House for consideration upon resumption of the House. Some of the key priority business pending before committees include the following:

1. Supplementary estimates for the Financial Year 2025/2026, which committees are already considering.
2. Public Petition No. 19 of 2025 from the Cabinet Secretary for Environment, Forestry and Mining regarding the de-gazettement of specified sections of four public forests and the determination of related claims to the forests, which are South Nandi at Chepkumia Area, Turbo Forest at Manzini Area, Mount Elgon Forest at Chepkyuk Area and Kakamega Forest at Shiru/Shaviringa Area.
3. The Sovereign Wealth Fund Bill, 2026.
4. The Special Economic Zones (Amendment) Bill, 2026.
5. The Senate Amendments to the Cooperatives Bill, 2024 and the Technopolis Bill, 2024.
6. The Mediation Process on the Food and Food Safety Coordination Bill, 2023 and the National Disaster Risk Management Bill, 2023.

When the House resumes on Tuesday, 31<sup>st</sup> March 2026, it is expected to consider the following business, some of which are listed in today's Order Paper, should they not be concluded in the course of business today.

1. Consideration of the Sessional Paper No. 3 of 2025 on the Partial Divestiture in Safaricom PLC by the Government of Kenya, if not concluded today.
2. Consideration of the Sessional Paper No. 6 of 2024 on the National Aviation Policy.
3. Ukauguzi wa Asasi zisizo huru kikamilifu za Jumuia Afrika Mashariki na Ushoroba wa Kati katika Jamhuri ya Mungano wa Tanzania.

4. Reports of the Kenya Delegation to the 147th, 148th, 149th and 150th Assemblies of the Inter-Parliamentary Union (IPU) and related meetings.
5. Consideration of a petition regarding the delay in resettlement of squatters in Koibem village of Nandi County.
6. The Tenth Report on the Audited Accounts of the National Government Constituency Development Fund (NG-CDF) for specific constituencies for the Financial Years 2016/2017 to 2021/2022.
7. The Fifth Report on the Audited Accounts of various state corporations of the western region for the Financial Years 2018/2019 to 2020/2021.
8. Eleventh Report on the Audited Accounts of the National Government Constituencies Development Fund for specified Constituencies for the Financial Years 2016/2017 to 2021/2022;
9. Seventh Report on the Audited Accounts of various State Corporations for the Financial Years 2018/2019 to 2020/2021;
10. Inquiry into the pricing of tea in Kenya.

The House Business Committee will also schedule the consideration of various individual Members' Bills which are awaiting Second Reading or Committee of the Whole House, respectively.

Finally, in accordance with the provisions of Standing Order 42A(5) and (6), I wish to convey that the Prime Cabinet Secretary and Cabinet Secretary for Foreign & Diaspora Affairs will appear before the House on the afternoon of Wednesday, 1st April 2026, to provide reports on:

1. The status of implementation of the Inter-Agency Technical Committee Report on the Review of Designated Hardship Areas and Payment of Hardship Allowance in the Public Service; and
2. The recruitment of Kenyans into foreign armies, particularly in the Russia-Ukraine war.

The Prime Cabinet Secretary was scheduled to appear yesterday, but he apologised, as he was out of the country in Russia. We expect him to appear on the first Wednesday we resume to address those two issues.

In conclusion, on behalf of the House Business Committee and indeed on my own behalf, I wish all of you Hon. Members a wonderful recess period as you spend time with your families and discharge your constituency obligations. It is a working short recess, so I also wish you well as you work in your Committees. I also take this opportunity to wish our Muslim colleagues an early Eid Mubarak, as it is likely to fall during this recess period. Eid Mubarak to all our Muslim brothers and sisters.

I now wish to lay this Statement on the Table of the House. Thank you.

**Hon. Speaker:** Thank you, Leader of the Majority Party. Last on Statements is Hon. Fatuma. Yes, Hon. Mwenje.

**Hon. Mark Mwenje** (Embakasi West, JP): Thank you, Hon. Speaker.

**Hon. Speaker:** Is this on the Leader of the Majority Party's Statement?

**Hon. Mark Mwenje** (Embakasi West, JP): Yes, please.

**Hon. Speaker:** Go ahead.

**Hon. Mark Mwenje** (Embakasi West, JP): The Leader of the Majority Party has stated that the Prime Cabinet Secretary will be in the House once we resume. Given what happened in Nairobi, I believe the Prime Cabinet Secretary is responsible for some of these functions. Would it be okay to request that the Leader of the Majority Party ask the Cabinet Secretary to come and give us a brief report on the measures and actions to be taken in light of the Cooperation Agreement signed between the National Government and the Nairobi City County Government?

**Hon. Speaker:** You are right. But the right thing to do is to file a request in my office. We have a two-week recess. I will then motion the Leader of the Majority to include it in the issues that he will come to brief the House on. If you do that, it will be done.

Yes, Hon. Oundo.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Hon. Speaker, with your benevolence, can we also joyride and add one more question?

**Hon. Speaker:** Which one?

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): I have an issue that has remained pending for so many years in my constituency, concerning the construction of a border crossing point.

**Hon. Speaker:** At Muluanda?

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Yes, Muluanda. Good. You know. It has remained pending for so many years. We have been with you to the highest offices, but we do not seem to...

**Hon. Speaker:** I thought we opened that border post with *Mzee* Kibaki when he was President?

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Nothing. Not even a single stone has ever been done. It has not been operational since 2009.

**Hon. Speaker:** But is it gazetted as an international border point?

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Yes. But no construction has happened. We have been with you even to see the President at State House, yet nothing has moved. Is it possible that you...

**Hon. Speaker:** File a request, too. The Leader of the Majority Party will pass it on.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Speaker.

**Hon. Speaker:** Next order. Hold on, Hon. Fatuma. I had called you, but let me first acknowledge the following schools. We have become very popular with schools. We have many schools coming in. In the Public Gallery, we have Milimani High School from Naivasha Constituency, Nakuru County; Riverbank PEFA Academy from Starehe Constituency, Nairobi County; and Sawagongo High School from Gem Constituency, Siaya County. I thought it was called Sawagongo. *Mmeandika* Sawangongo.

*(Applause)*

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

Hon. Fatuma.

## REQUEST FOR STATEMENT

### STATUS OF DISBURSEMENTS TO KENYA-DAAF SCHOLARSHIP PROGRAMME

**Hon. Fatuma Mohammed** (Migori County, Independent): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Education regarding the status of disbursement of the Kenya-DAAD Partial Scholarship Programme.

The programme was initiated in June 2010 by the Government of Kenya, through the Ministry of Education, to support faculty capacity building in public universities. The first cohort comprised thirty beneficiaries, and the programme was initially set to run until June 2015. Following its expiry, the Government sought an extension, leading to the signing of a renewed Cooperation Agreement with the German Academic Exchange Service (DAAD) on

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11th July 2017, extending the programme to June 2025, and later to September 2027 through a further agreement signed in September 2020. Under the cooperation framework, the National Research Fund (NRF) administers the programme on behalf of the Ministry of Education by remitting monthly stipends of €1,200 per beneficiary through DAAD, with the National Treasury as the payee. However, in financial year 2023/2024, budgetary constraints resulted in partial payment of Ksh32 million, leaving an outstanding balance of Ksh71 million.

Despite the National Assembly approving a supplementary allocation of Ksh70 million under the Promotion of Research and Development Vote, the funds were not released. As of now, pending disbursements stand at Ksh71 million for the financial year 2023/2024 and Ksh80 million for the financial year 2024/2025. Notably, 19 Kenyan students currently enrolled in Germany under the programme face uncertain stipends due to this shortfall. The situation jeopardises students' academic welfare, undermines Kenya's commitments under the Kenya–Germany Cooperation Agreement, and risks eroding the country's credibility in supporting international scholarship programmes.

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

1. An explanation as to why the approved supplementary allocation of Ksh70 million towards the Kenya–DAAD Partial Scholarship Programme was not released by the National Treasury.
2. Measures the Ministry of Education and National Treasury are taking to urgently settle the outstanding Ksh71 million and Ksh80 million for FY 2023/2024 and FY 2024/2025, respectively.
3. Safeguards to ensure that the 19 students currently enrolled in the programme continue receiving stipends without interruption.
4. Long-term financial and policy mechanisms to secure sustainable funding for the programme until its expiry in September 2027, and plans in place for alternative funding beyond September 2027.

Thank you.

**Hon. Speaker:** Thank you, Hon. Fatuma. Leader of the Majority Party, I do not see anyone from the Departmental Committee on Education here. Hon. Naomi, please inform them to submit a response in the first week after recess.

**Hon. Naomi Waqo** (Marsabit County, UDA): Thank you, Hon. Speaker. I will tell the Chairman to do that.

**Hon. Speaker:** Thank you.

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

**Hon. Speaker:** Yes, Hon. Fatuma.

**Hon. Fatuma Mohammed** (Migori County, Independent): Thank you. On a different note, on behalf of Hon. Odege, we had requested a Statement from the Ministry of Lands through the Committee, and they were supposed to give a response today. I can see they are not in the House, and they have not communicated. Yet it was urgent. It was on the land issue in Nyatike.

**Hon. Speaker:** You are not Hon. Odege.

**Hon. Fatuma Mohammed** (Migori County, Independent): I am a Member of Parliament for Migori County, a resident of Nyatike, and a cousin to Hon. Odege.

*(Laughter)*

**Hon. Speaker:** **That** notwithstanding, he needs to write to the Hon. Speaker, appointing you to hold brief for him. The next and last on Statements, I got a written

notification that Hon. Mayaka would receive a Statement on behalf of Hon. Dorice Donya. Are you properly briefed?

*(Hon. Irene Mayaka nodded in agreement)*

Yes, Hon. Kawayu. How long is the Statement?

**Hon. Vincent Musau** (Mwala, UDA): Just a few pages.

**Hon. Speaker**: How long will you take to respond?

**Hon. Vincent Musau** (Mwala, UDA): Around six minutes.

**Hon. Speaker**: Go ahead.

## STATEMENT

### PERSISTENT DISCHARGE OF RAW SEWAGE INTO PUBLIC SPACES DURING RAINY SEASONS

**Hon. Vincent Musau** (Mwala, UDA): Thank you, Hon. Speaker. This is a response to the Request for Statement by Hon. Donya, the Member of Parliament for Kisii County, regarding the persistent discharge of raw sewage into public spaces. In particular, the Hon. Member sought a report on the following:

1. Underlying causes or the recurrence of overflows experienced during rainy seasons in urban and peri-urban areas include an assessment of the condition and capacity of the existing sewer infrastructure.
2. The immediate remedial interventions being undertaken to contain the current health and environmental risks, including emergency response mechanisms, public health safeguards and accountability measures against negligent sewerage service providers.

It is to be noted that, unfortunately, there is a recurrent phenomenon in which, during heavy rainfall, raw sewage often overflows into roads, residential estates, marketplaces, and other public areas. This poses grave public health dangers, including the risk of waterborne diseases such as Cholera and Typhoid, compromises environmental integrity, contaminates water sources and infringes on the dignity, safety and rights of our citizens to a clean and healthy environment.

Hon. Speaker, with respect to the underlying causes, the National Environment Management Authority (NEMA) was established under the Environmental Management and Coordination Act (EMCA) of 1999 to exercise general supervision and coordination over all matters relating to the environment. It is the principal instrument of the Government for implementing all environmental policies. It is further mandated to monitor and assess all activities, including those carried out by relevant lead agencies, to ensure that they do not degrade the environment and that environmental management objectives are adhered to.

Moreover, the Sustainable Waste Management Act of 2022 vests the mandate of waste management in county governments, while the Water Resources Authority (WRA) is obliged to ensure sustainable management of water resources provided for under the Water Act 2016. The water and sanitation companies under the jurisdiction of their respective counties are responsible for sewer management to ensure sanitation in the urban and peri-urban areas. The key underlying causes include:

1. Improper solid waste management. Solid waste is not sorted at the source, not regularly collected, and often disposed of at undesignated sites, including many on-road reserves, open spaces, and marketplaces. During heavy rains, all the waste is carried into the storm drains and sewer

- manholes, blocking water movement. Blocked sewer infrastructure at on-site treatment plants in unserved areas will lead to sewer overflows.
2. Dumpsites on the riparian reserve. Many dumpsites and waste sorting and transfer stations operate from riparian reserves, with some of the waste entering rivers, causing pollution of surface water, and leachate pollution of both surface and groundwater. Most of the sewer infrastructure runs along riverbanks because this is the lowest gradient for gravity flow. When it rains, waste is illegally dumped in the riparian reserve blocks, damaging the sewer line and causing sewer overflows.
  3. Liquid waste discharges. Liquid waste from burst sewers, informal settlements, and some industrial players is discharged without adequate pretreatment. During compliance inspections, the Authority has also noted dilapidated sewer lines, some of which are out of use. When it rains, the volume of contaminated water increases pollution in the environment.
  4. Waste water in treatment facilities. Waste treatment facilities are often overwhelmed by waste and become inefficient at treating it before discharging it into rivers. Furthermore, the sewerage infrastructure is inadequate and does not cover most of Nairobi City. I concur with what an Hon. Member mentioned: the infrastructure is currently handling something that it was not built to handle. Various incidents of sewer bursts have been reported at NEMA, indicating persistent problems, especially during heavy rains.
  5. The Riparian reserve encroachment. This is evident in both informal and formal settlements, with the cases more pronounced in informal settlements along rivers. Encroaching structures on riparian land hinder the smooth flow of water and cause overflow from pit latrines and septic tanks, leading to sewer overflow.

