



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**14<sup>th</sup> April 2026**

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# THE HANSARD

Tuesday, 14<sup>th</sup> April 2026

*(The House met at 2.30 p.m.)*

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

## PRAYERS

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

*(The Quorum Bell was rung)*

We now have quorum to proceed.

## PETITIONS

Hon. George Sunkuyia. Is he in the House?

*(Several Members entered the Chamber)*

Members on their feet, take your seats.

*(Hon. Musa Sirma stood along the gangway)*

Hon. Sirma, when I say take your seats, why do you stand up and start walking?

## IMPLEMENTATION OF NAIROBI RIVERS COMMISSION PROJECT

**Hon. Speaker:** Hon. Members, I have a Petition to convey to the House regarding the implementation of Nairobi Rivers Commission Project in Kangemi and Dagoretti.

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

In this regard, I wish to inform the House that my office has received a Petition by Mr Joseph Ngure and Mr Mugo Gichenga on behalf of landowners in Kangemi. Their Petition concerns the implementation of the Nairobi Rivers Commission's Project for the rehabilitation and beautification of the Nairobi Stream Basin. The Petitioners state that they are ancestral landowners within Kangemi and the larger Dagoretti Division of Nairobi City County, holding lawful freehold title deeds. They aver that their settlement on land bordering the Nairobi Stream and its tributaries dates back to the 1930s. Consequently, the community has established deep historical, cultural and spiritual ties to the land, including the interment of their ancestors.

Hon. Members, the petitioners submit that their historical claims were documented in the Morris Carter Kenya Land Commission Report of 1934 and reinforced by land tenure reforms of the Swynnerton Plan. These processes culminated in the issuance of freehold title deeds, recognising them as lawful private owners under the Land Registration Act, 2012 and Article 40 of the Constitution.

The Petitioners note that on 8<sup>th</sup> September 2025, the National Environment Management Authority (NEMA) published a notice inviting public submissions on the Environmental and Social Impact Assessment (ESIA) Report for the proposed construction of social amenities within the Basin. While the Petitioners do not object to environmental restoration of the Nairobi Stream Basin, they maintain that such development must be conducted strictly within the law upholding social justice, human dignity and constitutional rights.

The Petitioners express a reasonable apprehension among ancestral landowners regarding the project's execution. They claim that they were excluded from the design phase and denied adequate opportunity for consultation, particularly concerning the proposed dredging of the Nairobi River.

They further contend that this exclusion violates Articles 28, 40, and 43 of the Constitution as well as Kenya's international obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR). Furthermore, they argue that the Nairobi River Commission's actions bypass the due process for compulsory acquisition as mandated by the Land Act, 2012, which requires formal notice, public inquiry and prompt payment of just compensation. The Petitioners fear that the project threatens their property rights and livelihoods. They assert that the views were disregarded by the implementing agencies leading to the heightened anxiety and psychological distress over potential displacement or eviction.

Hon. Members, the Petitioners state that despite submitting memoranda and engaging with relevant authorities, their concerns remain unresolved. They have also affirmed that the issues raised in this Petition are not pending before any court of law or other constitutional body.

The petitioners, therefore, pray that the National Assembly:

1. Recommend the immediate suspension of all project activities affecting private land in Kangemi and Dagoretti areas ensuring no demolition or eviction occurs without full legal compliance.
2. Ensure that the project remains confined within legally demarcated riparian boundaries, six metres to three metres, respectively, from the stream banks and prohibits encroachment beyond these limits without lawful justification and community consent.
3. Make any other orders or recommendations it deems fit to address their grievances.

Hon. Members, having determined that the matters raised are within the authority of this House, I hereby commit this Petition to the Departmental Committee on Environment, Forestry and Mining. The Committee is required to consider the Petition and report its findings to the House and the petitioners in accordance with Standing Orders.

I thank you. Yes, the Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. Those petitioners have good prayers. However, I want to seek your guidance on the possibility of Hon. Kangogo's Committee to consider that Petition. I hear the first prayer by the petitioners is to order the suspension of all activities along the river. The House can only do that upon submission of a report by the Committee. Therefore, I was seeking guidance that the Committee then considers that Petition very quickly because the petitioners may imagine that tomorrow Hon. Kangogo Bowen can issue a veto to the government to suspend all activities which probably they may not be aware that it is not possible to do.

Secondly, even as the committee engages with the petitioners and other stakeholders, I remind the committee to also look at the legal provisions in terms of the riparian reserves for the rivers, streams and tributaries because I want to believe probably there are different wayleaves for each of those waterways. I also encourage our people, and hear them. I have

heard of ancestral land and some sentimental attachments because they have buried ancestors. I pray that those ancestors have not been buried along the riparian reserve because the riparian land is not part of your land. As a House, we must also be quick to inform and educate our people.

Following the floods a month ago, we lost close to 90 Kenyans. Everybody pointed a finger at the Nairobi City County Government but we never looked inwards to see what we may have done to contribute to the rise of such things. Probably these are some of the things that have contributed not just to flooding in our city but more importantly... I say that because I hail from Kikuyu where part of the Nairobi River starts from in Ondire, Nyongara and Gitwe in Ngong Forest.

If you look at the water that comes from the source, it is very clean. By the time the water makes its way through Kawangware and Kangemi and gets to my other neighbourhood in Lavington, it is all raw sewage.

**Hon. Speaker:** Sludge.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): It is a sludge. Therefore, we must also ask the Committee, as you consider this Petition, to look at whether the petitioners have encroached on the riparian reserve. If they have, it is only fair that you encourage them to move away from the riparian reserve so that we protect not just the people who are living along it, but also our environment in terms of pollution of that river.

I must commend the work that is being done by the Nairobi River Restoration Project. I have seen what has been done around Kamukunji and parts of Eastlands, and it is really commendable. In many cities around the world, from the Thames in London to the other river through Paris, I do not remember the name of that river...

**Hon. Speaker:** River Seine.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Yes, in Paris, waterfront or riverfront properties are the most valuable and expensive properties. But riverfront properties in Nairobi are the worst. Therefore, we must move our country and city towards that. I encourage Hon. Kangogo's committee to consider all those issues as they consider that Petition.

Thank you.

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

**Hon. Mugambi Rindikiri** (Buuri, UDA): Thank you, Hon. Speaker. That is a good Petition. Yesterday, I had the privilege, on behalf of the Departmental Committee on Housing, Urban Planning and Public Works, which oversees the Nairobi River Commission, to launch the first phase of rehabilitation along the Gikomba Market. What I saw in terms of what exists now calls for a lot of attention from everybody. We interacted with the majority of the citizens of Gikomba, and one of the statements they were making was that this filthiness does not come from Gikomba. It comes from upstream. I suspect the petitioners are part of where this mess is coming from.

We will not be asking much as a Committee. We will be joined on this Petition because of the responsibility that we also have to ensure that we have a clean environment in our cities. The issue of the riparian land is protected by law. There is nothing much that the petitioners can do, but we have to wait and see whether their statement is valid or not. I therefore ask you, Hon. Speaker, as we move forward, that our Committee be adjoined on this Petition.

Thank you.

**Hon. Speaker:** Hon. Jayne Kihara.

**Hon. Jayne Kihara** (Naivasha, UDA): Thank you, Hon. Speaker. This is an important Petition, and I am seeking your advice as to whether the Departmental Committee on Lands, for purposes of the land issue where they seek compensation and where they say they are holding genuine title deeds, can be incorporated, at least to have a look at the documentation that they may have.

Thank you.

**Hon. Speaker:** Hon. Zamzam.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Asante sana Mhe. Spika. Nami niwapongeze ambao wameleta hii *Petition*. Sehemu ambazo ni za kushika maji lazima ziangaliwe ili zisiweze kuleta madhara. Hata kama hawa watu watakuwa wanapewa *compensation*, pia tuulizane; kwa nini pale mwanzo walipewa sehemu ambazo ni za kushika maji? Kwa hivyo, tukiangalia hapo mbeleni, iwekwe dhahiri kuwa wale wahusika wasiweze kupatia wananchi wakaweza kupitisha *plans* mpaka za kujenga sehemu ambazo ni za kushika maji na kuja kuwatatiza wananchi baadaye. Lakini pia, iangaliwe kuwa hawa watakaopewa hiyo *compensation* isiwe tu ile ambayo mtu hawezi akajimudu baadaye. Iwe ni kitu cha kuonekana.

Nipongeze Serikali kwa mara ya kwanza toka wakati wa uhuru wa taifa hili. Serikali hii ndio imekuwa ya kwanza kusafisha Nairobi River imekaa safi. Lakini pia kuna mambo mengi ambayo yanabadilika na hewa. Lazima wananchi Wakenya waelezewe kiufasaha. Ikiwa hao wanatolewa hapa, kuna mabadiliko ya mazingira. Je, hapo mahali wanasongeshwa, miaka inayokuja, ni karibu pengine maji yanaweza kufika kule? Kama wanasongeza watu, waangalie hatua gani wanawapeleka. Iwe ni mbali isijekuwa tena miaka inayokuja, maana tunaona *levels* za maji zinazidi kuongezeka katika bahari na mito zetu. Waangalie sehemu ambayo wakiwapeleka wananchi, ni sehemu ambayo tena hawawezi kuja kuwatatiza, *otherwise*, mimi *nawasupport*.

Hii *Petition* ni nzuri na inatupa mianya ya kuweza kujua sehemu gani mwananchi anafaa kukaa, na gani hafai kukaa.

Asante sana.

**Hon. Speaker:** Hon. Sitienei.

**Hon. Janet Sitienei** (Turbo, UDA): Thank you, Hon. Speaker. I want to add my voice. This is a very important *Petition*. Apart from cleaning the Nairobi River from pollution, this should be expanded even to the other rivers. What has happened is that there has been a lot of destruction because of a lack of protection of our rivers, and therefore, they are drying up. We are losing water, and that is why we are even getting desertification. This is a very important *Petition* that if we did that in our country, then we would have our rivers getting water again, because people are even planting trees up to the river, mainly eucalyptus trees, which draw about 200 litres per day. That is why you find most of our rivers have dried up, and we only have riverbeds. This is a very important *Petition*.

**Hon. Speaker:** Hon. Murugara.

**Hon. George Murugara** (Tharaka, UDA): Thank you very much, Hon. Speaker. The *Petition* is possibly merited, and it is important that it is looked into, but we must always remind ourselves that this country has very good laws, especially on the environment, right from the National Environment Management Act and the regulations thereunder. The biggest problem we have had is the goodwill to enforce laws on the environment. It is high time we took up this responsibility with the passion it deserves, so that all matters relating to the environment are treated with the importance they deserve.

We must go back to the old days when the late Hon. John Michuki had just been appointed Minister for Environment, and he assured the country that he would clean up the Nairobi River, and the late Hon. Mutula Kilonzo Senior would swim in it. We took it with a lot of zeal that we would have a very clean river that traverses the city. Unfortunately, that did not happen, and it has not happened to date. Especially when you see the slime in that river, it is not even a river; it is a sludge. The net effect is that the people of Machakos and Makeni, and even extending to the Indian Ocean, use this water in the Athi River, in Galana, as a result of which we risk their health. It is vitally important that the country comes to terms with enforcing environmental law, so that we are given a clean environment as a constitutional right.

I support.

**Hon. Speaker:** Hon. Makali Mulu.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Thank you, Hon. Speaker. I also want to thank the petitioners for this Petition. It looks like Hon. Murugara has taken the words from my mouth. We must realise that even as we talk about encroachment, most people who have constructed in those areas were at one point authorised by either local authorities or the city authority.

It is important that, even as we talk about people living in that place, people must also be responsible. That is because at one point, someone authorised knowing very well that that was part of the river. The Committee should not be blind to the fact that some people must be held accountable for their actions.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. We will stop here on this. I deliberately assigned this Petition to Hon. Bowen and his team because the Public Petitions Committee has a heavy backlog.

*(Hon. Kangogo Bowen raised his hand)*

Hon. Bowen, do you want to say something?

**Hon. Kangogo Bowen** (Marakwet East, UDA): You directed the Petition to the Departmental Committee on Environment, Forestry and Mining.

**Hon. Speaker:** Is that not your committee?

**Hon. Kangogo Bowen** (Marakwet East, UDA): No; it is Kawaya's.

**Hon. Speaker:** Where is Kawaya? I thought environment goes hand in hand with water. Hon. Owen Baya, inform the Departmental Committee on Environment, Forestry and Mining that I assigned the Petition to them deliberately because of the heavy backlog of work with the Public Petitions Committee, with an understanding that this Petition must be dealt with expeditiously so that it does not derail or undermine the process of cleaning up Nairobi River.

If you may recall, about two years ago, research by an NGO showed that Athi River, that meanders through the Lower Eastern to the Indian Ocean, is poisoned all the way to the ocean because of Nairobi. We should not compromise cleaning up of the streams of Nairobi. London River, now called River Thames, was one time a sludge. Today, you can swim and fish in River Thames. We can do the same.

Inform Kawaya and his team that we will not give them the luxury of 60 days. They must finish and bring a report within the shortest time. And for avoidance of doubt, committees have no authority to stop anything from going on. They only make recommendations that come to the House, which makes the decision either way.

Next Order.

#### HUMAN-WILDLIFE CONFLICT IN KAJIADO COUNTY

**Hon. Speaker:** Is Hon. Sunkuyia now in the House? He has a Petition. It is hereby deferred.

*(Petition deferred)*

Next Order.