One of the immediate remedial interventions being undertaken to contain the current health and environmental risks, Hon. Speaker, in addressing the above pollution causes and ensuring sustainable management of the environment, the Ministry of Environment, Climate Change and Forestry, through NEMA, has developed and is implementing the following strategies:

The first is the governance structure, in which the Authority has established an Urban Rivers Restoration Program (URRP) as a section under the enforcement directorate for coordination purposes. The section conducts regular inspections of the river ecosystem to document and monitor the condition of urban and peri-urban rivers, and to take appropriate enforcement actions. The Section works closely with non-state actors, the private sector, NGOs, and Community-Based Organisations (CBOs) operating in the river ecosystem to facilitate clean-up activities.

The second action is to develop a plan of action. Development and implementation of action plans for the pollution control strategy, which are being integrated into County Integrated Action Plans and County Integrated Development Plans (CIDPs). The strategy contains key interventions as enumerated. They include institutional rearrangements, enhanced public awareness, education, building partnerships and advocacy, sustainable solid waste management, stoppage of encroachment of the riparian reserves, pollution control in rivers, sustainable land management in catchment basins, research data generation and management, river rehabilitation and beautification of riverbanks and legislation and enforcement of immediate and ongoing actions.

On recommendations, political goodwill will go a long way in helping. This is because part of the problem is the encroachment into riparian areas. We must, therefore, have political goodwill so that this issue is not politicised when settling this matter.

There is also a need for inter-agency coordination, as this matter involves many stakeholders, including the planning departments, the Kenya Meteorological Department, the Ministry of Water and Sanitation, and others. There should also be sustainability in keeping rivers clean. Most importantly, adequate resources. One of the challenges NEMA is facing in ensuring compliance is a lack of resources.

In conclusion, the Ministry, through NEMA, will continue to collaborate with other relevant state and non-state actors in our pursuit of a clean, safe and clean environment for all as envisaged under Article 42 of the Constitution.

Thank you, Hon. Speaker. This Statement is signed by Hon. Deborah Barasa, Cabinet Secretary for Environment, Forestry and Climate Change.

**Hon. Speaker:** Hon. Mayaka, *umetosheka*?

**Hon. Irene Mayaka** (Nominated, ODM): Hon. Speaker, thank you for giving me this opportunity. On behalf of Hon. Dorice Donya, I would like to register her dissatisfaction with the response to the Request for Statement that has been received.

Some of the issues Hon. Donya cites are, for example, the fact that NEMA did not indicate the last time they conducted a cleanup activity. What have they done in reference to the blocked drainage issues? Where does the raw sewage come from? Have they conducted any research that indicates how many apartments, especially in cities, have sewerage management points? I will cite the example of what happened in Nairobi City during the rains that many Members spoke about earlier. The interventions mentioned by the Chairperson do not constitute a solution.

I register Hon. Donya's dissatisfaction. Thank you.

**Hon. Speaker:** Hon. Kawayu, are you satisfied?

**Hon. Vincent Musau** (Mwala, UDA): Hon. Speaker, you had directed that we provide a preliminary response to this Statement yesterday.

**Hon. Speaker:** Yes.

**Hon. Vincent Musau** (Mwala, UDA): This is a matter that requires us to engage more with the Member. I agree that a lot needs to be done. However, it is also important to note that NEMA will not basically solve the issue of a blocked sewer. It needs all the players. The NEMA takes on the role of ensuring supervision and inspection so that the right thing is done. For that to happen, we need to resource NEMA. I just said one of the challenges NEMA faces now is a shortage of human resources to fulfil its mandate. I truly believe we need to engage further on this matter if we really want to solve this problem permanently.

**Hon. Speaker:** Yes, Hon. Ngogoyo.

**Hon. Onesmus Ngogoyo** (Kajiado North, UDA): Thank you, Hon. Chair.

**Hon. Speaker:** Which Chair?

**Hon. Onesmus Ngogoyo** (Kajiado North, UDA): Thank you, Hon. Speaker. There is an issue on the Athi River, whose source is Ngong. There is a perennial issue of sewage disposal, especially in peri-urban areas bordering Nairobi and the Athi River. Hon. Speaker, task the Chairperson of the Committee to do something. The Environmental Management and Coordination Act (EMCA) provides means and ways of mitigating environmental challenges. They may not be 100 per cent effective, but you mitigate the challenges. I say this as a postgraduate in environmental studies and someone with knowledge of environmental matters. I am a certified environmental impact assessment analyst.

The Chairperson has not tasked the Ministry with what they can do. I serve in the Committee on Parliamentary Broadcasting and Library, courtesy of Hon. Ichung'wah. If you do not sort out the problem in the environment, you mitigate it. You reduce the chances of

causing more harm. I request the Chairperson to please come up with a report on how he can help, even on sewerage challenges. At least you can treat the waste so that whatever you take to the river causes less environmental damage. This is allowed in the EMCA. You can help people along rivers understand what they should do to reduce the risk of further environmental damage. You have not come up with that in the report. It should be allowed in peri-urban areas where the Athi River flows, as it continues to destroy the environment, especially around Nairobi City.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Kawayu.

**Hon. Vincent Musau** (Mwala, UDA): Thank you, Hon. Speaker. We endeavour to do more. For the Member's comfort, a lot is happening. You can see what is happening at the riverbanks and along the Nairobi River. The section where a lot of work has already been done, under the cleanup programme within the Nairobi River, had the overflows. The NEMA is still working on that.

If we want a permanent solution, we must empower NEMA to ensure compliance. Some of the things we are asking NEMA to do should be done by the industry. It is the responsibility of the industry. If you are setting up an industry, you should not do so without proper waste disposal. We should not set up industries and then ask NEMA to clean up the waste they produce. We need to empower NEMA to ensure compliance so that all the industries we set up do proper waste management.

On behalf of the Committee, we will engage further with Hon. Donya. We did not have enough time to engage with the Ministry, as the directive was issued yesterday. We will engage more and provide additional information satisfactory to the Member.

**Hon. Speaker:** Chairperson, I find your response wholly inadequate. Hon. Donya's question or request for a Statement concerned raw sewage entering public places, not only rivers, football pitches, and other places. Let us take that as a preliminary Statement. When we resume from recess, relook at what she requested and what Hon. Ngogoyo and Hon. Mayaka have said, and then bring a comprehensive Statement.

**Hon. Vincent Musau** (Mwala, UDA): Most obliged.

**Hon. Speaker:** Let us dispose of Orders No. 9 and 10, and then we go to Order No. 8.

## BILLS

### *First Readings*

THE SPECIAL ECONOMIC ZONES  
(AMENDMENT) BILL  
(National Assembly Bill No. 8 of 2026)

THE COUNTY LIBRARY SERVICES BILL  
(Senate Bill No. 40 of 2024)

*(The Bills were read a First Time  
and referred to relevant Committees)*

**Hon. Speaker:** Go back to Order No. 8.

**PROCEDURAL MOTION**LIMITATION OF DEBATE ON A  
SPECIFIED SESSIONAL PAPER

**Hon. Speaker:** Leader of the Majority.

**Hon. Kimani Ichung’wah** (Kikuyu, UDA): Hon. Speaker, I beg to move the following Motion in an amended format:

THAT, notwithstanding the resolution of the House of Wednesday, 11<sup>th</sup> February 2026 relating to limitation of debate on a Sessional Paper, this House resolves to extend the debate on Sessional Paper No. 3 of 2025 on Partial Divestiture in Safaricom PLC by the Government of Kenya by a period not exceeding one hour.

I have moved the Motion in an amended format because it is already 5.00 p.m. We have other business after that. We seek the indulgence of the House to extend time. In line with the Procedural Motions passed at the beginning of this Session, this Motion should be debated for two and a half hours. When we left here at about 9:00 p.m. last night, there were a number of Members who were waiting to speak. They are Hon. Wandeto, Hon. Munyoro, Hon. Junet and me. We cannot contribute within 10 minutes. Therefore, we seek your indulgence so that at least the Members who were seated here until very late at night waiting to contribute to this debate have an opportunity.

Hon. Ariko was also here, but I am not sure whether he contributed. We were seated with him here until 9.00 p.m. last night. This Procedural Motion will give the Members an opportunity to contribute within that one hour. It will give Members who stayed here until very late a chance to have their say on this Motion.

I beg to move and request the Leader of the Minority Party, Hon. Junet Mohamed, to second.

**Hon. Speaker:** Hon. Junet.

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Speaker, I second.

*(Question proposed)*

*(Hon. Brighton Yegon walked in the aisle)*

**Hon. Speaker:** Order, Hon. Brighton. You are a second-termer; you cannot be walking around when the Speaker is on his feet.

*(Question put and agreed to)*

The Motion had only 12 minutes to go. We have added one hour. I have names here of Members recommended to be given priority. Let me know if they are in the House. Hon. Harrison Kombe? He is not in. Order, Hon. Oundo. Hon. Wanjiku Muhia and Hon. Geoffrey Wandeto are in the House. Hon. Millie Odhiambo is not in the House.

I will give priority to those two who are in the House. Let me also see how many of you want to speak to this, so that I can see how to manage this one hour.

*(Hon. (Dr) Ojiambo Oundo and several other Members raised their hands)*

Hon. Oundo, you did not speak? You are a perennial speaker here. We will end this debate at 5.58 p.m. Before I give the Floor to Hon. Wanjiku Muhia, I want to acknowledge, in the Speaker's Gallery, St. Peter's Mumias Boys High School, Mumias West, Kakamega County. On my behalf and on behalf of the House, I welcome the students, their teachers, and those accompanying them to the House of Parliament. Hon. Salasya had approached me to welcome the students, but I do not see him in the House.

Call out the next Order.

### MOTION

#### APPROVAL OF PARTIAL DIVESTITURE OF SAFARICOM BY THE GOVERNMENT OF KENYA

*(Moved by Hon. Kuria Kimani on  
11.3.2026 – Afternoon Sitting)*

*(Resumption of debate interrupted  
on 11.3.2026 – Afternoon Sitting)*

**Hon. Speaker:** Hon. Wanjiku Muhia.

**Hon. Wanjiku Muhia** (Kipipiri, UDA): Thank you, Hon. Speaker. I stand to oppose the sale of Safaricom shares. I am not just opposing, but I do so for the following reasons.

First, Safaricom is a key national economic pillar for this nation, having employed thousands, even millions, of people, both formally and informally, with transactions in the millions, especially in micro entrepreneurship. It can only be a bad dream for anyone to think of selling a company of this nature. The way the Committee has made the argument beats every logic. The main component of their report states that they will earn Ksh40 billion upfront. This confirms that, over the next 6 years or so, there will be no dividends for the Government of Kenya.

Statistically speaking, we are informed that at 35 per cent ownership, the Kenyan Government earned approximately KSh15 billion as dividends. Considering there is no infrastructure project you can do in a year or two, it means the Ksh15 billion can still be reinvested and used for the next three years. This will be equal to Ksh45 billion, to make any infrastructure that the Government may endeavour to undertake.

Secondly, we are not being informed which specific projects the Government intends to undertake. I believe it could have been itemised that we need the airport, we need maybe Road A, we need maybe gas or electricity at cost A, B, C, D, and we are looking for Ksh500 billion or so. That would have informed Kenyans to choose whether we do away with the Safaricom shares from Government ownership, or whether there is no emergency with the said infrastructure.

The emergency that is indicated in this sale, to an extent of confirming that this shall happen by 1st April, clearly shows that only an emergency can dictate this. Further, we have not been informed by the Government of Kenya, through the National Treasury or this Committee, that the projects that will occur after this sale will raise the same revenue as the Safaricom dividends or the growth it has been generating.

Further, the dividends that should be paid by the majority...

**Hon. Speaker:** Please note, Hon. Wanjiku, that as you go on, I will give everyone an opportunity to speak for five minutes.

**Hon. Wanjiku Muhia** (Kipipiri, UDA): Well guided, Hon. Speaker. The dividends that will be paid will go outside our country. This obviously means that the profit that

Safaricom has been making is generated by Kenyans, the businessmen and women who wake up very early in the M-Pesa shops, where M-Pesa points are close to two million. That means they have already employed two million people. The two million are also renting the *vibanda* or the shops. That means, again, two million shops or landlords.

The statement that Safaricom's share ownership in the Government will be sold by 1st April leaves no doubt that the Government is only looking for a temporary solution, which obviously contradicts the logic that a whole Government machinery could be so desperate as to settle for only Ksh40 billion. The emergency noted in this transaction also indicates a mystery in this sale. In my opinion, I now conclude that the journey to Singapore was surely meant to be a physical one; hence, the Government is selling everything because there is nothing to live for in this country. The Government cannot fix problems by selling asset A, because tomorrow it will be another asset.

**Hon. Speaker:** Your time is up. Hon. Wandeto.

**Hon. Geoffrey Wandeto** (Tetu, UDA): Thank you very much for the opportunity to also contribute to this Sessional Paper No. 3 regarding the partial divestiture of Safaricom Ltd.

Let me, from the start, say that I have a number of reservations, especially regarding how this divestiture has been structured and the valuation of the share price offered by the buyer. Right now, we are talking about a price-earnings ratio of about 9 to 10. That is what has been used to value Safaricom, which I find very, very conservative.

In emerging-market telcos, especially those with a FinTech component such as Safaricom, we see P/E multiples ranging from 16 to 18. That would have given Safaricom's share price a value of upwards of Ksh40 per share. Notwithstanding that, godmother wisdom dictates that you subject...

**Hon (Dr) John Namoit** (Turkana South, ODM): On a point of order.

**Hon. Speaker:** Yes, Hon. (Dr) Ariko, what is your point of order?

**Hon (Dr) John Namoit** (Turkana South, ODM): Hon. Speaker, the honourable Member on the Floor is giving misleading information on the valuation.

**Hon. Speaker:** Challenge him.

**Hon (Dr) John Namoit** (Turkana South, ODM): In the Committee's presentation, five models were used to determine the share price. So, it is not only the price-earnings ratio. Five methods were used to value Safaricom shares.

Thank you, Hon. Speaker.

**Hon. Geoffrey Wandeto** (Tetu, UDA): Thank you, Hon. Speaker. I am not sure what his point was, but let me proceed. As I said, even grandmother wisdom from our traditional African culture is: when you want to determine the true price of your goat, you take it to the market. That is the easiest way to know how much you should sell your goat for. And so, the question here has been: who else did we ask for the price of Safaricom? What was so difficult about putting Safaricom in the open market? You have a bidder saying, "I am willing to do Ksh34," another one saying, "I am willing to do Ksh29," and another one saying, "I am willing to do Ksh40." I do not see why we have this sort of private arrangement to negotiate with only one party, one that I would consider an insider. This is very uncompetitive. I am not even sure whether this transaction can pass through the Competition Authority of Kenya (CAK). This is technically insider trading, where the shares are offered only to one party with privileged information.

The second concern that I have is that the proceeds of this sale will be deposited into the National Infrastructure Fund. I know we passed the National Infrastructure Fund in this House a week ago. But of course, one of the concerns that arose with this Fund is that our role, especially Parliament's appropriation role with respect to this money, has been technically removed. I heard someone say over the weekend that Safaricom's proceeds are going to build an airport, yet this House has not discussed how it would like to use or appropriate those

proceeds. Since we have only been left with the role of audit as far as the National Infrastructure Fund is concerned, I feel that this may be a risky venture where such a colossal amount of money goes into a kitty where only one person or a very small group of people has a say.

The Committee has mentioned several remedies it hopes to implement to address issues raised during public participation, including safeguards for employees and dealers. Specifically, my worry is, are we going to see the revised share purchase agreement deposited in this House so that we can scrutinise it before the share price goes up?

The next one, and I request this because I think my time has not been calculated due to the interruption I got, is the dividend. As you may know, Safaricom just announced its interim dividend. It is going to announce its final results on 31st March 2026, and the final dividend will be paid around August. Since the sale is being concluded on the 1st April 2026, what guarantee is there that the government will receive the final dividend? This is because the government will no longer have 15 per cent of its shares in the register.

So, again, I say either we delay this sale, or we ensure the government stake is guaranteed.

**Hon. Speaker:** Your time is up. Hon. Murugara.

**Hon. George Murugara** (Tharaka, UDA): Thank you very much, Hon. Speaker, for allowing me to also voice my support for this particular Motion. It is Sessional Paper No. 3 of 2025, and it takes us back in history. What we are witnessing today was also witnessed in 1965, when we had Sessional Paper No. 10 on African Socialism. Opponents argued that it would create 10 millionaires among 10 million paupers. But after passing the Paper, we cannot say exactly whether that is what happened, because more people have come up because of what was being discussed that particular year.

It is important to point out that what we are doing is a partial divestiture, which means it is not the entirety of it. We are not selling Safaricom, properly speaking. It is what we have recommended to go into a sale of shares, so that although we are left with a percentage, there is a percentage that is going to be disposed of.

The next issue is: why do we think this is a very important exercise for this country from an economic perspective? We must all admit that there has been inequality in the country's development, especially between rural and urban areas. We are of the view, especially those of us from rural areas, that this is the time for us to start equalising with the urban areas. This money, which is going to go into the National Infrastructure Fund, is actually the money that is going to build roads, not just in the urban areas, but also in areas in Tharaka Constituency. I can point out the roads earmarked for development, and there is no reason whatsoever for me to oppose this, as I know for sure that, in the next couple of years, the people of Tharaka will see tarmacked roads from these funds. We would not have seen this whatsoever unless we had another source of money, and that source would have included taxation and borrowing. We are moving away from that because we cannot borrow anymore, and we cannot tax Kenyans anymore.

It is important to note that no one will lose a job because of what is happening here. We, as the legislative House, guarantee there will be no job losses, and we should go into this knowing it is for the benefit of the people of Kenya, not for any other purpose. This is not the first divestiture that we are doing. It is not the first one we are offering or floating shares. We did this for Kenya Airways a while ago. We did this for Safaricom soon after that. But as we have always been arguing, what happened to this money? What became of it? Allow me to laud the National Infrastructure Fund. There are questions being raised about its governance. If one reads the Act properly, one will see that there is a set structure that should not have too many bottlenecks, because the Executive must be allowed to run the government, as that is the Executive's work. However, Parliament is there to do oversight, and oversight is through audits. That is what we do as a tradition of this House.

The next one is that we also have the power to summon whoever we want, so that when they come here, they can tell us exactly what they are doing with this money. If there is any breach of any law, especially the National Infrastructure Fund Act, we can mete out punishment to those who offend it. This is very important for development, and therefore, we should support it. After that, we now see development rolling out into rural constituencies like Tharaka.

I support.

**Hon. Speaker:** Thank you. Hon. Oundo.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Speaker. Let me state from the outset that the government has no business being in business. That has been my mantra all along. The government has no business being in business.

As my colleagues have said, this is not the first time the government has divested or is privatising its assets for whatever reason. The proposed divestiture from Safaricom for a certain portion of the government shareholding raises so many questions and issues that, honestly speaking, if anybody cared to listen, they would put a halt to this matter until we resolve these grey areas.

I want to use the Committee's report. The Committee, on paragraph 457, states that: "The public expressed general support for the proposed divestiture, recognising the potential to generate resources for national development and infrastructure financing. However, the stakeholders consistently raised critical issues and concerns that must be addressed before the transaction proceeds. These include valuation transparency, timing and fiscal prudence, foreign majority control, national sovereignty, governance of proceeds, equitable allocations, employment protection, data security, and consumer safeguards."

Unfortunately, in the recommendations of the Committee as they proceed to approve the divestiture, none of the concerns raised by Kenyans has been adequately addressed, nor have any mitigation measures been put in place to ensure that the concerns of Kenyans are adequately addressed.

That leaves the big question many Kenyans are asking: What is the urgency?

Hon. Speaker...

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

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Speaker, you know Hon. (Dr) Oundo is a very good debater, but he must not use the House to misinform the country. It is true that the issues were raised by members of the public in their public engagements during public participation, but he has gone on to selectively read the reports. The issues that he is raising have all been addressed in the Report. Not everything can be in the resolutions. You cannot resolve that the share price will be sold at Ksh34 because it is not the House that sets the price. The Committee considered the matter of the share valuation, which is in this Report.

Employment protection and data security are among the recommendations in the Report. Therefore, it is very dishonest of Hon. (Dr) Oundo to claim that there are issues that were raised by the public that have not been addressed, yet they have been adequately covered in this Report. I can see Hon. Ariko and the Chair of the Departmental Committee on Finance and National Planning nodding in agreement. Since Hon. (Dr) Oundo reads reports, I am certain he knows they are there.

**Hon. Speaker:** Yes, Hon. (Dr) Oundo.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Hon. Speaker, I just read the statement verbatim. They are not my words. I am not even finished, so I do not know what the point of concern is.

**Hon. Speaker:** You read further and said...

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Yes, I was proceeding, Hon. Speaker.

**Hon. Speaker:** Go ahead.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): I want to go to the Committee Report, paragraph 485. That is where the elephant in the House comes in: the issue of valuation methodology. Hon. Speaker, my time has been taken up.

**Hon. Speaker:** I will give you an extra minute.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): The Joint Committee further notes that alternative disposal methods, including public offerings, could have exerted downward pressure on the share price due to increased market supply and volatility, thereby potentially reducing the value realised by the Government. This is speculative. I do not know when the upcoming Parliament became a prophet, predicting what will happen in the future.

**Hon. John Namoit** (Turkana South, ODM): On a point of order, Hon. Speaker.

**Hon. Speaker:** When you contribute and open yourself to challenge, do not claim that your time has been consumed. Your time includes responsibility for what you say and possible challenges.

Yes, Hon. Ariko.

**Hon. John Namoit** (Turkana South, ODM): Hon. Speaker, looking at the issue of valuations, the Departmental Committee on Finance and National Planning was provided with five valuation methods. All these methods gave a value far below the negotiated price of Ksh34. What is there? There are so many ways of disposing of government assets: private placements, asset sales and Initial Public Offering (IPO). Experts in the National Treasury gave their opinion on selling these shares.

**Hon. Speaker:** Point made. Hon. (Dr) Oundo.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Let me conclude, Hon. Speaker.

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

**Hon. Speaker:** Hold your horses. Yes, Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Speaker, mine is actually a matter of procedure. What Hon. (Dr) Oundo is doing is imputing an improper motive on the Committee. He has read what the Committee is saying, yet he says they are being speculative. He knows that, let alone shares, that if you flood a market with potatoes, the price naturally goes down. That is all the Committee is saying here. If you obey the laws of supply and demand in economics, and bring six billion shares into the open market, the price definitely will go down. That is the most basic economics you can ever learn in school. Even primary school pupils learn the law of supply and demand in economics.

Therefore, I want to make the rule that Hon. (Dr) Oundo is out of order to imply improper motive on the very diligent 30 members of the Joint Committee that considered this matter. This Committee has very reputable economists, let alone those classroom economists. The Chair of this Committee, Hon. Kimani Kuria, is a First-Class Honours student. He is a Fellow of the Institute of Certified Public Accountants (FCPA). Hon. Ariko is a serious accountant. Leave alone the other street economists who have been speaking here and lecturing people.

**Hon. Speaker:** Okay, point made. Hon. (Dr) Oundo, wind up.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Hon. Speaker, I also went to school. I have a PhD in Land Economics (Evaluation of Financial Assets), so there is nothing you can teach me that I do not know. But given the matter as it is, we should listen to the concerns of the people of Kenya. We are selling Safaricom shares, a strategic asset, yet in the share purchase agreement... I just pray and hope that we know what the issues of reserved matters are all about.

**Hon. Speaker:** Your time is up. Hon. Sunkuyia.

**Hon. George Sunkuyia** (Kajiado West, UDA): Thank you, Hon. Speaker. I rise to strongly support the consideration of the Sessional Paper No. 3 of 2025 on partial Divestiture in Safaricom PLC by the Government of Kenya.

*(Hon. Rahim Dawood raised his hand)*

**Hon. Speaker:** Hon. Dawood, why is your hand up in there? I have just given Hon. Sunkuyia, and he has not even uttered a word. Go on, Hon. Sunkuyia.