**Hon. Clive Gisairo** (Kitutu Masaba, ODM): On a point of order, Hon. Speaker.

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

**Hon. Clive Gisairo** (Kitutu Masaba, ODM): Thank you, Hon. Speaker. I rise as the Member for Kitutu Masaba Constituency on a concern. I have been holding brief for the Member for Kitutu Chache South Constituency. I see the Member in the House. I seek clarification on whether he has finished his sentence so that I can hand over the files.

**Hon. Speaker:** Hon. Kibagendi, how did you find yourself in the House? You are a stranger. You must leave until after 14 days. Are they over?

*(Hon. Anthony Kibagendi spoke off the record)*

**Hon. Speaker:** Why has Hon. Gisairo raised a frivolous point of order, to say the least?

*(Hon. Clive Gisairo spoke off the record)*

**Hon. Speaker:** You are out of order. If 14 days are over, then he is legitimately in the House.

*(Hon. Speaker consulted  
with the Clerk-at-the-Table)*

**Hon. Speaker:** I am told 14 days ended yesterday. Hon. Ole Sunkuyia, you have a Petition. If you are ready, present it, but before you do, apologise for coming late.

**Hon. George Sunkuyia** (Kajiado West, UDA): Thank you, Hon. Speaker. I take this opportunity to first apologise for being late. I have come from Olepolos in my constituency.

**Hon. Speaker:** That is not a reason, but go ahead.

**Hon. George Sunkuyia** (Kajiado West, UDA): I am sorry, Hon. Speaker.

#### HUMAN-WILDLIFE CONFLICT IN KAJIADO COUNTY

**Hon. George Sunkuyia** (Kajiado West, UDA): Hon. Speaker, I, the undersigned, on behalf of the residents of Kajiado West Constituency, draw the attention of the House to the following:

THAT, human wildlife conflict has escalated into a humanitarian, economic and environmental concern in the country, with a disproportionate impact on communities residing in Kajiado County, particularly in wards adjacent to national parks, wildlife conservancies and established wildlife corridors.

THAT, despite these communities being the traditional custodians of wildlife by virtue of living alongside wildlife habitats and migration corridors, they continue to bear disproportionate costs arising from human wildlife conflict, including loss of human life and injuries, destruction of crops, livestock and homestead infrastructure, psychological trauma and loss of livelihoods.

THAT, according to the annual report of the Kenya Wildlife Service (KWS) for the year 2022, more than 2,000 human wildlife conflict incidents are recorded annually across the country, with Kajiado County consistently ranking among the three most affected counties; and that between 2018 and 2022, at least 47 fatalities and more than 120 serious injuries were directly attributable to human wildlife conflict incidents within the County.

THAT, the existing compensation mechanisms for victims of human-wildlife conflict remain ineffective, underfunded, bureaucratic and characterised by prolonged delays, while the current compensation rates do not reflect the true economic value of the losses suffered by affected communities.

THAT, the inadequacies in the compensation framework have undermined public support for wildlife conservation and have, in some instances, led to retaliatory killings of wildlife, thereby threatening biodiversity conservation and the sustainability of the tourism sector.

THAT, efforts by affected residents and local leadership to have these concerns addressed by the KWS have not yielded satisfactory results.

THAT, the matters raised in this Petition are not pending before any court of law, constitutional body or other legal institution.

Therefore, your humble Petitioners pray that the National Assembly, through the Public Petitions Committee:

1. Engage the KWS and other relevant State agencies with a view to urgently addressing the escalating cases of human wildlife conflict in Kajiado County;
2. Recommend for the formulation of a comprehensive policy to provide for the following:
  - (a) clear and reasonable timelines for the processing and payment of compensation claims arising from human wildlife conflict;
  - (b) decentralisation of compensation assessment and approval processes to the county level in order to enhance efficiency and accessibility; and ring-fence the human wildlife conflict compensation fund and provide for predictable annual allocations;
  - (c) fair and equitable revenue-sharing mechanisms to benefit communities hosting wildlife resources;
  - (d) community-based conservation models and partnerships with local communities and ensure meaningful community representation in wildlife governance and decision-making structures; and
  - (e) establishment of an independent oversight and public reporting mechanism on human wildlife conflict claims, compensation processes and mitigation outcomes;
3. Make any other recommendations it may deem appropriate to address the plight of the Petitioners.

And your Petitioners will ever pray.

**Hon. Speaker:** Thank you, Hon. Sunkuyia. Hon. Haika.

**Hon. Haika Mizighi** (Taita Taveta County, UDA): Thank you very much, Hon. Speaker. I appreciate Hon. Sunkuyia for bringing this Petition. Human-wildlife conflict remains a menace in many regions surrounding national parks. Taita Taveta is located near Tsavo East National Park and Tsavo West National Park. This poses a challenge. There have been numerous fatalities resulting from conflicts with elephants in areas such as Jipe, Mwakitau, Lower Saghala, and Bololo. Compensation for these incidents remains a significant issue; despite the community's attempts to coexist peacefully with the animals and the nearby parks, the challenge of compensation persists.

As we enter the rainy season, many people are heading to their farms. However, a large number of them have stopped farming altogether. Each time they try to cultivate their land, they struggle to harvest because the elephants frequently invade their farms, causing destruction and taking the crops for themselves. I support this Petition. It is a problem, and it needs to be handled with care.

Thank you, Hon. Speaker, for this opportunity.

**Hon. Speaker:** Hon. Martin Owino.

**Hon. Martin Owino** (Ndhiwa, ODM): Thank you, Hon. Speaker. That Petition is timely and relevant, but I wonder how we will implement these policies. My constituency borders Ruma National Park. We may even attempt to describe the human conflict with wildlife differently—it not only results in injuries, but it also involves the destruction of crops and the escalation of hunger. This has gone on for a long time. Delay of compensation, which is not even commensurate with the damages, is also a concern. As we take this on, we have a lot of documentation in our books, on our shelves, but implementation is lacking. So, my question is: What can we do to implement what we are passing in this House, either through regulations or policies?

Thank you, Hon. Speaker.

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

**Hon. Ali Raso** (Saku, UDA): Thank you very much, Hon. Speaker. I support this Petition. For those of us who come from around wildlife sanctuaries, what my colleague has raised is a fact, and the Government is unable to do what this House has passed as the law of the land. Particularly in the area of compensation, the current situation is not sustainable. Looking at the growing population in Kenya, most of the wildlife sanctuaries have been inundated by settlement.

The wildlife corridors have been closed off most of the time. So, this Petition must go far in trying to investigate how we are going to have a lasting solution, because so long as wildlife areas remain constrained, that conflict will be inevitable. This Petition is timely, and we really need to do something as a country.

Thank you.

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

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Speaker. I thank Hon. Sunkuyia for this Petition, because the issue of human-wildlife conflict frequently arises and has affected us on numerous occasions. We are aware that many times it arises out of encroachment by humans towards wildlife sanctuaries. Additionally, the issue arises because the National Assembly and the Executive do not allocate adequate funds for the purpose of compensation. This area needs our attention and we must be ingenious in how we raise funds for the purpose of compensation, as it is impossible to predict who may be injured or lose their life due to these conflicts. Therefore, budgeting for this issue presents significant challenges. We have had occasion to sit down with peers and discuss the possibility of an insurance fund for such a matter.

Finally, Hon. Speaker, we also suffer from human-wildlife conflict involving hippos from Lake Victoria. Hardly every three or so months pass without having to bury somebody who has died or drowned as a result of their canoes or boats being destroyed by hippos. Hippos cross over from the lake and destroy foodstuffs and food crops. We need to deal with this matter one way or another, and we leave it to the experts to advise us on how to proceed.

I support the Petition.

**Hon. Speaker:** Hon. Wangwe.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Thank you, Hon. Speaker. Allow me to support this Petition. The main issue I wish to raise is the matter of hippopotamuses along River Nzoia. I wish to be very particular about this. Last week on Wednesday, one of my residents at a place called Chimo was accosted by a female hippo. The female hippo is very dangerous.

**Hon. Speaker:** Are there hippos in Navakholo?

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Hon. Speaker, there are very many hippos along the River Nzoia. They spend most of their time in the water, but they also come ashore frequently, which poses a significant challenge. When discussing the issue of human-

wildlife conflict, we should not only focus on land wildlife but also consider aquatic species like hippos. This Petition should also encompass the effects of hippos, especially along the River Nzoia, as they are damaging crops and threatening the lives of people living in the area.

**Hon. Speaker:** Hon. Taitumu.

**Hon. Julius M'anaiba** (Igembe North, UDA): Thank you, Hon. Speaker. Human-wildlife conflict is rampant in Igembe North. During the rainy season, when farmers have planted, and during the dry season, these animals stray away from Meru National Park, damaging crops grown by the people. To make matters worse, even when they complain to the rangers and the people in charge, they are attended to reluctantly. When they do respond, they reluctantly drive those animals from the farms to the next village, and in the evening or at night, the animals come back once again.

There must be a mechanism to compel the department concerned to pay the farmers whose crops are damaged. If you look at it, last year I requested a Statement and, up to now, the people who lost their crops and those who were injured have never been compensated. There must be a mechanism to compel the department to pay the farmers for the crops damaged. It is high time we supported this Petition to make sure it is well attended to.

**Hon. Speaker:** Hon. (Dr) Mutunga.

**Hon. (Dr) John Kanyuithia Mutunga** (Tigania West, UDA): Thank you, Hon. Speaker. I rise to support the Petition. I happen to come from a constituency which borders wildlife in two areas, and those boundaries are always affected because animals cross over and feed on the farms. There is also an issue with compensation for the farmers. There is often a discrepancy between the estimates provided by agricultural advisors and those recorded by KWS personnel. Moreover, when compensation is offered, only a small number of people actually receive payment, and there is no clear communication regarding who is eligible for compensation. People keep on expecting compensation.

I wonder why the State Department for Wildlife does not have proper and credible data it can use to compensate the affected people. On the other hand, when it comes to managing this issue, they recruit people to capture data, but we end up having a problem. The data captured does not tally with reality. The State Department should be careful on how they handle this case. It is raising more tension and anxiety instead of solving the problem.

Thank you, Hon. Speaker.

**Hon. Speaker:** Member for Keiyo North.

**Hon. Adams Korir** (Keiyo North, UDA): Thank you, Hon. Speaker. I also rise to support the Petition. Human-wildlife conflict has become a national concern. If you listen keenly, all the areas that have game reserves or national parks are complaining. In my Constituency, there is a game reserve called Rimoi. Often, you find farmers struggling because elephants destroy their crops and kill people. Concerns have been raised, but I think the Kenya Wildlife Service either lacks financial capacity or other mechanisms. Every time we raise concerns, they take long.

Losing to a wild animal is very painful. People are even questioning whether it is important to have them around. It would be better to have a peaceful community by not having those facilities around. I urge the relevant department to take Kenyans' concerns more seriously. It is very painful.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Mukunji.

**Hon. Gitonga Mukunji** (Manyatta, UDA): Thank you, Hon. Speaker. I also rise to support this Petition on human-wildlife conflict. I urge this House to try as much as possible to enhance the budget for KWS. Getting the right data on who to compensate is quite difficult. I agree with Hon. Sunkuyia on the Petition. There is need to put in quicker ways for

compensation. Also, we must ensure we have a clear way, including using emerging technology such as drones to identify areas of risk.

In Mbeere South, Embu, there is a serious crisis. Women and young children are being eaten by crocodiles from the River Tana, a river that supplies Kenya with electricity. I believe we even need to work together with the private sector, particularly companies that benefit from natural resources. However, this House must enhance the KWS budget to ensure they are well equipped. Additionally, every person who has lost their livelihood, been maimed, or lost their life to the wildlife should be compensated.

Hon. Speaker, I support.

**Hon. Speaker:** I want to stop here. To the Members I give a chance, please take a minute each. Hon. Asinyen, Member for Turkana.

**Hon. Cecilia A. Ngiti** (Turkana County, UDA): Thank you, Hon. Speaker, for giving me this chance to support this Petition on human-wildlife conflict. In my county, the conflict is on another level. Lake Turkana burst its banks, and schools are submerged. The crocodiles attack people in classes. It is very painful for the people of Turkana. We only have one game park in Turkana South.

Recently, in the Lake Zone Ward, a leopard attacked a young boy. We tried to supply the concerned authority with photos, but to date, no action has been taken. The concerned Ministry should look into this issue. We need several game parks in Turkana, not just one in Turkana South. Wildlife are roaming around, attacking people and destroying property. People are losing their lives, and nothing is being done.

**Hon. Speaker:** Yes, Hon. Kombe.

**Hon. Harrison Kombe** (Magarini, ODM): Asante, Mhe. Spika, kwa nafasi hii. Naunga mkono *Petition* hii. Ni jambo la kusikitisha sana. Tarehe 11, tulizika mwanafunzi wa *Grade 7* baada ya kushambuliwa na simba. Ingekuwa vyema kama Idara ya Wanyama Pori ingewekewa fedha za kutosha ili iweze kufidia wale ambao wamepoteza wapendwa wao. Kanda na tukio hilo, mwaka jana pia tulipoteza watoto watatu kule Chakama baada a mamba kuwashambulia. Mhe. Spika...