**Hon. George Sunkuyia** (Kajiado West, UDA): Thank you, Hon. Speaker. I rise to strongly support the Motion on the consideration of the Sessional Paper No. 3 of 2025 on partial Divestiture in Safaricom PLC by the Government of Kenya. As a Member of the Departmental Committee on Finance and National Planning, I had the privilege of travelling across the country to hear Kenyans' voices firsthand. They largely supported the Sessional Paper in order to ease the debt burden and build our local infrastructure. One of the few benefits of the Sessional Paper is that it will help in unlocking debt financing for national development.

Currently, our nation is grappling with a heavy debt burden that consumes a massive portion of our revenues. The partial divestiture presents an innovative financing mechanism that will unlock approximately 204 billion in capital, allowing the Government to generate substantial revenue to support priority development programmes without contracting excessive domestic or external commercial debt. I stand to support this Motion as it will be helpful to our country. I expect to see a number of roads in my constituency. Magadi has only one company working there, and I know it will unlock those issues through the National Infrastructure Fund. All proceeds from this divestiture will be strictly ring-fenced and paid directly into the newly established National Infrastructure Fund. This Fund will then be directed towards commercially viable long-term infrastructure projects in critical sectors such as energy, transport and water.

Hon. Speaker, I support. Thank you.

**Hon. David Mwalika** (Kitui Rural, WDM): Thank you, Hon. Speaker. As a Member of the Departmental Committee on Finance and National Planning, I support this transaction. Members raised concerns, which were also raised by the public. However, most of those concerns were addressed in the Report of the Joint Committee.

An investor has to restructure his or her investment portfolio at some point. We cannot claim that we cannot sell Safaricom because it is a national asset. We could sell it and invest in another commercially viable project to make more money. Some people are saying that Safaricom is making money, therefore, we should sell another Government asset. If you need money and you have two cows, a fat one and a thin one, which one will you sell? You sell the fat one so that you can raise enough money to do whatever you want to do.

One concern is who receives the dividends before 31st March, when Safaricom is supposed to declare them. The Committee has proposed the approval date to be 1st April, or the day after, once the Government receives approval from concerned institutions, such as the Capital Markets Authority (CMA) and other relevant Government institutions. The National Treasury also assured us that the shares are sold ex-dividend. Therefore, even if we divest our stake in Safaricom PLC, the Government will still receive dividends on its 35 per cent shareholding.

There was also a concern about the KSh40 billion upfront payment in lieu of future dividends. If we get that money, we will forego dividend payments for 6 years and pay Ksh55 billion, a difference of Ksh15 billion. Looking at the net present value of Ksh40 billion, if we invest it now, we will get Ksh70 billion in six years; therefore, we focus on the net present value. As an economist, I analysed the situation and realised that a shilling today is better than a shilling tomorrow. It is better to get that Ksh40 billion now and invest it because of inflation.

Whatever we can currently accomplish with Ksh40 billion will require more money in six years.

People are concerned about where the money is going because of the US\$2 billion Eurobond. To date, no one can say which project was undertaken with that money. Thank God we have the National Infrastructure Fund, which will direct money to commercially viable projects. That is good because we recently passed that Bill, and I hope that it will be assented to.

Staff matters are also a big issue...

**Hon. Speaker:** Hon. Mboni, that Bill was assented to last week.

**Hon. David Mwalika** (Kitui Rural, WDM): It was assented to on Monday.

**Hon. Speaker:** Were you out of the country?

**Hon. David Mwalika** (Kitui Rural, WDM): I was invited to the ceremony, but I was in the rural area.

**Hon. Speaker:** It was assented to earlier this week.

**Hon. David Mwalika** (Kitui Rural, WDM): Hon. Speaker, with regard to staff issues, the Sessional Paper initially proposed declaring redundancy after three years, but the Committee directed that no jobs should be lost as a result of this transaction.

There was also concern about the dealers because while Safaricom PLC is an infrastructure company, the dealers drive the company. Around 12.8 million people are engaged in Safaricom's business; therefore, they were concerned about changes to the business model. The Committee proposed that the business model should not change.

**Hon. Speaker:** Your time is up. Hon. Wamuchomba.

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Thank you, Hon. Speaker. I rise to support this Motion on the adoption of Sessional Paper No.3 of 2025 on the partial divestiture in Safaricom PLC by the Government. I come from Kiambu County, where rich men own the county. One of those rich men had many children. He owned many coffee and tea estates and many cows, but he refused to liquidate his properties to pay his children's school fees.

He used to report to a certain shop every morning. He was my grandfather's friend. He used to wear plastic shoes, yet he could afford beautiful, upmarket leather shoes. He used to eat *mandazi* for lunch, yet he could afford to eat *nyama choma*. He eventually succumbed and died, leaving billions and billions of shillings in his accounts, yet his sons and daughters never had an opportunity to go to school.

That old *mzee* is Kenya's current economy. We are sitting on billions of shillings in shares, yet our young people cannot afford a full meal because we cannot open the economy. We should open up the economy and release this money into circulation, into people's businesses and bank accounts, so we can afford to take loans.

One can only sell a valuable cow. I come from a constituency where we breed cows. We only sell valuable hybrid heifers. We have to ensure that we liquidate our best-performing hybrid company so that we can reap the benefits. We will then help our young people to recover from the extremes of the bad economy.

I am very excited about this because I come from a constituency where people wear gumboots every day because we have no tarmac roads. It is time to unlock our wealth from the so-called Safaricom shares so we can build roads that our farmers can enjoy as they travel to their coffee and tea factories. I look forward to this money being released so it can be allocated to the National Infrastructure Fund. The National Infrastructure Fund Bill was already assented to by the President. We will then be able to open up the economy. I look forward to the day when we can access this money to spur our economy.

I have listened to many people, even online, asking where Safaricom agents will go and what Safaricom staff will do. I adopted this Report very positively this afternoon because I saw

confirmation that all Safaricom PLC agents and staff will be taken care of. They will even be paid better. Everybody wants to be paid better, including Members of this House.

I support the divestiture to improve our economy, ensure our young people can access more loans, and enable Kenyans to benefit from the National Infrastructure Fund, which will expand roads, railways, and airports across our country. I cannot wait for the day when the roads in my constituency are tarmacked through the National Infrastructure Fund.

I support the Report 100 per cent.

**Hon. Speaker:** Hon. Members, allow me to acknowledge students from Kirimankari School, Chuka/Igambang'ombe Constituency, in Tharaka Nithi County, who are seated in both the Public and the Speaker's galleries.

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

Hon. Ngogoyo.

**Hon. Onesmus Ngogoyo** (Kajiado North, UDA): Thank you, Hon. Speaker. I rise to oppose the Motion on the consideration of Sessional Paper No. 3 of 2025 on the partial divestiture of Safaricom PLC by the Government of Kenya. I will take less time than you have allocated. I just have about three issues to raise.

We oppose this proposal because we disagree with the timing of the divestiture. The timing is suspect. Why do you want to do it at this time? The shareholding in this company is a public asset held in trust for the people of Kenya. You cannot just wake up and say you want to divest because there is an Infrastructure Fund, and you want to use the resources here and put them there. The timing is already suspect. Why are you doing it now?

When we divest, the buyer, who is Vodacom, will take 55 per cent of the shares. Under the Companies Act, companies controlled by the majority have issues. We are raising some issues here. Will they take care of our employees? Management structures like the board will change. Immediately, they have 55 per cent, they will have the largest percentage on the board. You cannot impute to them what to do. The Companies Act provides a certain formula to nominate shareholders. By having 55 per cent, Vodacom will have the largest shareholding. Vodacom is not a very good company. It did not take Tanzania the right way. It has been one of the worst in the Republic of South Africa.

I wish the Chair would listen to me specifically on this. One factor was not considered in this divestiture. Safaricom invested in Ethiopia, and the large investment was supposed to mature this year. In pricing, they did not consider that we had made a large investment three years ago, which was expected to mature later this year, around September. Safaricom is big in Ethiopia. Such a major strategic investment should have been factored into pricing. The Committee Report does not mention anywhere that we had a large investment in Ethiopia.

As I conclude, there are many arguments about the formulae. You do not need to have a first class to know those formulas. You only need to use common sense. If this is indeed a premium price, common sense suggests it had to go beyond the KSh34 we have.

**Hon. Kuria Kimani** (Molo, UDA): On a point of order, Hon. Speaker.

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

**Hon. Kuria Kimani** (Molo, UDA): I did not want to interject my younger brother, Hon. Ngogoyo, because he is joining our team very soon.

**Hon. Speaker:** You look younger than him.

*(Laughter)*

**Hon. Kuria Kimani** (Molo, UDA): However, it is completely out of order for him to misinform this House about the valuation models used and purport to use his futuristic model. Yesterday, I challenged Hon. Ngogoyo to come up with his formula and tell us if he thinks the globally accredited valuation models and formulas being used are wrong. According to his

formula, the share price should be KSh40. Tell us the formula, patent it and defend it in academic journals, then we will support you.

Hon. Speaker, people are coming up with their formulae without any academic accreditation. That is the biggest witch-hunt and thuggery ever.

**Hon. Speaker:** Point made.

**Hon. Onesmus Ngogoyo** (Kajiado North, UDA): Thank you. I refuse to go in the direction he wants me to take. Safaricom PLC's investment in Ethiopia was not considered in this pricing.

**Hon. Speaker:** Give him a minute.

**Hon. Onesmus Ngogoyo** (Kajiado North, UDA): Thank you, Hon. Speaker. This is a raw deal for Kenya. This will go down in history as one of the worst deals for Safaricom PLC. It has no impact on the economy. The argument that this money will go to the Infrastructure Fund and later be used for a project in Githunguri is hogwash thinking.

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): On a point of order, Hon. Speaker.

**Hon. Speaker:** What is the point of order, Hon. Wamuchomba?

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Now that Hon. Ngogoyo has mentioned me, I just wanted to call him out of order. He should actually tell us the value of the investment he is talking about in Ethiopia. How many billion Kenyan Shillings is it? We want to know. You keep telling us there is value in investment in Ethiopia, which the same Safaricom PLC did. How much was it? Can you tell us?

**Hon. Onesmus Ngogoyo** (Kajiado North, UDA): To conclude my point, you cannot say that the money gotten from Safaricom PLC will go to the Infrastructure Fund and therefore, the roads in Githunguri will be made. That is pedestrian thinking. The Infrastructure Fund does not even have a board or proposals. There is nothing coming to Githunguri as you are thinking. That is just pedestrian.

**Hon. Speaker:** Order, Hon. Tongoyo. You are being harsh to your colleague for nothing. You know she has the right to imagine and think futuristically.

*(Laughter)*

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Hon. Speaker, thank you for protecting me.

**Hon. Speaker:** Hon. KJ, you have three minutes because I want to spare seven minutes each for your leaders. Take two minutes. I want to share your time with somebody.

**Hon. John Kiarie** (Dagoretti South, UDA): I truly thank you.

I stand as the Chairman of a Committee that is superintending telecommunications in this country. The Leader of the Majority Party said here that this generation has a job to do, and it is not only for those alive at the moment. If we go the way this Committee recommends in its Report, we shall first be unlocking capital for national development in a country facing very tight space to accrue development monies.

The people who are against this are talking as if we are selling Safaricom PLC. We are selling a few shares to raise money to fill the gaps we have been facing, given the government's very tight fiscal space and rising debt servicing costs.

Secondly, we will improve market liquidity and broaden Safaricom PLC's ownership.

**Hon. Kimani Kuria** (Molo, UDA): On a point of information, Hon. Speaker.

**Hon. Speaker:** Hon. KJ, do you want to be informed by the Chairman?

**Hon. John Kiarie** (Dagoretti South, UDA): Yes.

**Hon. Kimani Kuria** (Molo, UDA): I love the contribution by my elder brother, Hon. KJ. However, I want to inform him about Article 206. This discussion is not being done just in this House. Kenyans are following it across all social media networks. One of the things I have

realised is that there is deliberate miscommunication and disinformation about why this fund is not being subject to approval by the Controller of Budget.

Article 206 is very clear: that the Controller of Budget must approve any withdrawal, except for Funds created by an Act of Parliament. It is the case with the Affordable Housing Fund and this Infrastructure Fund, built purposely by an Act of Parliament. That is the only reason this Fund is not subject to the Controller of Budget's approval. It is not because we fear the Controller of Budget.

In any case, I think the Auditor-General has a bigger mandate to audit the Fund. I wanted to inform the Member so that we put it on record. *Tunasema hatumuogopi* Controller of Budget. The Auditor-General will audit this Fund. Article 206 of our Constitution is the only reason it is not subject to the Controller of Budget's approval.

Thank you.

**Hon. Speaker:** Point made.

Hon. KJ, you have half a minute.