**Hon. Speaker:** Tulisema dakika moja, Mhe. Kombe.

**Hon. Harrison Kombe** (Magarini, ODM): Ni sawa, Mhe. Spika. Ninamalizia...

**Hon. Speaker:** Mpe amalizie.

**Hon. Harrison Kombe** (Magarini, ODM): Inasikitisha sana kwani hata watu wanapodai fidia, huchukuwa muda mrefu.

Nyoka pia wamekuwa kero. Idara ya Wanyama Pori ichukulie na itilie maanani wanyama wao. Juzi tu, simba wawili na shibli walionekana kule Magari baada ya kula yule mtoto. Wasipo chukuliwa hata na kuwarudisha kwenye makaazi yao, basi hatuna budi ila kujilinda.

Asante, Mhe. Spika.

**Hon. Speaker:** Hon. Ruweida. Take one minute each.

**Hon. Ruweida Mohamed** (Lamu East, JP): Asante, Mhe. Spika. Naomba nichangie kwenye Ombi hili muhimu. Tulipitisha sheria ya wanyama wa baharini hapa lakini haijanza kufanya kazi kule mashinani. Watu wa KWS hawajaanza kulipa watu ambao wameathiriwa na wanyama wa baharini. Lazima tutafute mbinu nzuri.

Leo nimehudhuria *the Public Petition Committee* na kulikuwa na Petitions nne zinazohusu KWS. Sasa kwani zingine hizi zinaelekezwa kwenye hio Kamati, sidhani kama itaweza. Mhe. Spika, itakubidi upange mpango hata kama itabidi Wizara ije tuwasaidie kwani *Petitions* zao ni nyingi mno.

Asante.

**Hon. Speaker:** Hon. Millie. You have one minute.

**Hon. Millie Odhiambo-Mabona** (Suba North, UDA): Thank you, Hon. Speaker. We are speaking because it is a major issue in our constituencies. In Suba North, we face hippo and crocodile attacks. A young man who had just completed Form Four, after being sponsored by the National Government Constituencies Development Fund (NG-CDF), went fishing with his father. Unfortunately, both were killed in the Kasungu area. That is just one case.

Where I come from, this is a very serious issue. We urge that compensation be hastened, as there are always delays.

Hon. Caroli has told me to raise the issue on Ruma National Park which affects his Constituency, Rangwe Constituency and my Constituency. Wild animals and monkeys destroy crops. People are unable to earn their livelihoods.

Hon. Speaker, I support the Petition.

**Hon. Speaker:** Hon. Mwafrika, are there wild animals in Nairobi?

**Hon. Kamande Mwafrika** (Roysambu, UDA): Hon. Speaker, it has been said several times that prevention is better than cure. That is why we have the Ministry of Tourism and Wildlife to make sure we do not have conflict between animals and human beings.

The other aspect is compensation. The Ministry should come up with a very clear way of compensating those who are affected.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. The new Member for Banissa, have you made your maiden speech yet? Go ahead. You have a minute. Give him the microphone. You have it now.

**Hon. Ahmed Hassan** (Banissa, UDA): Thank you, Hon. Speaker. I want to add my voice to this Petition on human-wildlife conflict which is an age-old issue. There are cases and incidents of snakebites in Banissa. A lot of people have lost their lives and limbs because of snake bites. There is no proper mechanism for compensation. Our game wardens in that area have taken the security role. They do not solve human-wildlife conflict.

**Hon. Speaker:** Hon. Members, the last time I checked the law, this House changed it and removed snakes from compensation. So, do not raise issues on compensation from snakebites. You removed snakes from the list of animals where humans are compensated from the attacks.

Hon. Ng'elechei.

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

I wish to add my voice to this Petition. It is about time we consider adding resources to KWS, if that is their challenge, because they do not compensate anyone. The destruction by wildlife is so massive in this country that it cannot be quantified enough.

Where I come from, in Elgeyo Marakwet County, elephants wake up at night in Endo Ward. They uproot all the mango trees that human beings have planted for several years. There is also another place called Emsea Ward. Elephants attacked the farms recently, and ate all the vegetables, watermelons and other plants. Therefore, we, as a House, need to find a solution instead of complaining about KWS. We can add them the resources they need to compensate people.

**Hon. Speaker:** Your time is up. Hon. Bedzimba, are there wildlife in Kisauni?

**Hon. Rashid Bedzimba** (Kisauni, ODM): Ahsante sana, Mhe. Spika. Sina ndovu huko Kisauni, lakini nina tumbili wengi sana.

*(Kicheko)*

Nimesimama kuunga mkono ombi hili. Kweli fujo ama vita baina ya wanyama pori na binadamu vimezidi na fidia inachelewa, kwa sababu fedha tunazopatia KWS ni kidogo. Naomba Bunge hili liongeze pesa ya kutosha, ili waweze kulipa. Tuwe na mpangilio kama vile

wanadamu wasikaribie mahali wanyama pori wako. Kuna wanadamu ambao wanaishi karibu na mbuga za wanyama. Kuchimbwe mitaro ili wanyama pori wasivuke kwa binadamu ili tuzuie mzozo huu.

Asante sana.

**Hon. Speaker:** Thank you. We will end there. Hon. Jayne Kihara, I want to stop here. However, being a senior and your hand has been up for so long, I will give you an opportunity to contribute for a minute. I am sure you want to talk about hippopotamuses.

**Hon. Jayne Kihara** (Naivasha, UDA): Hon. Speaker, we suffer from two fronts in Naivasha. There are rhinoceros from the lake and buffaloes from Hell's Gate.

**Hon. Speaker:** Are there rhinoceros in the lake?

**Hon. Jayne Kihara** (Naivasha, UDA): No, there are hippopotamuses. Sorry, Hon. Speaker.

*(Laughter)*

Hippopotamuses kill people every now and then. When you call the wardens, they tell you they go to where people are because there is no food in the forest. This causes destruction to properties, food and even children wait for some time to go to school. It is very serious in Naivasha.

**Hon. Speaker:** We will end here on human-wildlife conflict. Hon. Kareke, what is it? I want to stop here. You will be the last one to contribute. Do you have the microphone?

**Hon. Kareke Mbiuki** (Maara, UDA): Thank you so much, Hon. Speaker. I support the Petition. Human-wildlife conflict is a matter of national concern.

**Hon. Speaker:** As the Chair of the Departmental Committee on Tourism and Wildlife, you oversee the Ministry responsible for these compensations.

**Hon. Kareke Mbiuki** (Maara, UDA): Yes, Hon. Speaker.

**Hon. Speaker:** Give us an assurance on what you will do.

**Hon. Kareke Mbiuki** (Maara, UDA): Hon. Speaker, I have listened to Hon. Members raising issues on human-wildlife conflict which is a matter of national concern. The Committee currently is seized with more than seven Statements which we are yet to bring before this House. We have scheduled a meeting with the Cabinet Secretary next Thursday, 23<sup>rd</sup> April 2026. I would like to invite Hon. Members who have issues on human-wildlife conflict, to a meeting with the Cabinet Secretary, Director General of KWS, the Principal Secretary and other stakeholders next week on Thursday.

We will follow up on whether all the issues which have been articulated in this House have been addressed by the Ministry. Currently, the certified pending compensation cases is more than Ksh6 billion. The amount of money which this honourable House allocated in this financial year is less than Ksh2 billion.

It is unfortunate for a Committee to recommend enhancing resources to mitigate human-wildlife conflict and then we lose it. We appeared before the Budget and Appropriations Committee during the consideration of the Second Supplementary Estimates. One of our requests was enhancement of resources so that we can compensate the already certified human-wildlife conflict cases. However, it was unsuccessful.

Hon. Speaker, on the same weight which the Hon. Members have supported this Petition and raised human-wildlife conflict cases, I humbly request the Budget and Appropriations Committee to support the Committee on enhancing resources in the next financial year's budget.

There are also issues on mitigation and compensation. Without resources, KWS cannot do so much. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. The Petition is committed to Public Petitions Committee. Is the Chairman, Hon. Karemba here? Is there any Member of the Committee? Hon. Janet is

the Vice-Chair. Deal with not only this Petition but also those pending on the same issues expeditiously and then bring a report.

**Hon. Janet Sitienei** (Turbo, UDA): Yes, Hon. Speaker.

**Hon. Speaker:** Hon. Members, allow me to acknowledge Greenvale School from Kesses, Uasin Gishu County, in the Public Gallery. On my behalf and that of the House, we welcome the students, their teachers and those accompanying them to the House of Parliament.

Next Order.

## PAPERS

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

**Hon. Naomi Waqo** (Marsabit County, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Bi-annual Report of the Commission on Administrative Justice for the period January - June 2025.
2. Reports of the Auditor-General and Financial Statements of Counsellors and Psychologists Board for the years ended 30<sup>th</sup> June 2024 and 30<sup>th</sup> June 2025 and the certificates therein.
3. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June 2025 and the certificates therein in respect of:
  - (a) Anti-Counterfeit Authority.
  - (b) Credit Guarantee Scheme – The National Treasury.
  - (c) Dr Daniel Wako Murende Technical and Vocational College.
  - (d) Forum for the Registration of Democracy-Kenya (FORD-Kenya).
  - (e) Gatundu South Technical and Vocational College.
  - (f) Githunguri Technical and Vocational College.
  - (g) Grand Dream Development Party.
  - (h) Intergovernmental Relations Technical Committee.
  - (i) Jomo Kenyatta University of Agriculture and Technology Industrial Business Park.
  - (j) Jomo Kenyatta University of Agriculture and Technology Industrial Enterprises Limited.
  - (k) Jomo Kenyatta University of Agriculture and Technology Noodles Limited.
  - (l) Kaimosi Friends National Polytechnic.
  - (m) Kapchepkor Technical and Training Institute.
  - (n) Kenya Cultural Centre.
  - (o) Kenya Development Corporation.
  - (p) Kenya Industrial Research and Development Institute.
  - (q) Kenya Institute of Mass Communication.
  - (r) Kenya Meat Commission.
  - (s) Kenya National Library Service.
  - (t) Kenya National Bureau of statistics.
  - (u) Kenya National Commission on Human Rights.
  - (v) Kenya National Innovation Agency.
  - (w) Kenya National Trading Corporation Ltd.
  - (x) Keroka Technical Training Institute.
  - (y) Kipchoba Tea Factory Limited.
  - (z) Koitallel Samoei University College.

- (aa) Konza Technopolis Development Authority.
- (bb) Movement for Democracy and Growth Party.
- (cc) Mukeu Vocational Training Centre.
- (dd) Nairobi Centre for International Arbitration.
- (ee) National Authority for the Campaign Against Alcohol and Drug Abuse Car Loan and Mortgage Scheme.
- (ff) National Environment Trust Fund.
- (gg) National Environmental Complaints Committee.
- (hh) National Heroes Council.
- (ii) National Police Service Commission.
- (jj) National Research Crime Centre.
- (kk) New Kenya Co-operative Creameries Limited.
- (ll) New Kenya Planters Co-operative Union PLC.
- (mm) Ol'lessos National Polytechnic.
- (nn) Peoples Democratic Party (PDP).
- (oo) Power Distribution – Last Mile Connectivity Project (AFD Credit No. 1106 01F/CKE 1106 02G and IEB Credit No. F1 85348) – Kenya Power and Lighting Company PLC.
- (pp) President's Award-Kenya.
- (qq) Rural Electrification Scheme – Kenya Power and Lighting Company PLC.
- (rr) State Department for Environment and Climate Change.
- (ss) State Department for ICT and the Digital Economy.
- (tt) State House.
- (uu) Tana River Technical and Training College.
- (vv) Taveta Technical and Vocational College.
- (ww) United Progressive Alliance (UPA).

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Next Order.

## QUESTIONS AND STATEMENTS

### REQUESTS FOR STATEMENTS

**Hon. Speaker:** Hon. Joseph Gitari, Member for Kirinyaga Central.

#### DETENTION OF MR CHARLES MUTHII IN THE KINGDOM OF SAUDI ARABIA

**Hon. Joseph Gitari** (Kirinyaga Central, UDA): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding the alleged unlawful detention of Mr Charles Muthii Mago in the Kingdom of Saudi Arabia.

Mr Charles Muthii Mago, who hails from Kirinyaga County, has been working in the Kingdom of Saudi Arabia as a driver for the past 10 years. During this period, he maintained regular communication with his family in Kenya until August 2025 when communication with him abruptly ceased. Upon making inquiries through his friends in Saudi Arabia, the family was informed that Mr. Mago had allegedly been arrested alongside other individuals on suspicion of being in possession of illegal drugs.

It is reported that one of the suspects who was arrested alongside him was arraigned in court, charged and subsequently sentenced. Alarming, Mr Mago, who pleaded not guilty to the charges, remains in detention with no information provided to his family regarding the status of his case. The prolonged detention of Mr Mago has caused immense distress to his family and raises concerns regarding the welfare and protection of Kenyan citizens working abroad.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations on the following:

1. The circumstances surrounding the arrest and continued detention of Mr Charles Muthii Mago in the Kingdom of Saudi Arabia and the measures being taken by the government to establish the status of his cases and ensure that he is accorded due process of the law.
2. Assistance extended by the government to Mr Mago to ensure due process is accorded.
3. Long-term measures being taken to safeguard the welfare and rights of Kenyan citizens working in foreign countries.

I, thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Is the Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations in? Is there any Member of the Committee present? Yes, Hon. Wangari, are you a Member of the Committee?

**Hon. Martha Wangari (Gilgil, UDA):** Yes, Hon. Speaker, I am a Member of the Committee. We will give a response in two weeks.

**Hon. Speaker:** Thank you. Hon. Titus Lotee, Member for Kacheliba.

#### PROMOTION OF TEACHERS IN KACHELIBA CONSTITUENCY

**Hon. Titus Lotee (Kacheliba, KUP):** Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Education regarding delay in promotion of teachers in Kacheliba Constituency.

In 2017, the Teachers Service Commission (TSC) adopted the Career Progression Guidelines to provide a structured framework for the promotion of teachers based on standardisation criteria, including academic qualifications, experience, appraisal and availability of vacancies. The guidelines were intended to streamline promotions and ensure fairness, transparency and consistency in career growth within the teaching service. However, teachers in Kacheliba Constituency have raised serious concerns regarding promotion stagnation with many principals, head teachers and their deputies having served in acting capacities for more than six years without substantive appointment.

Further, these teachers have reportedly not been remunerated through any acting allowances. This situation has resulted in diminished morale, frustration and undermines the objectives of the Career Progression Guidelines.

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

1. A report on the number of teachers promoted in Kacheliba Constituency since 2017, including principals, head teachers and deputy head teachers, and the reasons for the delayed promotion of eligible teachers for over six years.

2. A report on the implementation status of the Career Progression Guidelines, particularly on promotion of teachers serving in acting capacities for prolonged period in Kacheliba Constituency.
3. The measures that TSC has put in place to remedy career stagnation among teachers, including remuneration of acting allowances and strategies to enhance motivation of teachers.

I, thank you, Hon. Speaker.

**Hon. Speaker:** Chairman, Departmental Committee on Education or any Member from that Committee? Hon. Owen, tell them to bring a response in two weeks.

Hon. Ahmed Maalim, Member for Banissa?

#### ROAD INFRASTRUCTURE IN BANISSA CONSTITUENCY

**Hon. Ahmed Hassan** (Banissa, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the deteriorating state of road infrastructure in Banissa Constituency.

Road infrastructure within Banissa Constituency is in a dilapidated condition, which has occasioned loss of life, high transport costs due to wear and tear of vehicles, and destruction of property arising from frequent accidents. The roads are characterised by inadequate drainage systems and structurally compromised formations rendering them hazardous, particularly during periods of heavy rainfall. For instance, on 24<sup>th</sup> March, an area resident, Mr. Aden Hassan Amina, lost his life after his vehicle was swept away by flash floods along the Banissa - Moyale Road. This incident underscores the persistent neglect of critical road infrastructure in the area.

Having only recently emerged from a prolonged drought, residents are now grappling with the adverse effects of torrential rains, which have been exacerbated by the inadequacy of existing infrastructure. It is noteworthy that Banissa Constituency has lacked direct parliamentary representation for a considerable period, resulting in a sustained failure to address essential infrastructure projects and the deterioration of already deplorable road infrastructure. This situation calls for urgent attention to restore the roads to a better condition.

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

1. The measures being taken by the Government to rehabilitate and upgrade road infrastructure in Banissa Constituency; and
2. The immediate steps being taken to ensure access to essential services within the area during the rainy season, and the expected timeline for completion.

Thank you.

**Hon. Speaker:** Hon. GK, when can you bring the response? Two weeks?

**Hon. George Kariuki** (Ndia, UDA): In two weeks, Hon. Speaker.

**Hon. Speaker:** Thank you.

**Hon. Speaker:** Hon. Owen Baya.

#### PERSONAL STATEMENT

#### MESSAGE OF APPRECIATION

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Speaker. I take this moment to thank you for condoling with me when I lost my mother, and also for coming over to mourn

and attend the funeral of my mother. I also take this opportunity to thank every Member, including my leader here, Hon. Kimani Ichung'wah, for taking the time to come during the funeral. More importantly, I thank every Member who prayed and condoled with us, and made available both financial and moral support during that difficult time for my family.

I wish to end there by saying thank you very much everyone. *Ahsante sana*.

**Hon. Speaker:** Yes, Hon. Wangari.

**Hon. Martha Wangari** (Gilgil, UDA): Thank you, Hon. Speaker, for indulging me. On the 1<sup>st</sup> of April, I requested for a Statement on the Floor from the Departmental Committee on Administration and Internal Security regarding the death of baby Faiz Leslie Faraji, who died last month at Gilgil Hills Academy. You directed that the statement be brought last week. It is now another week, and we still have not heard from the Committee. This matter is of national concern. I would like to hear from the Committee on how far the statement has progressed and when we should expect it on the Floor.

**Hon. Speaker:** Hon. Tongoyo, are you ready?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, unfortunately we are not.

**Hon. Speaker:** When will you?

**Hon. Gabriel Tongoyo** (Narok West, UDA): We have been in constant communication, including with the Member. I have just called a person from the Office of the President, and they indicated that a statement is underway. I request that you give us until Thursday, hopefully.

**Hon. Speaker:** Thursday afternoon?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Yes.

**Hon. Speaker:** Okay. Hon. Gisairo.

**Hon. Clive Gisairo** (Kitutu Masaba, ODM): Thank you, Hon. Speaker. You will recall that sometime back, I rose on a point of order, regarding the 22 per cent and the 10 per cent deductions on Kenya Rural Roads Authority (KeRRA) monies, where a total of Ksh13 million had been deducted from every constituency. You had directed that a response be brought within a week or so.

**Hon. Speaker:** Who was to bring that response? Was it the Leader of the Majority Party or Chairman of the Departmental Committee on Transport and Infrastructure?

**Hon. Clive Gisairo** (Kitutu Masaba, ODM): Leader of the Majority Party.

**Hon. Speaker:** Leader of the Majority Party, do you have a response to that?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Yes, Hon. Speaker. I was hoping Hon. GK would be here because...

**Hon. Speaker:** Who?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. GK, the Chairman of the Departmental Committee on Transport and Infrastructure.

*(Hon. George Kariuki consulted  
with Hon. George Murugara)*

**Hon. Speaker:** There he is, shaking hands with Hon. Murugara

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): He is very busy with Hon. Murugara and Member for Buuri. The Cabinet Secretary wrote to me indicating that he had already interacted with the Committee on the matter. Perhaps, we could give Hon. GK an opportunity, though I am certain he did not hear what the issue was about. It was about the reduction of Ksh13 million under the Road Maintenance Levy Fund (RMLF). I am aware the Cabinet Secretary was to engage the Committee and provide a detailed response.

**Hon. Speaker:** Hon. GK, can you bring a comprehensive response to that by tomorrow afternoon?

**Hon. George Kariuki** (Ndia, UDA): Hon. Speaker, fortunately, I know how to multitask. I heard Hon. Ichung'wah clearly. We will avail a good response by Thursday afternoon. Thank you.

**Hon. Speaker:** Hon. Gisairo, Thursday it is.  
Next Order.

### POINT OF ORDER

#### DEMISE OF MZEE ELIUD NYIKAL

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Thank you, Hon. Speaker. Together with Hon. Martin, we are seeking your indulgence to eulogise the father of Hon. (Dr) Nyikal, who passed on two days ago.

**Hon. Speaker:** Hon. Martin Owino had seen me about it but throughout the Proceedings he has shown no indication of wanting to say anything about it.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Hon. Speaker, it is just that Hon. Martin Owino is an elder in the Seventh Day Adventist (SDA) Church, and is not overtaken sometimes by the enemy, the devil, like me. I am also the wife of an elder, but once in a while the devil steals me and I speak strange things. He is humbler than I am, so I am *tetearing* him. We just wanted to say a little on...

**Hon. Speaker:** Go ahead.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Perhaps, with your kind permission, if he can start and then I follow.

**Hon. Speaker:** Hon. Martin.

**Hon. Martin Owino** (Ndhiwa, ODM): Thank you, Hon. Speaker. I appreciate the time. I rise to inform the House that we have lost the father to our brother, Dr Wambura Nyikal. Mzee Eliud Nyikal Okaka passed on last Saturday, shortly after we had visited him. He passed on a few hours after the visit.

The life and legacy of Mzee Eliud Nyikal are laced with integrity and values of discipline and hard work. He walked the principles of Chapter Six even before we had the current Constitution. This is evident in his son, who is also a fellow alumnus of Onjiko High School, like me. We call it the Onjiko.

Dr Nyikal is a renowned paediatrician and a career civil servant. This is his Third Term in this House. He is the current Chairman of the Committee on Health. The burial of Mzee Eliud will take place in Seme on 2<sup>nd</sup> May 2026. The family has asked me to represent them, especially on the side of Parliament, in your responses, interests and logistics. We have discussed this with the Hon. Speaker.

On behalf of myself and the people of Ndhiwa, I offer heartfelt condolences to the family. He is not only a father of my friend, but he is also a relative when we connect in Ndhiwa. We gave him a lady, and all these years we have never pressed any return button. He took care of her very well and she is still living. With those few remarks, I urge the entire comrades in this House to pray for the family of Dr Nyikal.

Thank you.

**Hon. Speaker:** Hon. Millie.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Thank you, Hon. Speaker. I take this opportunity on my behalf and that of the people of Suba North, to send condolences to the family of Nyikal, on the loss of their father. It was only last week when I was talking to Dr Nyikal about their father. When he told me that their father was alive, I told him that they were really blessed to have one. Some of us lost our fathers when we were young. But it does not matter how old a parent is, they are usually very special in a person's life. We thank God for the many years he gave Dr Nyikal's father, and for the children that he has been able to

raise. I agree that Dr Nyikal is a person of integrity. He serves this House with diligence. We wish to stand with him as he mourns his father. May his father's soul rest in eternal peace.

Thank you.

**Hon. Speaker:** Hon. Makali Mulu.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Thank you so much, Hon. Speaker. I join colleagues in saying *pole* to our colleague, Dr Nyikal, for the loss of his father. I really do not know *Mzee* Nyikal, but I have interacted with his son since 2013 when we joined this House. There is this saying that a good tree will always give good fruits. If you see good fruits from a tree, you know the tree is good. I am therefore imagining that *Mzee* must have also been good. I can confirm that Dr Nyikal falls into the class of people who believe in high integrity. It is a big loss to the family and to the people Dr Nyikal's Constituency.

On my own behalf, my family's, and the good people of Kitui Central, I send deepest condolences to the family. I also wish my friend Dr Nyikal all the best as we prepare to give his father a befitting send-off. May the soul of *Mzee* rest in eternal peace. Amen.

**Hon. Speaker:** Hon. Patrick, Member for Chuka/Igambang'ombe.

**Hon. Patrick Ntwiga** (Chuka/Igambang'ombe, UDA): Thank you, Hon. Speaker. I rise as the Vice-Chairman of the Committee on Health to eulogise my Chairman, Dr Nyikal's father. I have had the advantage of working with Dr Nyikal since the last Parliament. I have had the opportunity of interacting with the old man, his father.

Dr Nyikal loved his father dearly, even at his old age. Dr Nyikal has been there for his father almost every day. I have seen the struggle. I have seen the pain in him any time he talked about the pain his father was going through. I talked to him the day the father passed on, and I have never heard a man his age so heartbroken.

I, therefore, stand to eulogise the old man and congratulate him for raising such a great man in this country. Dr Nyikal is quite a great man in this country. Working under him as his Vice-Chairman, I can attest to the fact that Dr Nyikal is a great man. As we say, the apple never falls far from the tree. We believe the things we see in Dr Nyikal, were put in him by his father who brought him up. We as the whole House will support Dr Nyikal. He is a ranking Member in this Parliament. He is someone who has served this House so diligently. Let us support him. We have a contributions group. Let us support him to give his father a decent send off.

Thank you.

**Hon. Speaker:** Thank you. We send our collective condolences to Dr Nyikal. I am told the burial is 2<sup>nd</sup> May 2026. We will therefore play our part.

Next Order.

## BILL

### *Second Reading*

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

*(Moved by Hon. Kimani Ichung'wah on 9.4.2026)*

*(Resumption of debate interrupted on 9.4.2026)*

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. Allow me to first thank, in a very special way, the Chairman of the Departmental Committee on Trade, Industry and Cooperatives, Hon. Shinali; the Vice-Chair, Hon. Marianne; and all the other

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13 Members of that Committee for the immense work that they put in in consideration of this Bill. I also thank all the Members. This is because when we began debate on this Bill last week, not a single Member opposed. Even those who had certain reservations expressed them without opposing the Bill. Therefore, it is a Bill that had support across board. Many of our Members appreciate the need to amend the Special Economic Zones Act (SEZA). To bring into the fold of the CESA Act, the midstream and upstream oil production industry.

There were also Members from Turkana County who contributed in support of this Bill. Just to buttress the point that was said by many people, indeed part of the hurdles that have bedevilled the industry of oil production in this country, will be cured by the provisions in this Bill. I know there were certain concerns on other sectors, some of which I can see the Committee considered. Those who bother to go through the Report will see that. When we get to the Committee of the whole House, we will be relooking into some of the issues that Members raised that could in a big way improve the workability of this piece of legislation.

I thank all Members. Those who had proposed amendments can start working on them, so that we can consider them together when we get to the Committee of the whole House. Thank you. I beg to reply.