**Hon. John Kiarie** (Dagoretti South, UDA): I agree to be informed, as the gentleman speaking is a first-class honours holder in finance. What he says strongly supports what I am saying.

Secondly, it is advisable to move in this direction to improve market liquidity and broaden Safaricom PLC's ownership base. With that, we shall also be strengthening corporate governance and commercial discipline, thereby subjecting Safaricom PLC to greater scrutiny going forward.

Hon. Speaker, for the few minutes that you have given me, I am raising a case for the partial divestiture of Safaricom PLC so that it rests on three critical pillars. The first one is to raise badly needed development capital. Secondly, it will deepen our capital markets.

**Hon. Speaker:** Unfortunately, our time is running out.

**Hon. Aden Mohammed** (Wajir East, JP): Thank you, Hon. Speaker. I agree with some of my colleagues. I stand to support the divestiture of Safaricom PLC. The Government should not be in the business of doing business. Many people have called Safaricom PLC a national treasure. It is a national treasure not because the Government runs it but because it is run privately. The divestiture of Safaricom PLC did not start today. It started a long time ago. The Government owns only 35 per cent. If this House approves, its shareholding will reduce by 15 per cent.

On the issue of dividends, many people have spoken about them. They will be declared on 31st March 2026. If this sale goes through on 1st April, the Government, as a shareholder, will receive all the dividends due for its 35 per cent shareholding.

The other point is that the funds allocated to the National Infrastructure Fund are exempt from the Office of the Controller of Budget under Article 206 of the Constitution of Kenya. We have done our job as the National Assembly of Kenya. We passed the Bill, and it was assented to. Therefore, that money will go into the National Infrastructure Fund, which is self-explanatory. Today, we are discussing the divestiture of Safaricom PLC, not the Fund.

**Hon. Speaker:** Your time is up. Leader of the Minority Party, you have seven minutes.

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Speaker, thank you very much. I stand to support the Motion on the divestiture of Safaricom PLC.

Let us be simple with Kenyans. As a country, we do not want to borrow more or increase taxes. Remember how high taxes brought issues in this country two years ago. However, the country must develop. People are crying about bad roads, a bad airport and bad infrastructure. Someone, somewhere, had to think outside the box to raise money to develop this country without taxing citizens further or taking on more debt. That is how I view this matter. If we want to raise money for the country, the alternatives are either to tax people or borrow more because the revenue we raise locally is not enough to finance the development

we want. Therefore, if Kenyans want this country to develop, this is one initiative we must all support, both as leaders and as citizens.

When Kenyans and the Opposition, where I used to belong, want to politicise something, they first call it strategic. I do not know what is strategic about Safaricom PLC. It is like any other telecommunication company, just like Airtel Kenya. Some countries even have 10 or 12 telecommunication companies. It is only here that people do not have the money to start new ones. I suspect that in the coming years, the Leader of the Majority Party will start one. There is nothing strategic about it. This is a company, like any other, owned by the Government.

Why do we create assets of high value? That is done so that later we can leverage them to raise money and start others. Therefore, when people say we are selling a strategic asset....

**Hon. Speaker:** If you read a book called *The Mayor of Casterbridge* by Thomas Hardy, he says everything is for sale, as long as the price is right. And he proceeded to auction his wife at a party.

*(Laughter)*

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Speaker, I want to remind you of something. In the year 2004, I was the Mayor of Migori. I came to see you in the Ministry of Foreign Affairs. When I entered your door, you called me the Mayor of Casterbridge. Today, I can remember why you called me that, but I have not auctioned anyone.

*(Laughter)*

I do not want to lose my thought process. Kenyans should know that the divestiture of Safaricom PLC is for the good of the country. We will raise KSh244 billion in it. If you leverage it 10 times, you get Ksh2.5 trillion to invest in infrastructure today, rather than waiting another 15 years to make that kind of money. This is common sense. Some people say this company will be owned by foreigners. As long as you are operating a business in Kenya, whether it is foreign- or locally-owned, the regulatory authority belongs to the Government. The regulatory powers are made in this House and then given to the Executive to exercise.

As long as the Government has the regulatory authority, it can determine how that business is run, whether it is foreign-owned or locally-owned. The most important thing for a government is to have the regulatory authority, but not to own a business. It has no business owning any business. It cannot run any business. All Government-owned businesses are run down. That is why Safaricom PLC was sold to Vodafone, and then an Initial Public Offering (IPO) raised only Ksh50 billion. Today, we are raising KSh244 billion.

All the issues being raised, such as what will happen to the staff or agents, are invalid. Who told you that when the divestiture takes place, Safaricom PLC will no longer need agents or staff, or will stop operating normally? Why will the running of the business change just because the ownership has changed? This is a pedestrian way of making Kenyans think that their cow has been sold cheaply or in a manner that is not right.

All mature assets must be sold, and new ones must be created. That is how the world is run. Look at the developed countries, do they run matatus and buses as we do here? Do their governments run small things? The Government must run large projects, such as building airports, expressways, large-capacity dams and technopolis. They can run metropolises, but not telephone booths or companies that any other Kenyan can.

Mr Naushad Merali started Kencell. As a Government, we are now competing with Mr Naushad. We need to get out of those things and run big things. That is why we now have the National Infrastructure Fund. If you look at the developed countries that have gone ahead of us, they all have national infrastructure funds, and that is where we are going. See where the

country is being taken to and do not be stuck. I know change is difficult, but do not be stuck there in the villages like Wamunyororo. Come to the cities.

The National Infrastructure Fund will transform this country in the next five years. I have seen it politicised by people who say it is a Fund meant for an individual. How is it someone's Fund? We have many funds, including....

**Hon. Speaker:** Give him a minute.

**Hon. Junet Mohamed** (Suna East, ODM): How can it be someone's Fund yet we have created very many funds in Parliament? Why are they not other people's funds, but this one is for someone? This Fund is subject to the Auditor-General's processes—just like the National Government Affirmative Action Fund (NGAAF)—and to all regulatory authorities. This Fund is subject to all regulatory authorities, including auditing. The Controller of Budget does not authorise the withdrawal of funds. It is in the Constitution, Article 206, as the Chair of the Departmental Committee on Finance and National Planning has explained to us. It is either we all board this bus going to Canaan through Singapore, or you remain in Wamunyororo. The choice is yours.

Thank you.

**Hon. Speaker:** Leader of the Majority Party, I will indulge you. Hon. Joseph Munyoro has complained that he waited for three hours yesterday. I will give him two minutes before you take your seven minutes.

**Hon. Joseph Munyoro** (Kigumo, UDA): Thank you, Hon. Speaker. I was here the whole night with the Leader of the Majority Party. I stand *ab initio* opposed to this divestiture of Safaricom shares.

First, a lot of work has gone into defining the pricing. We have been discussing the price-earnings ratios. Hon. Ariko is talking about the five models. But one of the problems raised is that the National Treasury single-sourced Kenya Commercial Bank (KCB) to advise on pricing. Many of those problems would have been avoided if more competitors had shared their prices. It could have assured us that the pricing models used arrived at the right price, or whether the shares are being devalued.

Many of the concerns have already been mentioned. One of them is from the Report that I have seen. I used to be in the Departmental Committee on Finance and National Planning, though the Majority Leader realised my services are better in the Arid and Semi-Arid Areas. One thing I have seen is that public participation occurred in 20 of 47 counties. I need clarity because in the Committee on Delegated Legislation, we still have a problem with what constitutes public participation and what does not.

Secondly, the Committee's recommendation, in paragraph 502, is that they will be able to advise the new owners on how to proceed and run their businesses. We know that is only a suggestion. If 75 per cent of the shareholders decide to call a special general meeting and even change the Articles of Association or Memorandum of Association, anyone who has done accounts knows that is what will happen. We cannot guarantee that dealers and employees of Safaricom PLC will have the security of their jobs, businesses, or sources of income. That is why I am opposing this.

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

**Hon. Speaker:** There is a point of order, Hon. Munyoro.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): The House is being misled into believing that the Committee undertook public participation in only 20 counties. I am a Member of the Committee and the Report is clear. We went to 30 counties. That statement should be withdrawn and corrected because it is a very serious matter.

**Hon. Speaker:** Actually, Hon. Joseph Munyoro, from where I sit as the Speaker, the most widely public-participated business of this House was, number one, the impeachment of

the former Deputy President; number two, the Bill on the National-Government Constituencies Development Fund (NG-CDF), the intended constitutional Bill; and number three, this Motion.

**Hon. Joseph Munyoro** (Kigumo, UDA): Hon. Speaker, while I agree with that, I was just referring to the summary that was shared with us. I counted the counties from the list that was shared. This is from the Committee. If that is what happened, they need to correct what they shared with us.

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): On a point of order, Hon. Speaker.

**Hon. Speaker:** Hold on, Hon. Munyoro. Yes, Hon. Rachael.

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): Thank you, Hon. Speaker, for indulging me. You have been very kind to Hon. Wamunoro.

**Hon. Speaker:** He is not Wamunoro; he is Munyoro.

*(Laughter)*

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): I am sorry, Hon. Speaker. Is it in order for him not to be serious and look at this Report? It is very clear that the Committee went to 30 counties. How can he say 20 Counties? It means he never looked at the Report and is only trying to make a political point.

**Hon. Speaker:** Hon. Munyoro, wind up.

**Hon. Joseph Munyoro** (Kigumo, UDA): Hon. Speaker, I speak with facts. There is a summary that Hon. Ariko had here, which we were counting from. The one that was shared with us. We had it last night. If it is not, then let us proceed.

One of the challenges and concerns many Kenyans face is pricing. It has not been clarified or explained well enough for people to know for sure that we got the best price. Safaricom PLC is our prized asset. If it's priced so we feel shortchanged, we have the right to complain.

**Hon. Speaker:** Your time is up. At least I have given you a say. The Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. I did not want to interrupt my younger brother, Hon. Munyoro. However, he said that the Committee on Delegated Legislation is still grappling with the question of what is adequate public participation. May I inform him that the Supreme Court of Kenya made a Ruling that settled that question? Therefore, they do not need to debate it in their Committee on Delegated Legislation. We are in the process of generating a Bill that will define public participation in line with the Supreme Court Ruling.

I rise to support the Motion on Partial Divestiture in Safaricom PLC by the Government of Kenya. I have sat here since the debate began and listened to the issues raised by many Members. Top among them is the question of share valuation. I have listened to Members, including the last speaker, Hon. Munyoro. Some Members have said they are not satisfied with the share valuation, but none have given us an alternative valuation method that would yield a different price. I heard many of them say that we single-sourced KCB Capital as the transaction advisor. I do not know who told them that KCB Capital was single-sourced because the Report does not say so. What we are debating here is the Report before us. Whichever way, KCB Capital was identified as the transaction advisor ...

Fortunately, the Members who stood in their places to oppose this partial divestiture are fewer than seven Members out of the 349 Members. None of them detailed to us how the Safaricom share was undervalued or overvalued and gave us an alternative valuation model. Share valuation models are things that we learnt in school, and Hon. Munyoro knows that. Whether it is the income-based or the market-based share valuation models, Hon. Munyoro and the other six Members who stood here to oppose this divestiture should have told us so,

from the market valuation approach. That is detailed for them in the Report that was done by the Committee. In the Report, we are told that from the market valuation approaches, with Enterprise Value-to-EBITDA (EV/EBITDA), they had a low of Ksh22.32, a high of Ksh33.5 and an average of Ksh26.19. Under the PE multiples approach, they had a low of Ksh10.62 and a high of Ksh25. I hear many of them have pegged themselves on the question of PE. You know, if Hon. Munyoro is to be honest, he knows that PE has its own limitations. You can never use the PE ratio alone because it can be skewed by simple things like one-time costs. For instance, the one-time cost of the investment by Safaricom PLC in Ethiopia can skew the PE ratio for Safaricom PLC, and he knows that.

High debt in an organisation – I do not know Safaricom PLC's indebtedness – can skew a company's PE ratios. Hon. Munyoro and the many others, except those who are intellectual conmen and masters of political deceit, know this. Therefore, all these models, the income-based valuation models and the discounted cash flow approach, gave a valuation of Ksh18.51. The discounted dividend model gave a valuation of KSh23.61. The volume-weighted average is the market value. At the time the Sessional Paper was brought to this House, the value was trading at Ksh27.50.

Common sense will tell you that there is something in economics called the simple law of supply and demand. You do not need to have attended any economics or accounting class to know that. Even the children who are seated in the Public and Speaker's Galleries will tell you that. If we flooded the six billion shares that were on offer into the market, what Vodafone is buying, naturally, the market price would have gone down.