**Hon. Speaker:** Members on their feet, take your seats.

*(Question put and agreed to)*

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

**Hon. Speaker:** Hon. Members, I wish to guide you at Orders No. 9 and No. 10. I have looked at the Committee Reports. At Order No. 9, the Committee appears to agree with all the amendments from the Senate. At Order No. 10, the Committee appears to reject each and every amendment from the Senate. At Order No. 11, the same two orders are going to the Committee of the whole House. Unless there is somebody with a pressing issue on the two Orders, I would suggest that we have a mover, seconder, then question put. Then, at Order No. 10, we shall have the mover, seconder, then question put. If you have any issues, deal with them at the committee stage. At Order No. 10, if you vote in the negative, then there will be no committee to go to.

We will straight away commit the Bill to the Mediation Committee. In which case I will wait for consultations between the Leader of the Majority Party and Leader of the Minority Party to propose names to the Committee, which we will forward to the House. The Senate will also nominate a similar number. They can then deal with the matter in mediation. We will proceed that way.

Clerks-at-the-Table, call out Order No. 9.

## MOTIONS

### SENATE AMENDMENTS TO THE TECHNOPOLIS BILL (National Assembly Bill No. 6 of 2024)

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Speaker, I beg to move the following Motion:

THAT, the Senate Amendments to the Technopolis Bill (National Assembly Bill No. 6 of 2024) be now considered.

Hon. Speaker, as you have ably guided Hon. Members, on Page 578 of today's Order Paper, there are quite a number of amendments, all of which the Departmental Committee on Communication, Information and Innovation agrees with. These were passed in the Senate. The Committee has since considered and agreed with all the amendments.

Therefore, I beg to move and urge the House to support the Committees' recommendation in their Report, that we agree with the amendments from the Senate, for us to be able to go the Committee of the whole House on that Bill.

I beg to move and request the Chairman of the Departmental Committee on Communication, Information and Innovation, Hon. John Kiarie, Member of Parliament for Dagoretti Constituency to second.

**Hon. John Kiarie** (Dagoretti South, UDA): Thank you, Hon. Speaker. I thank you, Hon. Leader of the Majority Party. Our Committee considered the amendments that were brought by the Senate.

This is the reason why the Bills that deal with county matters are taken to the Senate. This is because all the proposals that came from the Senate on this Bill, were about devolved functions. When our Committee looked at those recommendations, we agreed with all the amendments that we are making concerning counties.

Therefore, Hon. Speaker, I second.

*(Hon. (Dr) Ojiambo Oundo and  
other Hon. Members stood in their place)*

**Hon. Speaker:** Thank you. Hon. Members on their feet, take your seats. Prof. Oundo, take your seat.

*(Question proposed)*

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

*(Question put and agreed to)*

**Hon. Speaker:** Next Order.

SENATE AMENDMENTS TO THE COOPERATIVES BILL  
(National Assembly Bill No. 7 of 2024)

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Speaker, I beg to move the following Motion:

THAT, the Senate amendments to the Cooperatives Bill (National Assembly Bill, No. 7 of 2024) be now considered.

Again, as you indicated in the Speaker's Brief, on the Cooperatives Bill, the Committee is agreeing with about 40 amendments done in the Senate and rejecting over 100 amendments. Therefore, the logical thing is to reject this so that we may go into mediation and agree with the other House on many of the amendments that the Committee has disagreed with. They are over 100 amendments. It is only fair that we give the Committee an opportunity to interact with the Committee in the other House and reach an agreement.

I beg to move. I request Hon. Shinali, The Chairman of the Committee that considered these amendments to second.

**Hon. Bernard Shinali** (Ikolomani, ODM): Thank you, Hon. Speaker. Thank you, Hon. Leader of the Majority Party. Hon. Speaker, as you have directed and the Hon. Leader of the

Majority Party has also alluded to it, the Committee went through clause by clause. Considering the Constitutionality of the Bill and what adds content to it, we agreed with some of the amendments. However, we disagreed with the rest of the amendments, some which involve creating offices at the county level while deflecting matters to the national level. This would cause confusion in the implementation of the Bill.

Hon. Speaker, I second.

*(Hon. John Kiarie and other  
Hon Members stood in their place)*

**Hon. Speaker:** Order, Hon. Members. Hon. Members on their feet, take your seats. Hon. KJ, take your seat.

*(Question proposed)*

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

*(Question put and negatived)*

**Hon. Speaker:** Next Order.

#### COMMITTEE OF THE WHOLE HOUSE

**Hon. Speaker:** Hon. Members, at the Committee of the whole House stage, you will only consider the Technopolis Bill. Be upstanding.

*(Order for Committee read)*

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

#### IN THE COMMITTEE

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

SENATE AMENDMENTS TO THE TECHNOPOLIS BILL  
(National Assembly Bill No. 6 of 2024)

**Hon. Chairlady:** Hon. Members, this is the Committee of the whole House.

*Senate amendment to Clause 7*

THAT, Clause 7 of the Bill be amended:

- (a) in subclause (1) by—
  - (i) inserting the following new paragraph immediately after paragraph (d) in subclause (1)—
    - (da) one person nominated by the Council of Governors;
  - (ii) deleting paragraph (e) and substituting therefor the following new paragraph in subclause (1)—
    - (e) four persons, not being public officers, appointed by the Cabinet Secretary through a competitive recruitment process; and

- (b) in subclause (3) by deleting the words “subsection (1)(e)” appearing immediately after the words, “of the Board under” and substituting thereof the words “subsections (1) (da) and (e)”.

*(Question of the amendment proposed)*

**Hon. Chairlady:** Any comments? May I put the question?

**Hon. Members:** Yes.

*(Question, that the word to be inserted be inserted, put and agreed to)*

*(Question, that the word to be deleted be deleted, put and agreed to)*

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

*(Senate amendment to Clause 7 agreed to)*

*Senate amendment to Clause 8*

THAT, Clause 8 of the Bill be amended:

- (a) in subclause (1) by deleting paragraph (f) and substituting therefor the following new paragraph—  
 (f) if incapacitated by physical or mental illness and incapable of discharging their duties for a period exceeding twelve months.

**Hon. Chairlady:** Yes, Hon. Member for Dagoretti South Constituency.

*Senate amendment to Clause 8*

THAT, Clause 8 of the Bill be amended:

- (a) in subclause (1) by deleting paragraph (f) and substituting therefor the following new paragraph—  
 (f) if incapacitated by physical or mental illness and incapable of discharging their duties for a period exceeding twelve months.

*(Question of the amendment proposed)*

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Chairlady, I propose that we pass the Clause as it is on the Order Paper.

**Hon. Chairlady:** 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 place thereof be inserted, put and agreed to)*

*(Senate amendment to Clause 8 agreed to)*

*Senate amendment to Clause 13*

THAT, Clause 13 of the Bill be amended in subclause (1) by deleting the words “Cabinet Secretary on the recommendation of Board” appearing immediately after the words “appointed by the” and substituting thereof the words “Board through a competitive process”.

*(Question of the amendment proposed)*

**Hon. Chairlady:** Okay. Yes, Hon. KJ.

**Hon. John Kiarie** (Dagoretti South, UDA): Our Committee agreed with the Senate amendment. It transfers the power of appointing the CEO from the Cabinet Secretary, on the board’s recommendation, to the board. With the requirement that the process must be competitive. The amendment seeks to mitigate any arbitrary appointments by a Cabinet Secretary.

**Hon. Chairlady:** 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 place thereof be inserted, put and agreed to)*

*(Senate amendment to Clause 13 agreed to)*

*Senate amendment to Clause 16*

THAT, Clause 16 of the Bill be amended by inserting the following new subclause immediately after subclause (1) –

(1A) The Cabinet Secretary in exercising powers under subsection (1) shall ensure there is consultation with persons likely to be affected by the establishment of a technopolis.

*(Question of the amendment proposed)*

**Hon. Chairlady:** Yes, Hon. KJ.

**Hon. John Kiarie** (Dagoretti South, UDA): We agree with the Senate that it would be very important to impose a new statutory requirement to the Cabinet Secretary to consult with affected persons before establishing a technopolis. The affected persons include counties where technopolises shall be going. We will have community consultation to analyse impact.

**Hon. Chairlady:** Thank you.

*(Question, that the words to be inserted be inserted, put and agreed to)*  
*(Senate amendment to Clause 16 agreed to)*

*Senate amendment to Clause 17*

THAT, Clause 17 of the Bill be amended in paragraph (a) by inserting the words “universally accessible” immediately after the words “be equipped with”.

*(Question of the amendment proposed)*

**Hon. Chairlady:** Hon. KJ.

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Chairlady, we would like to pass this as is appearing on the Order Paper.

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

*(Senate amendment to Clause 17 agreed to)*

*Senate amendment to Clause 30*

THAT, Clause 30 of the Bill be amended in subclause (4) by inserting the words “within thirty days” immediately after the words “the Authority may” in the introductory clause.

*(Question of the amendment proposed)*

**Hon. Chairlady:** Hon. KJ.

**Hon. John Kiarie** (Dagoretti South, UDA): Our Committee agreed with the amendment. It introduces a timeline that requires the authority to notify the applicants when such a decision regarding licences is made. There will be an avenue for arbitration if there is need for such. There will be need to provide very specific timelines so that you are not kept waiting for a time that is not stipulated after a denial of a certificate.

This is in order so that it complies with constitutional provisions on fair administrative justice. Thank you, Hon. Chairlady.

**Hon. Chairlady:** Thank you.

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

*(Senate amendment to Clause 30 agreed to)*

*Senate amendment to Clause 31*

THAT, Clause 31 of the Bill be amended in subclause (2) by inserting the words “within fourteen days of such decision” immediately after the words “refuse the application”.

*(Question of the amendment proposed)*

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

*(Senate amendment to Clause 31 agreed to)*

*Senate amendment to Clause 32*

THAT, Clause 32 of the Bill be amended in subclause (4) by inserting the following new paragraphs immediately after paragraph (4):

(5) In exercising power under subsection (4), the Authority shall give reasons for the rejection of an application.

(6) Where an application is rejected under subsection (4), the licensee may submit a new application for renewal of the licence.

*(Question of the amendment proposed)*

**Hon. Chairlady:** Hon. KJ.

**Hon. John Kiarie** (Dagoretti South, UDA): I see Members have the green paper. The import of this amendment is to introduce a new subclause number 5, which shall be requiring the authority to give reasons for rejection of an application for renewal. There is also a new subclause 6 that will allow a licensee to submit new application for renewal after initial rejection.

This is only fair. It is just providing justice. It is in order so that we comply with constitutional provisions on fair administrative justice. Thank you.

**Hon. Chairlady:** Thank you.

*(Question of the amendment proposed)*

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

*(Senate amendment to Clause 32 agreed to)*

**Hon. Chairlady:** That brings us to the end of the Committee of the whole House. Mover, proceed as indicated.

**Hon. John Kiarie** (Dagoretti South, UDA): I beg to move that the Committee do report to the House its consideration of Senate amendments to the Technopolis Bill (National Assembly Bill No. 6 of 2024) and their approval thereof without amendment.

**Hon. Chairlady:** Thank you.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

IN THE HOUSE

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

## MOTIONS

### CONSIDERATION OF REPORT ON SENATE AMENDMENTS TO THE TECHNOPOLIS BILL

**Hon. Deputy Speaker:** Hon. Chairperson, proceed to report to the House.

**Hon. Owen Baya** (Kilifi North, UDA): I get it, Hon. Deputy Speaker. I beg to report that the Committee of the whole House has considered Senate amendments to the Technopolis Bill (National Assembly Bill No. 6 of 2024) and approved the same without amendment.

**Hon. Deputy Speaker:** Thank you. Mover.

**Hon. John Kiarie** (Dagoretti South, UDA): I thank the very Hon. Members for taking their time.

**Hon. Deputy Speaker:** Hon. KJ, stick to procedure as indicated. You want to move agreement to the report.

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

I beg to move that the House do agree with the Committee in the said report. I also request the honourable county Member of Parliament of Kirinyaga to second the Motion for agreement with the report of the Committee of the whole House.

**Hon. Deputy Speaker:** Proceed.

**Hon. Njeri Maina** (Kirinyaga County, UDA): I move. Thank you.

**Hon. Deputy Speaker:** Say you beg to second.

**Hon. Njeri Maina** (Kirinyaga County, UDA): I beg to second. Thank you.

**Hon. Deputy Speaker:** Thank you.

*(Question proposed)*

**Hon. Deputy Speaker:** Yes. Is there someone who wants to say something as long as they do not move? May I put the question?

*(Question put and agreed to)*

*(Mediated version of the Bill passed)*

**Hon. Deputy Speaker:** The Chairperson, Public Debt and Privatisation Committee.  
Hon. Mrembo.

ADOPTION OF REPORT ON CONSOLIDATED  
FUND SERVICES UNDER SUPPLEMENTARY  
ESTIMATES FOR FY 2025/2026

**Hon. Irene Njoki** (Bahati, JP): Hon. Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Public Debt and Privatisation Committee on its consideration of the Consolidated Fund Services under the Supplementary Estimates for FY 2025/2026, laid on the Table of the House on Tuesday, 7<sup>th</sup> April 2026.

I wish to thank Members of the Public Debt and Privatisation Committee for their diligence and commitment in considering the Consolidated Fund Service Expenditures and preparing this Report for the consideration by the House.

Consolidated Fund Services or CFS expenditures comprise statutory expenditures charged directly on the Consolidated Fund, as provided for under the Constitution and various Acts of Parliament. These include public debt service, pension payments, salaries and allowances for holders of constitutional and independent offices, as well as other miscellaneous statutory expenditures.

Under the Supplementary Estimates, Consolidated Fund Services expenditure is projected at KSh2.58 trillion, representing an increase of Ksh443.59 billion from Ksh2.14 trillion in the Approved Budget. This confirms that CFS expenditure remains the largest and one of the fastest-growing components of Government expenditure. Under the Supplementary Estimates, the key components are projected as follows:

1. Public debt service will rise from Ksh1.9 trillion in the Approved Budget to Ksh2.34 trillion.
2. Pension expenditure will remain at Ksh234.9 billion.
3. Salaries, allowances and related expenditures will increase by Ksh431.34 million, from Ksh4.67 billion to Ksh5.09 billion.

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At this juncture, I would like to provide a minor clarification that sub-paragraph (i) under paragraph 6 should read Ksh2.3 trillion as opposed to Ksh1.9 trillion. The Committee considered these Supplementary Estimates at an important stage in Kenya's fiscal management and reform journey. The proposed adjustments highlight the continued significance of statutory expenditures, particularly public debt service, within the national budget framework. They also underscore the importance of sustaining reform efforts aimed at preserving fiscal stability while ensuring that the Government retains the capacity to finance essential public services and development priorities.

The Committee noted the increase in Consolidated Fund Services expenditure, largely driven by public debt service obligations. The projections show that debt service continues to account for the largest share of statutory expenditure, with direct implications for the fiscal space available to support other national priorities. The Committee therefore sees this as a timely opportunity to deepen ongoing efforts to improve debt planning, expenditure prioritisation, and the overall management of the budget framework.

The Committee further observed that the Supplementary Estimates reflect a wider fiscal deficit and a corresponding increase in the public debt stock. In the Committee's view, this reinforces the importance of stronger fiscal discipline, improved debt planning, and closer alignment between borrowing decisions, debt operations, and the medium-term fiscal framework. While liability management operations remain an important instrument in easing immediate financing pressures, their effectiveness would be enhanced by a clear, transparent, and forward-looking policy framework that supports both short-term fiscal management and long-term debt sustainability.

The Committee also noted a number of areas where continued reform would yield important gains, including the adequacy of budget provisioning for debt service, transparency in debt operations, the management of off-budget and off-balance-sheet commitments, and the timeliness of pension disbursement. These are important aspects of public finance management and provide a useful basis for strengthening reporting, improving predictability in fiscal planning, and enhancing parliamentary oversight over obligations charged to the Consolidated Fund.

In undertaking this review, the Committee benefited from submissions by the National Treasury, the Central Bank of Kenya, and the Office of the Controller of Budget. The Committee appreciates the cooperation extended by these institutions and acknowledges the value of the information and clarifications they provided. The Committee also recognises the support of the Office of the Speaker of the National Assembly and the Office of the Clerk of the National Assembly in enabling it to discharge its mandate effectively.

This Report contains findings and recommendations intended to strengthen debt oversight, improve transparency and accountability in public borrowing, enhance the management of Consolidated Fund Services, and safeguard fiscal space for priority government programs.

The Committee therefore recommends that the National Treasury and Economic Planning:

1. Expedite the development of the Liability Management Policy and ensure that all liability management operations are undertaken in a manner that supports the fiscal consolidation plan, expands fiscal space, supports sectors that are critical for economic growth, contributes to a reduction in public debt service obligations over time, and adopts a more diversified financing mix that includes semi-concessional and concessional options alongside commercial borrowing.
2. Enhance transparency and accountability by ensuring that all public debt, particularly domestic debt, is onboarded onto the Commonwealth Meridian

- Public Debt Management System within 60 days of the adoption of this Report.
3. Strengthen the acquisition, application and oversight of domestic borrowing through the development of joint reporting standards, in collaboration with the Controller of Budget and the Central Bank of Kenya, for tracking the utilisation of domestic debt.
  4. Enhance accountability and improve the efficiency and effectiveness of borrowed funds by issuing guidelines and directives, within 20 days of the adoption of this Report, to all Ministries, Departments and Agencies (MDAs) requiring them to prepare annual reports on the efficiency of loan utilisation within 30 days after the close of each financial year, and thereafter submit the reports to the National Assembly for scrutiny.
  5. Improve the timely disbursement of pension benefits to retired civil servants by clearing pension arrears older than three months within one month of the adoption of this Report, ensuring that future pension benefits are disbursed within three months of becoming due, and developing a National Government Pension Policy Statement to guide pension disbursement, reporting and stakeholder consultation, to be submitted to the National Assembly within 60 days.

These recommendations arise from the Committee's finding that domestic debt service has become the largest component of public debt service expenditure, thereby necessitating stronger oversight over this category of debt. They also arise from the need to improve the efficiency of debt utilisation and to address delays in pension disbursement, notwithstanding the central role of pensions as a key social protection mechanism for retired public officers.

The Committee remains confident that, with sustained commitment to reform, adherence to the fiscal responsibility principles set out in the Constitution, and strengthened public finance management, these expenditures can be managed more sustainably, preserving fiscal space for other critical development expenditures.

With those remarks, I beg to move and request Hon. Rahab Mukami to second.

**Hon. Deputy Speaker:** Hon. Mukami, Member for Nyeri County.

**Hon. Rahab Mukami** (Nyeri County, UDA): Thank you, Hon. Deputy Speaker. I rise to second the Motion on the Adoption of the Report of the Public Debt and Privatisation Committee on the Consideration of the Consolidated Fund Services (CFS) under the First Supplementary Estimates for the Financial Year 2025/2026. From the outset, I commend the Chairperson and the Members of the Committee for the thorough review of this important matter. The Report speaks to issues central to fiscal sustainability, prudent debt management and the efficient use of public resources.

The Committee's review shows that the CFS remain a major component of Government expenditure. Under the Supplementary Estimates, CFS expenditure has increased to Ksh2.14 trillion in the approved budget of Ksh2.58 trillion. That increase confirms the growing weight of statutory obligations within the budget and the importance of continued reforms in debt management, cash planning and expenditure prioritisation. The most significant component of this expenditure remains public debt service, which now accounts for 91 per cent of the total CFS expenditure. This clearly demonstrates the extent to which debt obligations continue to shape the fiscal space available for other public programmes. The issue before the House, therefore, is not merely one of expenditure adjustment, but also one of ensuring that the budget framework remains sustainable and responsive to national priorities.

The Committee also noted that the Supplementary Estimates reflect a wider fiscal deficit and increased reliance on domestic borrowing. That points to the need for continued improvement in fiscal discipline, stronger forecasting, better debt planning and closer

alignment between borrowing decisions and the medium-term fiscal framework. It is also encouraging that the Report not only identifies the pressure emerging in the fiscal framework, but also proposes constructive measures to support reform.

I particularly support the Committee's recommendations aimed at strengthening the policy framework for liability management operations, enhancing transparency in debt reporting, improving the tracking and efficiency of borrowed funds and ensuring more timely pension disbursement to retired public officers. Those practical recommendations will strengthen accountability while also supporting better outcomes in public finance management. Therefore, this Report is important because it supports a more transparent, disciplined, and sustainable approach to the management of statutory expenditures charged to the CFS. It also reinforces the oversight role of this House in ensuring that public borrowing and debt services obligations are managed in a manner that protects the broader public interest.

I beg to second the Motion.

*(Question proposed)*

**Hon. Deputy Speaker:** Members who want to contribute, please press the intervention button. Let us have Hon. Makali Mulu.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Thank you, Hon. Deputy Speaker. I will start by appreciating the work of my former Committee, where I served as the Vice-Chairperson. I have listened to the very good Committee's recommendations. However, the House should treat public debt more seriously. The Report calls on the House to pass a resolution on the same, but we have already passed the Supplementary Budget. What value will this Report add to our Supplementary Budget?

I just want to remind the House what we did last week but one. We passed a budget deficit of 6.4 per cent after looking at the proposed expenditures. Public debt arises because we spend more than we collect. The Appropriations Act proposed an increase in expenditure to about Ksh364 billion. The increase in revenue was about Ksh29 billion. That difference means that we will borrow about Ksh330 billion. That is why the deficit went up. If we had debated this Report before passing the Appropriations Act, the Committee's recommendations would have made a lot of sense. I appeal to the House to ensure that this Report is always debated before we finalise the budget-making process because it informs the process. We will then be able to control expenditure, put in place checks and balances, and reduce the deficit.

The Committee also recommended proper planning and budgeting to manage our public debt. *The Hansard* will indicate that this recommendation has been made many times. When will we implement the recommendations? It seems as though we propose recommendations for the sake of it, but we do not follow up on them. I insist that our Committee on Implementation should do much more than they are doing because those issues keep recurring. A Committee gives proposals but there is no follow-up. The Leader of the Majority Party should help us.

As the Committee has rightly pointed out, our total debt repayment has increased from about Ksh1.9 trillion to about Ksh2.4 trillion. That figure includes the principal amount plus interest. We are collecting revenue of about Ksh2.8 trillion. That means that we only have about Ksh400 billion left for our development budget, which is externally financed.

As the Committee indicated, most of our debt is shifting from external to domestic borrowing. That matter has been flagged by the Office of the Controller of Budget and the Office of the Auditor-General. It will become more serious unless we address it. As a House, we need to find a mechanism of balancing domestic and external debt.

Lastly is the issue of pensions. I do not understand why retirees take one or two years to access their pensions. Most retirees die because they do not get their money on time. They

no longer have a regular salary and rely on their pension. The House should implement the proposed three-month pension payment period. Otherwise, we will pay out pensions to people who never worked for the Government. The *wazees* would have died and their children will start fighting for their pension. I urge the House to take this matter seriously.

**Hon. Deputy Speaker:** Let me allow Hon. Makali to finish.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Thank you, Hon. Deputy Speaker. We need to get to the bottom of the issue of pensions and find out why the National Treasury cannot pay out pensions three months after an employee retires. Most people go for terminal leave prior to retirement. The pensions department should start preparing documentation during that time, so that by the time an employee exits from office, the pension payment process is ongoing. The amount allocated for pensions has increased to Ksh4 billion so, the money is already budgeted for. We must take that matter seriously.

Now that I have an additional minute, allow me to go back to the issue of domestic versus external borrowing. Interestingly, the Office of the Controller of Budget noted that about 70 per cent of the public debt is borrowed domestically, while 30 per cent is borrowed externally. About 70 per cent of that money goes to domestic borrowing and 30 per cent goes to external. Basically, this is because external borrowing is cheaper and is long term while domestic borrowing is expensive and is short term. That is why we have to borrow every year to re-pay loans.

By doing that, we make debt management very complicated. So, this is a matter we must discuss, take this information very seriously and help the Committee. They are doing a very good job but, we are not giving them the necessary support in terms of timing of their Report. The Report should be tabled before we conclude the Budget.

With those many remarks, Hon. Deputy Speaker, I submit. I support the Report. Thank you.

**Hon. Deputy Speaker:** Member for Kisumu East.

**Hon. Shakeel Shabbir** (Kisumu East, Independent): Thank you, Hon. Deputy Speaker. I note the Report. The Committee has done well and we need to look at their recommendations. The Public Debt Office, in the last three terms of my four terms, was never really a public debt office within the system. It was somewhere in the 2<sup>nd</sup> or 3<sup>rd</sup> floor at the National Treasury. It never had any strength, never had any autonomy and if there was an economist who was not liked in the National Treasury, he was pushed to that office.

As we look at this Report, we now have a Public Debt and Privatisation Committee. The main problem of the public debt office, like that in the United Kingdom, is that it secures loans. It finds the best combination of loans. That is neither done by the Cabinet Secretary nor the Treasury. Every year, the head of Treasury in the United Kingdom gives the authority to the public debt office to have autonomy. Kenya has not reached there yet. In the National Assembly, we now have a Public Debt and Privatisation Committee.

Hon. Deputy Speaker, we have been grappling with external and domestic debt. Domestic debt, as our colleague has told us, is short-term and more expensive. Seventy per cent of public debt is domestic. With the Government borrowing domestically, banks do not need to lend to anybody. They lend the Government and get very high interest rates. At one time, the interest rate went up to 75 per cent at the time of Anglo-Leasing and Goldenberg scandals. What happens is that all the liquid money that should be used to generate wealth within the country is taken up by the Government. Thus, businesses cannot access loans from banks because they lend Government.

That is what we looked at last term and we agreed that not more than 50 per cent of the debt should be domestic. We also agreed that we will look at the domestic and external debt and layer it to see average cost of a loan the Government takes domestically versus the external debt. Interest on external debt is lower but exchange rate fluctuations sometimes are higher.

We spoke about this. I urge the Committee to come up with a criterion to limit the amount of domestic and external debt we can take. Taking domestic debt is like cutting our nose to spite our face. If Kenyans wants to take a loan to farm or for industry, they may not be able to because the Government borrows all the money and the banks enjoy that very much. I was a banker and it was much easier for the bank to lend Government at 15 per cent than to lend on hire purchase or asset financing. So, I really feel that we need to work on this. I ask the Committee to come with standards and regulations that can be shared with the National Treasury.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Thank you. Member for Butula, Hon. Joseph Oyula.