The other thing I heard Members raise is why we chose Vodafone over the other suitors, given that there was Airtel and Telkom. Vodafone is a proven partner with Safaricom. They are already in the company. I heard somebody say that this is insider trading. Insider trading is when you sit as a Chair of a Committee of this House, for instance, Hon. Kimani Kuria as the Chairperson, Departmental Committee on Finance and National Planning or the Chairperson of the Budget and Appropriation Committee, and use information that comes to you under your purview as a public officer to go to the market to buy shares and make huge profits. That is what some people have done. I dare say so because the person who spoke earlier claimed that, since the Chief Financial Officer at Safaricom PLC has been seconded to that company by Vodacom, that amounts to insider trading. That is not correct. Insider trading is, for example, when you use your position as the Chairman of the Budget and Appropriations Committee to go and trade in the shares of an energy company and make huge profits.

**Hon. Speaker:** In law, it is called unjust enrichment.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Yes, insider trading amounts to unjust enrichment.

**Hon. Speaker:** In fact, it is a criminal offence.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): It is yet that some of the people who are lecturing us here have been involved in insider trading, particularly in Kenya Power and Lighting Company shares. These are facts. We will name and shame them.

What is the other issue that has been raised? The question is whether the Committee has adequately addressed the concerns raised by Kenyans. They have all been adequately addressed. Whether it is the question of jobs for Kenyans, the Report addresses it adequately. Whether it is the shared prosperity business model that Hon. Munyoro spoke about, the Committee has addressed it. If Hon. Munyoro cared to read Part Four on the preservation of the existing business model in Safaricom PLC, including dealers, agents and other business partners, it clearly states that the Cabinet Secretary for the National Treasury shall ensure that, within 10 years of the divestiture, there will be no material change to the current shared prosperity business model in Safaricom PLC. That caters for agents, dealers and distributors

who work with Safaricom PLC, and that has been provided for. This is why this additional resolution...

*(Hon. Kimani Ichung'wah's microphone went off)*

**Hon. Speaker:** Add him a minute.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): This is why this additional resolution was even published in the Order Paper. The conditions precede the approval. If the Cabinet Secretary for the National Treasury does not ensure that this happens, then we, as Members of Parliament exercising oversight over the National Treasury, will hold him accountable in this House.

Another issue that was raised today by Hon. Wandeto concerns whether dividends are guaranteed. If Hon. Wandeto had cared to read page 33 on dividends that are being paid in advance, that question would have been answered. If one reads the resolutions we are passing, the effective date of 1st April has a reason. We are receiving dividends this year, and we are also receiving an additional Ksh40 billion in advance dividends. Hon. Munyoro, you are an accountant, and I am addressing you because you are an honest gentleman. These dividends imply that the National Treasury receives Ksh40 billion today and repays Ksh55 billion in six years. That implies a funding cost of 5.6 per cent. Borrowing from the words of Hon. Junet, where else can one obtain Ksh40 billion today at 5.6 per cent other than through a deal such as this?

Allow me to say this in conclusion. Those who oppose this divestiture, both in the House and outside, are pained by only one thing: that if this divestiture succeeds and we obtain Ksh240 billion, just as the IPO in Kenya Pipeline succeeded and raised over Ksh106 billion for the National Infrastructure Fund, they will have nothing else to tell the people of Kenya.

The political deceit and intellectual dishonesty some people have engaged in in recent years are coming to an end very soon. The end is nigh. I urge Members to support this partial divestiture because it is in Kenya's and our economy's best interests.

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

**Hon. Speaker:** Hon. Ichung'wah, do you want information from Hon. Kaluma?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Kaluma can inform me. He is very well schooled.

*(Laughter)*

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Thank you, Hon. Speaker. On the question of why Vodacom: these shares are listed on the Nairobi Securities Exchange. Under company law, where there is a majority shareholder, Vodacom currently holds 40 per cent, the Government of Kenya holds 35 per cent, while other individual shareholders hold 25 per cent. This means Vodacom is the largest shareholder. If these were not listed shares, Vodacom would ordinarily, under the Companies Act, be required to be given preference in the sale by any internal shareholder.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): In other words, they may even have pre-emptive rights to buy these shares.

Hon. Speaker, let me conclude by adding to what Hon. Kaluma said. If they cared to read Clause 485, on Page 115 of this very detailed Report, the Committee said: in evaluating the rationale for selecting Vodacom Group, the Joint Committee recognised that negotiating with an existing strategic shareholder minimises execution risk, preserves market confidence and avoids potential governance instability that may arise from introducing a new controlling or influential shareholder. Vodacom Group was the best partner to work with in this deal.

I beg to submit and support this divestiture. And when the time comes, ask the Members to approve it with no reservations.

**Hon. Speaker:** Hon. Members, the Mover of the Motion, Hon. Kimani, has had to rush to a very urgent appointment. He, therefore, requests that we stay the matter for reply. That being the case, and since we are going on recess today, the Leader of the Majority Party will place the matter before the House Business Committee and allocate him time to reply when we resume on the 31st of this month. He also indicated that he has received many complex contributions and wants to respond to as many as possible. I have acceded to that.

Next Order.

*(Several Members stood in their places)*

**Hon. Speaker:** Members, before we proceed to the next Order, allow me to acknowledge visitors in the Public Gallery called Classical Conversation Community from Dagoretti, Nairobi County. I welcome them to the House of Parliament.

*(Hon. John Kiarie stood in his place  
and spoke off the record)*

**Hon. Speaker:** Hon. KJ, we do not have time. Are they your constituents?

**Hon. John Kiarie** (Dagoretti South, UDA): Yes.

**Hon. Speaker:** You have 30 seconds.

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Speaker, you are a philosopher who knows the place of artists in the community. I take this opportunity to welcome this group to the House of Parliament, where discussions are held. In a wholesome community, the place of the artist is reserved. This is where decisions in this country are made for the welfare of society and the just Government of the people. I was also an artist, not by training but as a hobby, and most people in Kenya got to know me through my art. Many do not even know my profession. I welcome you to follow the Proceedings of this House. Karibuni sana.

**Hon. Speaker:** Thank you. All rise. We will now go to Order 12, Committee of the whole House, which has been called out.

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

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

### IN THE COMMITTEE

*[The Temporary Chairlady (Hon. (Dr) Rachael Nyamai)  
in the Chair]*

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

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Members, if you wish to participate in this Committee of the whole House, you may take your seats. We are considering the Tea (Amendment) Bill (Senate Bill No. 1 of 2023).

*Clause 3*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Is the Chairperson of the Departmental Committee on Agriculture and Livestock in the House?

**Hon. Brighton Yegon** (Konoin, UDA): Yes, Hon. Temporary Chairlady.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): You may proceed.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, the Bill be amended by deleting clause 3 and substituting therefor the following new clause—

3. Section 5 of the principal Act be amended in paragraph (e) by deleting the words “commercial tea nurseries, commercial green leaf transports.

The Justification is that the registration of commercial tea nurseries is a function of the county government under Article 38(1) of the Act. Secondly, registration of commercial green leaf transporters is provided for under Section 74 (2)(b)

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you.

*(Question of the amendment proposed)*

**Hon. Jared Okello** (Nyando, ODM): Hon. Temporary Chairlady, it is true that the registration of service providers falls under the purview of the county governments. However, there is only one problem. When it comes to the registration of transporters and the levies that they charge on the citizenry in general, you realise that those charges are different in each county. For instance, if I am moving my tea from Bomet to Kericho, the levies will differ. I do not know how we can standardise the charges across all counties so that the transporters are not taken advantage of by the county governments.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Yegon, I am told you are the Vice-Chairman of the Departmental Committee on Agriculture and Livestock, and also the Mover. Would you like to comment on that, or would you like to give the chance to other Members?

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, there is no proposal to amend the Levy; it is on the registration.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Only registration?

**Hon. Brighton Yegon** (Konoin, UDA): Yes.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Kihungi, Member for Kangema?

**Hon. Peter Kihungi** (Kangema, UDA): Hon. Temporary Chairlady, I am not on this one.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Do you have any interest in this?

**Hon. Peter Kihungi** (Kangema, UDA): No.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Can those who are interested in this press the Intervention Button? Hon. Gichimu Githinji, Member for Gichugu.

**Hon. Gichimu Githinji** (Gichugu, UDA): Hon. Temporary Chairlady, I agree with the amendments. Since the nurseries are mostly localised, they ought to be registered by the county governments. They do not need to fall under the Board at the national level.

Additionally, this is not about licensing transporters; it is about registering them. There is no harm if the function rests with the county governments.

Hon. Temporary Chairlady, I support.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you.

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in the place  
thereof be inserted, put and agreed to)*

*(Clause 3 as amended agreed to)  
(Clauses 4 and 5 agreed to)*

*Clause 6*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Mover.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, the Bill be amended by deleting Clause 6 and substituting therefor the following new clause—

6. Section 22 of the principal Act is amended—

(a) by deleting subsection (1);

(b) in subsection (4) by inserting the word “factory” immediately after the words “their duties”.

The justification is that the current system of paying the growers works well, but the proposed mode might be impractical to implement.

Thank you.

*(Question of the amendment proposed)*

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

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): What is out of order, Hon. Kaluma?

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Hon. Temporary Chairlady, could the Mover explain this in better detail? I am struggling to get the impact the amendment seeks to give. You know, as much as we are just deleting and substituting words, what is the impact on the existing law?

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Mover, are you able to tell us the implications of that deletion?

*(Hon. GG Kagombe stood in his place)*

Let the Vice- Chairman speak, and then I will come to you.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Let the Chairperson speak first, then I will come to you.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, the justification is to allow the constitution of the company boards to be governed by the Memoranda and Articles of Association and the Companies Act, 2015. Clause 6(b) seeks to clarify that the replacement of board members of tea factory limited companies should be done by the factory board and not the Tea Board of Kenya (TBK).

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Kaluma.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): The justification is more confusing than before. We can proceed.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Peter Kihungi, Member for Kangema.

**Hon. Peter Kihungi** (Kangema, UDA): Thank you, Hon. Temporary Chairlady. Clause 6 seeks to amend Section 22(1) of the Tea Act, 2020, which provides that the board of directors of tea factory limited companies shall be a maximum of five. That is what is being deleted. I am opposed to that because we need to control the number of members serving on these boards to save our farmers. This amendment was not in the original Senate Bill, so I do not know how it came about.

Parliament needs to be careful to save farmers. We should make regulations to safeguard the interests of our farmers. If we leave it open, our farmers will judge us for not setting a maximum number of directors, and they are the ones who will suffer. I am not convinced that we should amend that Section.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): The amendment gives a minimum of five board members with no indication of a maximum number. Is that what this means, Hon. Chairman? Mover. Is it open?

**Hon. Brighton Yegon** (Konoin, UDA): We are depending on the Companies Act, 2015.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): You are guided by the Companies Act, 2015.

*(Several Members spoke off the record)*

I do not see your cards. Member for Seme.

**Hon. Jared Okello** (Nyando, ODM): It is the Member for Nyando.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Member for Nyando?

**Hon. Jared Okello** (Nyando, ODM): Yes, Hon. Temporary Chairlady.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): You may proceed.

**Hon. Jared Okello** (Nyando, ODM): Hon. Temporary Chairlady, two main issues are under consideration. First, the responsibility for appointing board members has been moved from the TBK, an apex body based in Nairobi, to the factory boards. This ensures appointments are made by those familiar with the farmers and factories.

The second issue relates to the maximum or minimum number of board members. First, it is common law that the number of board members has to be an odd number. The Mwongozo Code of Governance for State Corporations dictates that there must be a minimum of five board members and a maximum of nine board members. The Bill has set the number at the bare minimum, which is five members. There is nothing out of the ordinary. Therefore, I support the amendment as it is.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Gichimu.

**Hon. Gichimu Githinji** (Gichugu, UDA): Hon. Temporary Chairlady, the amendment proposed by the Committee seeks to delete Section 22(1) of the Act, which states that the board of directors of tea factory limited companies shall be a maximum of five members. That leaves it open, without any indication of how many board members should be in that factory. I am opposed to that because we should set the actual number of board members. This is not an ordinary company where we just choose who becomes a board member. These are factories owned by the farmers, and we must indicate the number of directors that ought to serve in those companies, which ought to be uniform across the entire country.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Members, I will now go ahead to put the Question.

**Hon. GG Kagombe** (Gatundu South, UDA): Hon. Temporary Chairlady, I am interested in this matter.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Members, you did not bring your cards with you today. Member for Gatundu South, you may proceed.