**Hon. Maero Oyula (Butula, ODM):** Thank you Hon. Deputy Speaker for giving me this opportunity to also contribute to this debt issue. I support the adoption of this Report because I find that it has highlighted areas the Government needs to look into.

Domestic debt is the major cause of a huge budget. We budget heavily on debt because of persistent borrowing domestically. This denies the public from borrowing as most of the cash is transferred to the Government through short-term borrowing of 90 days and 108 days. The Government needs to implement a credible fiscal consolidation strategy with a clear road map to reduce persistent fiscal deficits. Continued borrowing increases the deficit and that must be looked into very critically. The Government must enhance domestic revenue. There is a lot of revenue in this country but where it is applied, nobody knows. That revenue should go to the Exchequer so that the Government reduces borrowing domestically. Domestic borrowing is very dangerous to our economy.

We also need to look at the recurrent expenditure which must be reduced and frequent increase in Supplementary Budget be avoided. This is because as we increase the recurrent expenditure in a Supplementary Budget or in an annual Budget, we automatically increase domestic borrowing. In fact, we should go for more external borrowing than domestic borrowing because it is very dangerous for our economy.

The Government should also lengthen the maturity profile and reduce re-financing risks. On domestic borrowing, we should now consider moving from the 90 days to more days. This is because frequent borrowing after every three months creates huge domestic interests. As we continue borrowing, nobody knows where the borrowed money goes. We cannot direct or pinpoint what the money borrowed domestically is going to finance unlike the external money which we borrow for specific projects. Domestically borrowed money is used for recurrent expenditure which should be avoided.

The Government of Kenya needs to further focus on restructuring the entire debt portfolio to ensure that we do not allow expenditure to increase during this period. I was once a Member of a delegation that participated in an IPU conference. As the Deputy Leader of the Majority Party said, one may not want to disparage Parliament, but there are times when I wonder what criterion is used to select Members to the IPU and who the privileged few are.

**The Temporary Speaker (Hon. Martha Wangari):** What is out of order, Member for Buuri?

**Hon. Mugambi Rindikiri (Buuri, UDA):** Hon. Temporary Speaker, the Order Paper is clear that we are discussing a Report. We are not discussing the selection of Members to represent Kenya at IPU conferences. He is totally out of order. He should not play to the gallery. Let us discuss the Report. He is a senior Member. We should be learning from him.

**The Temporary Speaker (Hon. Martha Wangari):** Hon. Rindikiri, you definitely have no *locus standi* to rule any Member out of order, but I have heard you. Hon. Shakeel, I beseech you to stick to the Motion as you second it. Not all Members can participate in an IPU conference. I have never participated in an IPU conference. You cannot say that some Members are privileged and others are not. You are lucky to have participated once. Other Members will

participate another time. Please, keep your contribution relevant to the Motion being debated on the Floor of the House.

**Hon. Shakeel Shabbir** (Kisumu East, Independent): Hon. Temporary Speaker, I just wanted to get the matter off my chest. I have great faith in those who went to the IPU conference. I also have great faith in the tabled reports, especially the one from Tashkent, Uzbekistan; because it includes some issues that Kenyan parliamentarians have pushed for, including supporting our neighbour, Tanzania, as it sought leadership positions. I hope they will return the favour when Kenya's turn comes.

I beg to second the Motion.

*(Question proposed)*

**The Temporary Speaker** (Hon. Martha Wangari): Let us have the Member for Chuka/Igambang'ombe.

**Hon. Patrick Ntwiga** (Chuka/Igambang'ombe, UDA): Thank you, Hon. Temporary Speaker. I rise to support the reports. I congratulate the Leader of the Delegation for the good job in explaining what the IPU is to those who did not know what it does. I will not complain that I have never participated in an IPU conference because the Leader of the Delegation promised that he would invite young leaders to participate next time. I am sure he was referring to me. Therefore, I do not need to belabour that point.

The House should have strict guidelines regarding the people it sends out in delegations. The last delegation I was part of in Geneva had over 20 Members of Parliament. We were unable to find three Members during one meeting, which was very embarrassing. I was in Zambia three weeks ago for the Network of Parliamentary Committees on Health. The Network has tried to hold meetings in Kenya for the last eight years but could not because Members were not interested. Members finally agreed because I strongly advocated for Kenya to host all parliamentary health committees in Africa. I agree with the Leader of the Delegation that delegations are not just tours or trips. They are meant for serious work.

I was a bit concerned when the Leader of the Delegation started getting into issues of Iran because those are sensitive matters that could get us into trouble. I wonder whether we are ready for that. However, I congratulate the Leader of the Delegation and the delegations to those meetings.

I was part of the Youth in Parliament campaign to encourage the youth to join Parliament and to stop demonstrating in the streets. Policies are made in Parliament and one gets here through elections. We are currently undertaking voter registration. Our youth should register as voters, so that they can elect their fellow youths to Parliament to represent their interests. I do not have much more to say. I congratulate the Leader of the Delegation on the elaborate Report.

I support.

**The Temporary Speaker** (Hon. Martha Wangari): Let us have Hon. Owen Baya.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I rise to support the Reports tabled by Hon. KJ, the Member for Dagoretti South. I was once in the IPU and I attended several fora in Geneva. The IPU is structured to discuss many issues, including geopolitics. I was there when the geopolitics were very hot. One enjoys being part of the institution. Motions were tabled and regions disagreed. There was filibustering and no decisions were made. I attended with the then Speaker of the Senate, Hon. Lusaka, and the current Governor of Nakuru County, who was elected President of the Forum of Women Parliamentarians. Kenya received a top honour through Hon. Susan Kihika. We had a great time.

The IPU is an important avenue for understanding geopolitics, international law, international politics and the United Nations. Hon. KJ speaks passionately about the IPU due to attending events on law-making. I also attended a meeting with Hon. KJ in Pakistan, where the geopolitical discussions were very interesting. We need to expose more Members to such fora, so that they understand geopolitics and the higher echelons of parliamentary work.

Hon. Shakeel was highly respected at the Parliament of Pakistan, where he received standing ovations. We need to expose many Members of Parliament to such. I just hope that everybody gets an opportunity to attend such fora. I hope that I will one day go to the Pan-African Parliament. I have been there before, but I did not understand much of African politics. Every Member of Parliament should enjoy a stint at international parliamentary forums such as the Commonwealth Parliamentary Association (CPA), the IPU, the Pan-African Parliament and the East African Legislative Assembly (EALA). They are all important forums for growing one's stature as a Member of Parliament.

I support the Motion.

**The Temporary Speaker** (Hon. Martha Wangari): Let us have Hon. Waqo.

**Hon. Naomi Waqo** (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. I rise to support the Reports. I also congratulate Hon. KJ for elaborating on what the IPU does so that Members can understand. I also congratulate the Members who have attended various IPU forums. One gets an opportunity to interact with different countries and committees and present different reports and papers, which is quite good. I once attended and I believe Kenya should continue participating actively in such forums. Sometimes we send delegations to various international forums but getting quorum is a problem. We have two or three people participating in the events. It is always good that when you go out there, you adequately represent this House and the country.

With those few remarks, I support.

**The Temporary Speaker** (Hon. Martha Wangari): Next is the Member for Igembe Central.

**Hon. Daniel Karitho** (Igembe Central, JP): Thank you, Hon. Temporary Speaker for giving me this opportunity. I also support the Report by the Departmental Committee on Communication, Information and Innovation.

I happened to attend a Commonwealth Parliamentary Association (CPA) Conference in London and realised that Kenyan MPs are respected so much. Our participation in that conference was valued a lot. Whenever we took the podium, everyone would listen intently to know how we handle our affairs in this country. Therefore, I commend all the Members of the delegations that participated in these IPU meetings for the good work they have done. They shined on behalf of Kenyans.

With those remarks, I support.

**The Temporary Speaker** (Hon. Martha Wangari): Very well. Next is the Member for Buuri, Hon. Rindikiri.

**Hon. Mugambi Rindikiri** (Buuri, UDA): Thank you, Hon. Temporary Speaker. I happen to represent this House in 12 great countries that form the Great Lakes Region. If you look at the terms of reference of this IPU, you will realise it deals with matters on peace and security. Kenya is not the only country that is concerned with matters of international conflicts. We have our immediate neighbours, and regional and continental neighbours. If Kenya does not participate in international peace forums, we stand to have a serious problem in the future.

The IPU deals with sustainable development, climate change, democracy, human rights, international humanitarian law and order, as well as with matters of women and youth parliamentarians. It has a working group on science and technology, and human rights issues. This is a very important international forum, and this House participates in its activities through this Committee. The IPU integrates the African continent because we cannot tackle the issues

that are dealt with at that forum as divided nations. The Committee's Report shows us what really happens at the global stage. I thank the Committee for being diligent in bringing out these matters. As Parliament, we need to deliberate on each of these reports to appreciate what goes on at the global stage as far as the matters raised therein are concerned. We need time to talk about conflict and peace as well as climate.

We have just concluded a very important forum—the African Urban Forum on Housing and Urban Planning. These are all intertwined issues that are of concern to our nation. Therefore, I would like to request the Committee to ensure that whenever they present a report to the House, we learn one or two things. We should have a matrix of action plan that we can implement as Parliament. In the future, for people to see the importance of these reports, we need to pick action plans that we can implement.

With those remarks, I support.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Members, there being no more interest on this Motion, I call upon the mover to reply.

**Hon. John Kiarie** (Dagoretti South, UDA): Thank you, Hon. Temporary Speaker. I will start by thanking the Members who contributed to this Motion. I thank Hon. Shakeel for seconding the Motion, and the Deputy Whip of the Majority, Hon. Waqo for her invaluable contribution. I also thank Hon. Karitho, Hon. Murwithania and Hon. Daktari, a very youthful Member of Parliament who has represented the country in very many international fora and made a good show.

What the Hon. Member has spoken about is critical. The delegations that Kenya sends to these international forums represent not only this House but our Republic. Therefore, Members should offer themselves to partake international duty and fail to participate in scheduled proceedings of these forums and their committees. I would like to confirm to this House that the team that we have in the IPU would be a good example of what representation of this House at such forums should be. The Members have been able to attend the proceedings and contribute fully. Even more importantly, the Members of our delegation have been able to find favour among their peers in other parliaments. We have had not less than four Kenyan Members of Parliament elected to lead IPU bureaus.

Allow me to make a special mention of our own leader in this House, Hon. Millie Odhiambo, who is currently chairing the IPU Committee on Human Rights for Parliamentarians. The functions of the IPU Committee on Human Rights for Parliamentarians would require us to request the National Assembly of Kenya to have a debriefing session with this specific Hon. Member. This is because the issues that the committee handles include human rights of parliamentarians and the abuse that happens to parliamentarians around the world, some of it being physical and psychological.

This most esteemed lady, Hon. Millie Odhiambo, sits through hours upon hours and at times going late into the night, burning the midnight oil, prosecuting matters that have to do with the human rights abuses of Members of Parliament, up to and including physical harm and at times even assassinations. This Committee has to sit down, listen and prosecute these matters and come up with reports for presentation to the IPU plenary. Therefore, I needed to make a special mention of the work that is being done Hon. Millie Odhiambo.

Hon. Temporary Speaker, allow me to also single out Hon. Catherine Mumma, who has been a consistent Member of the IPU, ending up taking leadership positions at the forum and representing Kenya very well. We have others who have been consistent IPU Members, who have done an amazing job. They including Hon. Rebecca Tonkei, Hon. Naisula Lesuuda and Hon. Geoffrey Mulanya. Allow me to collectively mention the Members who have taken up duty with us. The quality of representation that this House has been sending to the IPU has received praise from around the world.

I would like to mention that I may no longer be a member of the IPU, after serving my two terms as President of a Bureau but the IPU remains important. Those of us who will get opportunity to participate should be a voice for our country, Kenya, and at the time also be a voice for our continent, Africa. Africa must raise its voice so that it gets its pole position in global leadership and geopolitics. That voice should not be muted. The easiest way to mute it is through division. When we attend these forums, we observe that Africa can easily be divided into Anglo-Africa and Franco-Africa, often along former colonial affiliations. These divisions weaken Africa's position on the international stage.

Hon. Temporary Speaker, the Members who have been travelling with us to these forums have consistently projected Kenya's position in good light. Hon. Millie Odhiambo is currently the President of the Committee on Human Rights of Parliamentarians. Hon. Naisula Lesuuda is a long-serving Member of the delegation who currently serves on the Committee on Sustainable Development. Hon. Rebecca Tonkei is a Member of the Committee on United Nations Affairs. Hon. Catherine Mumma serves in the Working Group on Science and Technology. Hon. Sen. Allan Chesang, Hon. John Chikati and Hon. Betty Maina, a County Member of Parliament for Murang'a, have all made an appearance at the IPU and made very great contributions.

In conclusion, matters facing humanity today call for dialogue. The moment dialogue ceases; we shall be drifting to a third world war. Considering the current global situation, the existence of nuclear weapons and other weapons of mass destruction, the only way for the world right now is the pursuit of the human drive towards peace. If the world were to go to war today, it would be such an untidy mess and it could easily spell the end of the human race as we know it. There is a place for peace, for dialogue and for mutual respect, including for countries that have historically been regarded as third world. The IPU offers a great platform for Africa to debate its issues on the international forum.