**Hon. GG Kagombe** (Gatundu South, UDA): Hon. Temporary Chairlady, it is important first of all to understand the architecture of our tea sector. First, we have 71 factories that are owned by small-scale holders. We have another 71 factories that are owned by private members. Therefore, if Hon. Kaluma decides to open a tea factory and he owns an estate with me and 9 others as co-owners, you cannot stop us from being directors of that company. This is because these are individual companies, privately owned and managed by their Memorandum and Articles of Association. This issue falls within the Companies Act of 2015, not the tea sector. This is because the authors of the previous Act were only looking at companies that are run by the Kenya Tea Development Agency (KTDA), the small-scale holders. This was in the public interest. But these companies have since been created, are run, and hold Annual General Meetings (AGMs) at which they decide what will happen in their company secretariat. Therefore, our proposal in this amendment is to leave it governed by the Companies Act of 2015.

Thank you.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Munyoro.

**Hon. Joseph Munyoro** (Kigumo, UDA): Even after listening to the Hon. Member for Gatundu South, Hon. Kagombe, I remain opposed because we represent small-scale farmers. Our worry is that someone will come and decide to appoint 20 board members, or whatever number they wish. That cost is borne by farmers. How do we protect them? The reason we limit membership to five is to protect the farmer.

*(Hon. Brighton Yegon spoke off the record)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Is that the Chairperson?

**Hon. Brighton Yegon** (Konoin, UDA): I wanted to...

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): I cannot ignore the voice of the Chairperson. Please proceed. You are representing the Chairperson, and you are the Mover.

**Hon. Brighton Yegon** (Konoin, UDA): Yes. I am the Mover.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Please proceed.

**Hon. Brighton Yegon** (Konoin, UDA): These smallholder tea factories are owned by farmers. They themselves decide how many board members should represent them. That is why they have a memorandum and Articles of Association, and they are also guided by the Companies Act.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Well, I will still go ahead now and put the Question.

*(Question, that the words to be left out be left out, put and negatived)*

*(Question, that the words to be inserted be inserted, put and negatived)*

*(Clause 6 agreed to)*

*Clause 7*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Mover, Hon. Brighton Yegon.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Clause 7 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) by inserting the following new subsection immediately after subsection (1)—

(1A) A large scale tea grower shall notify the Board of any intended sale or transfer of ownership of its tea growing business three months before the commencement of the intended transaction.

The justification is that the notification to the board of any intended sale is important to ensure that the interests of the growers are well taken care of. However, since such a transfer of sale is governed by the laws, it might not be possible to know with certainty when the transfer of sale will take effect. Hence, a notification three months before the commencement is more reasonable.

*(Question of the amendment proposed)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Kaluma.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Thank you, Hon. Temporary Chairlady. This provision, as a whole, unless amended further, would be inconsistent with Article 40 of the Constitution, which is the right to property. When you have the right to property, as in this case, you have the right to use, dispose of or abuse without limitation. This proposed provision, even if unamended from the previous one, requires a large-scale tea grower to notify the board of an intended sale or transfer of ownership of its tea. I mean, it is its tea. Why should it tell anybody what it is doing with it, whether it is a transfer or otherwise? It is a limitation of the right contrary to Article 24 of the Constitution. Meaning without prescribing, that a property right is being limited here. I therefore oppose.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Gichimu, we can now proceed.

**Hon. Gichimu Githinji** (Gichugu, UDA): As we proceed with your guidance under Clause 6, I think the clause, as amended, was defeated through a vote. It can only remain as is in the original Bill.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Yes. That is why we retook it. Your position is correct.

**Hon. Gichimu Githinji** (Gichugu, UDA): Very well.

*Clause 7*

**Hon. Brighton Yegon** (Konoin, UDA): I beg to move:

THAT, Clause 7 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) by inserting the following new subsection immediately after subsection (1)—

(1A) A large scale tea grower shall notify the Board of any intended sale or transfer of ownership of its tea growing business three months before the commencement of the intended transaction.

*(Question of the amendment proposed)*

**Hon. Gichimu Githinji** (Gichugu, UDA): I tend to agree with the Committee on this matter and amendment because the proposed amendment is under the registration of large-scale tea growers. It is just for regulation. It is not as if anyone is being denied the right to sell. The board should know because it is supposed to register large-scale growers and their holdings.

For regulation, it is very important to notify the board if you intend to sell so that they know who will take over ownership.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Member of Gatundu South.

**Hon. GG Kagombe** (Gatundu South, UDA): It is important to understand the implications of the amendment. As much as I respect the views of Hon. Peter Kaluma, we have had instances of companies that compete with Kenya's tea. A Sri Lankan company may come, buy a factory here, produce tea and call it Kenyan tea, but sell the Sri Lankan tea in Pakistan markets because of the value of our tea. This has happened. I do not want to mention names, but we have companies operating from other countries. That will harm small-scale farmers.

Therefore, it is important for both small-scale and large-scale farmers to be helped. Put the question.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Yes, Hon. Nyikal.

**Hon. (Dr) James Nyikal** (Seme, ODM): Is a large-scale tea grower defined?

**Hon. Members:** Yes.

**Hon. (Dr) James Nyikal** (Seme, ODM): Okay. Fine.

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 7 as amended agreed to)*

*(Clauses 8, 9 and 10 agreed to)*

#### Clause 11

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Mover.

**Hon. Brighton Yegon** (Konoin, UDA): I beg to move:

THAT, the Bill be amended by deleting Clause 11 and substituting therefor the following new clause—

"11. The principal Act is amended by inserting the following new section immediately after section 34—	"11. The principal Act is amended by inserting the following new section immediately after section 34—	Insertion of new section 34 to Cap 343.
Tea sales.	34A. (1) Kenyan tea shall be traded through— 1. the auction; 2. direct sales; or 3. e-commerce. (2) The Cabinet Secretary may prescribe regulations providing for the	34A. (1) Kenyan tea shall be traded through— 1. the auction; 2. direct sales; or 3. e-commerce. (2) The Cabinet Secretary may prescribe regulations providing for the

	sale of tea through the auction, direct sales and e-commerce.	sale of tea through the auction, direct sales and e-commerce.
E-commerce.	34B. (1)A person who intends to establish an e-commerce platform for sale of tea shall register with the Board. (2)A person shall not establish an e-commerce platform for tea unless the person is registered in accordance with this Act. (3) The Cabinet Secretary shall prescribe regulations providing for the procedure of e-traders and the appeal process in case of refusal or denial of registration.	34B. (1)A person who intends to establish an e-commerce platform for sale of tea shall register with the Board. (2)A person shall not establish an e-commerce platform for tea unless the person is registered in accordance with this Act. (3) The Cabinet Secretary shall prescribe regulations providing for the procedure of e-traders and the appeal process in case of refusal or denial of registration.

The justification is to incorporate e-commerce and operationalise its provision in the trade of tea.

Secondly, it requires the board to register tea before export. That can lead to delays and loss of clients, given the nature and manner of selling tea. The process can be done administratively without expressly stating it in the Act.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 11 as amended agreed to)*

#### Clause 12

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Yegon, move your amendment.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move: THAT, Clause 12 of the Bill be amended by deleting paragraph (c).

The justification is that the current system of paying the growers works well, and the proposed mode might be impractical to implement.

*(Question of the amendment proposed)*

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): I do not see any interest in this. Oh, I see interest by Hon. Peter Kihungi, Member for Kangema.

**Hon. Peter Kihungi** (Kangema, UDA): I wish to support the amendment because it was a concern to many when it was said that it should be paid to the brokers. It should be paid directly to the farmers. It was a concern for most of our farmers how they could pay, and they did not have details for farmers, which is why they were talking about DSS. Therefore, I do support the amendment.

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Munyoro, Member for Kigumo.

**Hon. Joseph Munyoro** (Kigumo, UDA): Thank you, Hon. Temporary Chairlady. I also support the amendment because we had issues with farmers when they said that it would be paid directly. I support the amendment.

*(Question, that the words to be left out be left out, put and agreed to)*

*(Clause 12 as amended agreed to)*

### Clause 13

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Yegon, move your amendment.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Clause 13 of the Bill be amended in the proposed new Clause 36A—

(a) by deleting subclause (2) and substituting therefor the following new subclause—

(2) The prices offered at the direct sales shall be a price above the average price recorded at the auction within the three months preceding the sale.

(b) by deleting subclause (3) and substituting therefor the following new subclause—

(3) The Cabinet Secretary shall, in consultation with the Council of Governors, prescribe regulations for the procedure of direct sale of tea.

The justification is that tying direct sales to the highest auction price will limit this flexibility. Requiring prices to exceed an auction height could make Kenyan tea less competitive in the international market, as buyers may shift to other tea-producing countries offering better pricing flexibility. Direct buyers may avoid Kenyan tea due to the artificial price flow and reduced demand, potentially leading to an oversupply in the market, which could depress overall prices.

*(Question of the amendment proposed)*

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Kaluma.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Hon. Temporary Chairlady, this is the best provision in terms of this amendment because, it protects the small scale farmer in particular from exploitation by factories or large scale farmers who may be seeking to buy their tea at prices they dictate because they are richer, to sell to them so that they sell as middle, you know, traders there for support.

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Gichimu.

**Hon. Gichimu Githinji** (Gichugu, UDA): As I support, I also see the aspect of the regulations. I think this also obligates the Cabinet Secretary to make regulations for the purposes of operationalising this provision. I do support.

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Okay, Hon. Munyoro.

**Hon. Joseph Munyoro** (Kigumo, UDA): I needed more clarification because in the original Bill, the Senate Bill, Clause 13(2) says that the prices offered at the direct sales shall be competitive and shall be sold at a price above the highest price recorded at the auction. Remember, this is a direct sale. You have negotiated with the person, but the amendment now

proposes that you look at prices over the last three months and take an average, which will be lower than the highest price the tea has gotten.

I am opposing this for the simple reason. Like, now we have the Iran war, so we know the price of tea, and Hon. Kagombe is there; he can say it will be affected. But you see, if such an issue arises, then it affects our average price, and farmers will be hard-pressed to get a fair price for their tea. For me, we should keep it as is, with the highest price recorded over the last three months, so we can base our direct sales price on that.

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Chairman, would you like to comment on this? Hon. Kagombe.

**Hon. GG Kagombe** (Gatundu South, UDA): Hon. Temporary Chairlady, before the Chairman, comments.

**Hon. Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Just follow it, please. Help us by following the microphone. You know the reason, which is that you do not have the card.

**Hon. GG Kagombe** (Gatundu South, UDA): Hon. Temporary Chairlady, I agree with Hon. Munyoro on this matter because prices are explored weekly and if you did not have a good price last week, you do not have to sign DSO this week. You can wait for the week when you have a better price to negotiate your DSO. DSO is normally where you have long-term contracts. You only give the contract or the catalogue that you gave the previous week. So, I agree with him. When you go with the average, you are likely to be lower and not go for the best, because if in the last three months you have had US\$2 and there is a time you are at US\$1.8 and another one at US\$1.6, you can only do 15 per cent above the US\$2. So, you sell at a price higher than the highest price you had registered the previous time.

Thank you, Hon. Temporary Chairlady.

**The Temporary Chairlady** (Rachael Nyamai): So, essentially, you are opposing?

*(Hon. Kaluma spoke off the record)*

Hon. Kagombe, which part are you opposing?

**Hon. GG Kagombe** (Gatundu South, UDA): Clause 13(2) that says an average as opposed to the highest. If we drop that amendment, the import of that is that we remain as things are currently, that you sell at a premium of the highest price that you had explored the previous week.

*(Hon. Kaluma spoke off the record)*

**The Temporary Chairlady** (Rachael Nyamai): Yes, Hon. Kaluma.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): This being a Committee of the whole House, we agree with Hon. Kagombe, which I do. This is because the provision that we are seeking to amend is better, and yet the one in terms of (b) should be deleted as proposed in the amendment. Hon. Temporary Chairlady, could we request the Mover to consider this position and withdraw his amendment to Clause 13(a), and then we pass his amendment as is, in which case we would have retained what was initially proposed in the Bill in terms of the pricing, but we remove the power of the Cabinet Secretary to regulate the direct sale. This is because there are already enough safeguards for that.

**The Temporary Chairlady** (Rachael Nyamai): Then the meaning is this, Hon. Chairperson. If you can drop the first amendment to (a), then we will be able to pass (b). So, I give you a chance to now... Mover, are you able to do that?

**Hon. Brighton Yegon** (Konoin, UDA): Yes, Hon. Temporary Chairlady.

**The Temporary Chairlady** (Rachael Nyamai): So, then go on record saying that you drop the amendment to Clause 13(a).

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I drop the amendment to Clause 13(a).

*(Proposed amendment to Clause 13(a)  
by Hon. Brighton Yegon withdrawn)*

**The Temporary Chairlady** (Rachael Nyamai): Thank you. Hon. Members, I now propose the Question. We have agreed.

*(Question, that the words to be left  
out be left out, put and agreed to)*

*(Question, that the words to be inserted in  
place thereof be inserted, put and agreed to)*

*(Clause 13 as amended agreed to)*

*(Clause 14 agreed to)*

Clause 15

**The Temporary Chairlady** (Rachael Nyamai): Mover?

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move:

THAT Clause 15 of the Bill be amended in Clause 15 by deleting paragraph (a) and substituting therefor the following new paragraph—

- (a). inserting the following new subsection immediately after subsection (2)—  
(2A) Specialty tea and value-added tea packed into packets or containers holding not more than ten kilograms, including tea aroma, tea extracts, and decaffeinated teas, shall be exempted from the tea levy

The justification, Hon. Temporary Chairlady, is to provide an incentive for value addition for Kenyan tea prior to export, landing, and recognition of Kenyan tea, including tea aroma, extracts, and decaffeinated teas, which are high value, to be exempted from the tea levy.

*(Question of the amendment proposed)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Peter Kihungi. Yes, you may proceed, Member for Kangema.

**Hon. Peter Kihungi** (Kangema, UDA): Thank you very much. I want to support the proposal by the Committee because there has been no incentive for our factories to put more emphasis on value addition. When they realise that they will be exempted from paying the levy by adding value and mostly by packing less than 10 kilogrammes through value addition, they will put in more effort and energy into value addition. I urge our tea farmers and tea management factories to take this opportunity to avoid being charged the levy.

Therefore, I support, Hon. Temporary Chairlady. Thank you.

*(Question, that the words to left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted  
in place thereof be inserted, put and agreed to)*

*(Clause 15 as amended agreed to)*

*Clause 16*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Mover.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, the Bill be amended by deleting Clause 16 and substituting therefor the following new clause—

Amendment of section 74 of Cap 343	<p>“16. Section 74 of the principal Act is amended—</p> <ol style="list-style-type: none"> <li>1. in subsection (1) by deleting the word “if” appearing immediately after words “carrying out” and replacing therefor the word “of”; and</li> <li>2. in subsection (2) by inserting the following paragraphs immediately after paragraph (v)—</li> </ol> <p>(va) corporate governance guidelines for the tea industry;  (vb) Code of Ethics and Conduct for tea director(s);”</p>
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Justification for the amendment is to ensure uniform practise by directors in the governance of the tea sector.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you.

*(Question of the amendment proposed)*

*(Question, that the words to left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 16 as amended agreed to)*

*(Clause 17 agreed to)*

*New Clause 7A*

THAT, the Bill be amended by inserting the following new clause immediately after Clause 7—

Amendment to section

25 of Cap 343.

7A. Section 25 of the principal Act is amended—

(a) in subsection (3) by deleting the words “after consultation with the Cabinet Secretary” in the opening statement.

(b) by inserting the following new subsections immediately after subsection (5)—

(6) A holder of a tea manufacturing license shall notify the Board of any intended sale or transfer of ownership of its tea growing business before the transaction is affected.

(7) The Cabinet Secretary shall make regulations to provide for transfer of a tea growing business of a tea manufacturer.

*(The new clause was read a First Time)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): I call upon the Mover to move Second Reading. It is a new clause.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move that new Clause 7A be read a Second Time.

*(Question, that the new clause be read a Second Time, proposed)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): I do not see any interest in this, so I will go ahead and put the Question.

*(Question, that the new clause be read a Second Time, put and agreed to)*

*(Question, that the new clause be added to the Bill, put and agreed to)*

*New Clause 14A*

THAT, the Bill be amended by inserting the following new clause immediately after Clause 14—

Amendment of section

48 of Cap 343

14A. Section 48 of the principal Act be amended by deleting subsection (1) and substituting therefor the following new subsection—

(1) All tea buyers or exporters shall value add at least forty per centum of their annual Kenya tea exports within ten years from the commencement of their business.

*(The new clause was read a First Time)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Mover, move the second reading of new clause 14A.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Chairlady, I beg to move that new Clause 14A be read a Second Time.

*(Question, that the new clause be read a Second Time, proposed)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Gichimu.

**Hon. Gichimu Githinji** (Gichugu, UDA): Hon. Temporary Chairlady, this is a very important clause because it seeks to safeguard the Kenyan tea and increase earnings. Anyone who seeks to export tea, especially foreigners, ought to add a value of 40 per cent within the country, which will raise the earnings of the farmer. However, it is within a span of 10 years. So, this is a good tool.

*(Hon. Peter Kaluma spoke off the record)*

Sorry.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Who are the buyers?

**Hon. Gichimu Githinji** (Gichugu, UDA): All tea buyers and exporters shall earn at least 40 per cent.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Joseph Munyoro.

**Hon. Joseph Munyoro** (Kigumo, UDA): Sorry, we need more information from the Mover. New Clause 14A of the Bill says all tea buyers or exporters shall, which means including local tea buyers, value-add at least 40 per cent of their annual Kenya tea exports within 10 years from the commencement of their business. The word 'shall' means it is mandatory to add value to tea. I am wondering about the capacity that we have in our local buyers and whether this Clause will be plausible or enforceable.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Let me start with the Chairman.

**Hon. Brighton Yegon** (Konoin, UDA): The justification of this Clause is that we want to increase the duration of value addition to 10 years and peg it to the date of commencement of business and not the commencement date of the Act.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Please respond to the concern raised by Hon. Joseph. If you put that on record, it will be useful.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Unless it is explained that tea buyers and all exporters are defined in the Act, this obligation being imposed may be too onerous. Let us confirm who the tea buyers here are.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Okay, can we confirm that? Hon. Kagombe, who are the tea buyers? That is what Hon. Members seek to understand.

**Hon. GG Kagombe** (Gatundu South, UDA): We have producers and buyers. Tea buyers have their agents here, but most of them are outside the country. They do value addition in their countries. This Clause requires them to add value to the tea before they export it from the country. I have my reservations about that.

The principal Act was enacted in 2020. So, we are changing the requirement of adding value to the tea from the commencement of the Act to the commencement of the business. If you open a business today and start exporting tea, you will have 10 years to comply. The principal Act came into effect in 2020. If you open a business in 2029, then you will only have a month or two to establish a factory for value addition. That is the import of this amendment. The commencement of your requirement is pegged to the opening of your business, not to when the Act came into effect. That is what the amendment seeks to do.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Okay.

*(Several Members spoke off the record)*

Please give Hon. Kagombe the microphone.

**Hon. GG Kagombe** (Gatundu South, UDA): The import of this, if you reject it, is that if you start a business in 2029, then you cannot sell any tea that is not value-added, which is a good thing, but the practicability of it is very difficult. We must be cautious not to overregulate this industry in a way that prevents us from selling tea. You need to understand that when you value-add tea, which is a good thing, there are costs that come with it.

First of all, a container of tea we ship, which carries 25 tonnes of tea, once value-added, only carries 5 tonnes. You also need to know that the markets we go to – for example, Russia, Pakistan, and Iran – have tariffs that block our tea from being value-added. So, if you take it as value-added tea, you keep losing markets and our tea becomes more expensive.

**The Temporary Chairlady** (Hon (Dr) Rachael Nyamai): Hon. Gichimu.

**Hon. Gichimu Githinji** (Gichugu, UDA): Hon. Temporary Chairlady, why am I supporting this? It is because it is better than the provision as it is in the Act. Probably in future, we may also need to amend the Act because the Act says, “all tea buyers or exporters shall value add at least 40 per cent of the annual Kenya tea exports within 8 years of the commencement of this Act.” So, this provision is actually adding another 2 years. So, it is a better option because it currently says 8 years.

*(A Member spoke off the record)*

**The Temporary Chairlady** (Hon (Dr) Rachael Nyamai): Who do you want to inform?

**Hon. Gichimu Githinji** (Gichugu, UDA): It is better because it gives a leeway of another 2 years for people to be able to comply. It also says “from inception of the business.” If you start a business after this Act is already operational, then you are bound by a date which is backdated. So, this amendment is actually better than it is in the Act.

**The Temporary Chairlady** (Hon (Dr) Rachael Nyamai): One more person.

*(Hon. GG Kagombe raised his hand)*

You have spoken. Is it something different? Let me go to this side. Hon. Nyikal.

**Hon (Dr) James Nyikal** (Seme, ODM): I need to be informed. What is the difference between a tea buyer and a tea exporter? To me, that is where the problem lies, because I do not think time is a big deal, and I support the time. Again, what is the difference between a tea buyer and a tea exporter?

**The Temporary Chairlady** (Hon (Dr) Rachael Nyamai): That question can only be responded to by the Mover?

**Hon. Brighton Yegon** (Konoin, UDA): Yes. Some people buy tea not for export, while others buy it just for export.

**Hon (Dr) James Nyikal** (Seme, ODM): So, for those who buy tea not for export, do they also need to add value? There seems to be redundancy in the wording; you could simply say ‘all tea exporters’ and leave out the buyers.

**Hon. Brighton Yegon** (Konoin, UDA): What this Act says is that we are required to value-add 40 per cent of our tea from the date when this Act was passed, which was in 2020, but we are trying to peg it at the beginning of the business. If you start a business today, you have 10 years to plan how to achieve the 40 per cent value addition of your tea. As it is, and as Hon. Kagombe said, if you start your business in 2029, you will have only one year to ensure that you have all the necessary...

*(A Member spoke off the record)*

No, from the date when the Act was passed. What we are trying to do in this Act is peg it to the date you begin your business, not the date the Act was passed.

**The Temporary Chairlady** (Hon (Dr) Rachael Nyamai): So, should I just put the Question, Hon. Members? May I go ahead and put the Question?

Yes, Hon. Munyoro.

**Hon. Joseph Munyoro** (Kigumo, UDA): I think this affects us, the people who come from the tea-farming areas. While I support the amendment, I have told the Mover that my worry is the capacity. To add to what Hon. Nyikal said, I think we are trying to address the situation where someone buys tea and later exports it. So, the redundancy actually works. My initial question was about the capacity we have and whether it will ensure we can achieve 40 per cent value addition.

**Temporary Chairlady** (Hon (Dr) Rachael Nyamai): I want to put the question, Hon. Members, for obvious reasons. Top of Form. Bottom of Form. Bottom of Form.

Hon. Kaluma, you will be the last on this.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Thank you. If this amendment is passed, it will mean that tea buyers and exporters will be doing so (trading with our tea) for up to 10 years without adding value. It is too long a period, and it is against the public interest. I urge Hon. Members to object.

*(Question put and agreed to)*

*(New Clause 14A agreed to)*

**The Temporary Speaker** (Hon. (Dr) Rahael Nyamai): Hon. Members, I would like us to go to report progress. Mover to report progress.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Chairperson, I beg to move that the Committee does report to the House its consideration of the Tea Amendment Bill, Senate Bill No. 1 of 2023, up to new Clause 14A and its approval thereof with amendments and seek leave to sit again.

**The Temporary Speaker** (Hon. Rahael Nyamai): Thank you.

*(Question put and agreed to)*

*(The House resumed)*

IN THE HOUSE

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

## MOTION

CONSIDERATION OF REPORT ON  
THE TEA AMENDMENT BILL

**The Temporary Speaker** (Hon. Peter Kaluma): Chairperson, to report progress.

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): Hon. Speaker, I beg to report that the Committee of the whole House has considered the Tea Amendment Bill (Senate Bill No. 1) of 2023, up to New Clause 14A and approved the same with amendments and seeks leave to sit again.

**The Temporary Speaker** (Hon. Peter Kaluma). Mover.

**Hon. Brighton Yegon** (Konoin, UDA): Hon. Temporary Speaker, I beg to move that the House do agree with the Committee in the said Report. I request Hon. Sabina Chege to second the Motion for agreement with the Report of the Committee of the whole House.

**Hon. Sabina Chege** (Nominated, Jubilee): Thank you, Hon. Temporary Speaker. I second.

**The Temporary Speaker** (Hon. Peter Kaluma). Thank you, Hon. Sabina Chege. Hon. Members, I propose the question again.

*(Question proposed)*

*(Question put and agreed to)*

Hon. Members, remember that the Question relates to the Report of the House to adjourn to sit again. Not on the amendments. Thank you. Let us be upstanding.

### ADJOURNMENT

**The Temporary Speaker** (Hon. Peter Kaluma). Hon. Members, the time being 7.06 p.m., the House stands adjourned until Tuesday, the 31st March 2026, at 2.30 p.m.

*(The House rose at 7.06 p.m.)*

*Published by*

***Clerk of the National Assembly  
Parliament Buildings  
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