I, therefore, beg to move that we adopt these Reports.

**Hon. Members:** Reply! Reply!

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Temporary Speaker, with those many remarks, I beg to reply.

Pursuant to the provisions of Standing Order 53(3), I request that the putting of the Question be deferred.

**The Temporary Speaker** (Hon. Martha Wangari): The request is well noted and acceded to.

*(Putting the question deferred)*

Next Order.

## BILL

### *Second Reading*

#### THE QUALITY HEALTHCARE AND PATIENT SAFETY BILL (National Assembly Bill No. 41 of 2025)

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, I beg to move that the Quality Healthcare and Patient Safety Bill (National Assembly Bill No. 41 of 2025) be now read a Second Time.

*(Hon. (Dr) Ojiambo Oundo walked out of the Chamber)*

I would like Hon. Oundo to listen to this very important Bill. You are a good debater. I would like you to listen so that when you come to debate, you will have all the facts.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Owen, do not address Hon. Oundo. Address the Temporary Speaker.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, order Hon. Oundo to come back.

*(Laughter)*

It is my pleasure to introduce this Bill to the House. It is a milestone in our journey towards Universal Health Coverage (UHC). We passed laws to fund healthcare and digitise records during the 13<sup>th</sup> Parliament. This Bill addresses the most crucial and critical missing link – the quality of healthcare. That is why it is called the Quality Healthcare and Patient Safety Bill. It aims to consolidate all the safety institutions that currently operate in silos and bring them under one authority. That is why it is worth listening as I move it. It will help us not to have different institutions taking care of doctors, nurses and health safety. We will put them under the Healthcare and Patient Safety Authority. This is the essence of this Bill. I want to make it very clear so that my friend and partner in many other things, Hon. Jack Wamboka, can listen and debate.

Currently, our regulatory environment is fragmented, with over five different Boards which inspect facilities independently. This Bill seeks to consolidate that oversight role under one roof to ensure that when a Kenyan walks into a hospital in Nairobi City County, or a dispensary in a rural village, they receive the same high standards of safety.

Allow me to highlight the core pillars of the Bill. Firstly, there is establishment of the Quality Healthcare and Patient Safety Authority, which aligns Kenya with international best practices. We have five institutions that look at the safety and quality of healthcare of patients. This Bill consolidates them into one authority. We are moving from silos to systems. Currently, our regulatory landscape is compartmentalised. The Kenya Medical Practitioners and Dentists Council (KMPDC) monitors doctors, while the Nursing Council of Kenya (NCK) monitors nurses on matters of professional conduct. It is only one piece of the puzzle. This Bill shifts the focus from individual conduct to systemic safety.

With the comprehensive oversight under Clause 27 of the Bill, the Authority will have the bird's eye view that is missing. It will oversee infrastructure standards, equipment maintenance and clinical safety protocols to prevent medical errors.

What we have is conflict of interest, and we need to end it. Doctors want to protect fellow doctors and nurses want to protect fellow nurses. Most importantly, the Bill removes the inherent conflict of interest in our current setup. We are moving away from peer review model of inspection, where doctors review other doctors. Therefore, professionals will no longer be solely responsible to inspect the body that they work in. By establishing an independent authority, we will ensure that oversight is objective, rigorous and above all, focused on the patient. That is what this Bill is about; patient's rights and safety.

Clauses 7-25 talk about patient's rights and safety. This is more than just a list of rights. It is a legal shield for Kenyan patients. When you go to hospital, you will have certain rights that are protected by law as a patient. Beyond the rights to care, the Bill guarantees the right to be heard and the rights to safe health products. The Constitution guarantees the right to healthcare but it does not guarantee the right to be heard when you have been wronged. The Bill provides for the right to be heard and the right to safe health products. There are pharmaceutical companies which manufacture drugs that are not of the expected standards. I am happy that Hon. Leo wa Muthende is listening because this is his field. I know about that because I helped him grow in that field.

Clause 17 proposes a Patients' Rights Charter. When you visit a health facility, there will be a health charter. More importantly, the Bill mandates that every health facility must develop and conspicuously display the Patients' Rights Charter. During the performance contracting period, there were charters that were displayed but there was no oversight over them. Nobody from the health standards checked whether they were followed. If we pass this law, we shall have the Patients' Rights Charter developed and it must be prominently displayed. That will ensure that no Kenyan is left in the dark about their entitlements.

The Authority will provide a standardised template for these charters, which will be updated after every two years so that informed consent and dignity are visible promises on every clinic's wall and not just words in a statute book. That is a very important provision. It will give patients an opportunity to pursue their rights. They will know them because they will be visibly displayed in hospital premises.

Clause 18 talks about enforcement of this Charter. This Clause is heavy-hitting. It mandates every facility to adhere to safety standards. If a facility's negligence leads to harm, there must be redress. Many patients die in hospitals because of negligence. Some patients actually move out of hospitals. One of my staff went to hospital and a nurse injected her at a wrong place negligently.

The lady limps to work to date. She has been in that state for the last four months because of the negligence of a medical staff. She probably does not know her rights or where to go and report the incident. I wish Hon. Nyikal, the Chair of the Departmental Committee on Health, is here. However, Hon. Patrick Ntwiga is here. He will second the Motion.

If a facility's negligence leads to harm, the culprits will be liable for civil suits and a criminal fine of up to Ksh50 million or imprisonment for up to 10 years. We are moving from civil suits. When there is negligence by a doctor or a nurse that leads to criminal offense, they will pay a fine of 50 million or be jailed for 10 years. That will ensure that quality is not a suggestion but a strictly enforceable requirement. In the past, quality and safety in hospitals have been like suggestions. The enactment of this Bill will ensure that if a clinician makes mistakes out of negligence and a patient is harmed, he pays a fine of up to Ksh50 million or is jailed for a maximum of 10 years. That will guarantee safety.

Hon. Temporary Speaker, Clauses 42 to 71 deal with registration, licensing and accreditation of health workers and health facilities. This pillar introduces a three-step safety gate for all health facilities. One, every health facility must be registered in the national database. We have a lot of health facilities that operate even though they are not registered. Under this law, all facilities must be registered. Two, all facilities must be licensed to be authorised to operate based on minimum infrastructure. They will not just be licensed but must also have minimum infrastructure standards for them to be licensed. Three, is accreditation. Under Clause 61, health facilities will undergo quality scoring and rating. Only facilities that achieve the required accreditation score will be allowed to operate. This is very important. Every facility now benefits from the Social Health Insurance Fund (SHIF).

However, this Bill proposes that if a facility has a good credit score, it will be allowed to access SHIF. If it does not have a good credit score, why should it be given a SHIF contract? So, if health providers want public money, they must provide quality care. I want to repeat that so that Hon. Jack Wamboka can go to his village and tell health service providers that if they want public money, they must provide quality care. If they do not provide quality healthcare, they cannot access public funds. So, SHIF will only be for those facilities that adhere to safety standards and provide quality care.

Clauses 83 to 86 introduce the Health Care Tribunal. The wheels of justice in our courts can be painfully slow for a patient who has suffered harm, or to a facility that is facing wrongful closure. Today, if anything happens to you at a hospital and you go to court, the court may be

having other matters before it and it may take 10 years before you get justice for an injury that you sustained out of a doctor's negligence.

The Bill proposes the establishment of a health care tribunal that can first track cases. During elections, if you have an issue and went you to court, by the time the court dispensed with the matter, the election period will be over. However, after a tribunal was introduced to the Political Parties Act, aggrieved parties go there and get justice in time to come back and continue with the election process.

The Independent Electoral and Boundaries Commission (IEBC) has a similar tribunal, which ensures that you get justice administered very fast once you present a complaint to it. This Bill proposes the introduction of a Health Care Tribunal so that when one has a problem with a medical facility or a doctor, they can go to it to seek justice. The tribunal will need specialised expertise that will consist of both legal and medical experts. They will be people who are well versed with legal and health matters. They will sit in the tribunal and give us justice within a short time.

For its efficiency, it is designed to quickly adjudicate disputes such as revocation of a practice license or a breach of a patient's rights, with technical depth. It will ensure that health disputes are handled by people who understand the difference between a medical complication and a medical negligence.

Hon. Temporary Speaker, I conclude and prepare Hon. Pato, the Vice-Chairman of the Medical Board, to second the Motion, I want to say that one of the biggest hurdles to health care reform has been the clash of laws. We have very many laws in the health care sector. We have very many laws on system of safety.

We have many laws on the care of patients. This Bill makes specific amendments to 15 statutes. The 15 statutes are being amended by this Bill because of the litany of laws that we have, including the Pharmacy and Poisons Act and the Medical Practitioners and Dentists Act. All these are amended. This will remove the overlapping powers that confuse when all these institutions are involved. It clearly states that while these professional boards will license the practitioners, the new law is the supreme authority on the facility.

This Bill seeks to prevent forum shopping. You know what forum shopping is. One may think that they can get justice at one board because they know someone there. Therefore, they go there. When they think that a certain board would be unamenable to them, they avoid it. Forum shopping will come to an end. This Bill seeks to prevent forum shopping and ensure that there is only one standard of quality of care in Kenya. There will be only one standard of quality of health care instead of the many standards under the different bodies, like the practitioners, the dentists, the Poisons Board, and the pharmacists, et cetera.

Hon. Temporary Speaker, on stakeholder engagement, the Departmental Committee on Health conducted an extensive and transparent public participation exercise. The Committee received submissions from 16 major stakeholders including the Ministry of Health, the Law Society of Kenya, the Pharmacy and Poisons Board, and various professional councils. Following this engagement, the Committee made several key improvements: Firstly, the tribunal's mandate was refined and its scope narrowed to focus specifically on quality and safety disputes, preventing it from becoming overwhelmed by general insurance claims.

Secondly, on technical oversight, the powers to develop a clinical scope of practice were moved from the Cabinet Secretary to the Director-General of Health. Thirdly, on balanced penalties, the penalty clauses were adjusted to be firm enough to deter quacks, but fair enough to allow legitimate facilities to rectify system issues without immediate closure. Lastly, on regulatory duplication, the Ministry clarified that while professional councils will still oversee the integrity of their members, the Authority will handle the physical licensing and inspection of the buildings and systems.

Having spoken for a very long time, I need to break and have a glass of water. Therefore, I would like conclude by saying that we cannot talk about universal health coverage if that coverage does not guarantee universal safety. When we discuss universal health coverage, we must also talk about the universal safety of patients. This Bill seeks to ensure that our healthcare system is not just about the number of beds we have but also the quality of care provided in those beds. The Bill seeks to protect patients, empower practitioners and bring order to the sector.

With those remarks, I beg to move and request Hon. Pato, the Vice-Chair of the Departmental Committee on Health, to second.

**The Temporary Speaker** (Hon. Martha Wangari): Very well. Proceed, Member for Chuka/Igambang'ombe.

**Hon. Patrick Ntwiga** (Chuka/Igambang'ombe, UDA): Thank you, Chair. I rise to second.

**The Temporary Speaker** (Hon. Martha Wangari): Which Chair?

**Hon. Patrick Ntwiga** (Chuka/Igambang'ombe, UDA): Hon. Temporary Speaker, I rise to second. I thank the Deputy Leader of the Majority Party because he has done so well. I do not need to belabour what he has already said. I do not need to go through this word-by-word because the mover has done so very well. I think we need to get an institution that can give him an honorary degree in these matters.

We love the Constitution of Kenya. There are so many things that the Constitution says, but we never put them into effect. For example, in Article 43, we said that Kenyans have a right to the highest attainable standards of healthcare. The Constitution assures Kenyans that anywhere you go for treatment, you should get the highest attainable standard of healthcare. However, we have not effected that requirement because we needed to put institutions in place that would ensure quality health care is given to Kenyans.

Hon. Temporary Speaker, looking at the cases we have gone through in this House, patients have been misdiagnosed and treated poorly. Three months ago, we had a patient who went to a medical facility for plastic surgery and was mismanaged. Even if such matters were taken to court, there would be no legal framework upon which to determine that the patients were not given quality healthcare. As a country, we have not defined what 'quality healthcare' is.

What we seek to achieve in this Bill is to ensure that one knows the standard of healthcare they expect when they walk into a health facility, whether private or public. And if they do not get that, as they seek recourse, there are established quality standards to which they can refer. The Deputy Leader of the Majority Party has clearly explained that in the health sector today, people have been doing what we call peer management. If a doctor misdiagnoses you today, you will go to the Kenya Medical Practitioners and Dentists Council (KMPDC), which is an institution for doctors. There, you will find their colleagues who will take you in circles, and you will never get any recourse for your case.

If a nurse mistreats you today, you will go to the Nursing Council of Kenya (NCK), whose main purpose is to take care of nurses. How do you hope to get justice from an organisation that the nurses fund? How do you hope to get justice from an organisation that is funded by deductions from doctors' salaries? So, we need a body above peer influence that can regulate the quality of healthcare in this country.

That was to explain to Members what this Bill is all about. When people receive wrong treatment in this country, they end up in Members' offices. We then bring petitions from our constituents to this House regarding those wrong treatments, prescriptions and botched surgeries. But when you finally go to court, you do not win that case because, in Kenya, we have never stated what quality healthcare and patient safety entail.

Nearly every week, we mention Universal Health Coverage (UHC) in this House. This is very important. Hon. Wamboka, I know you will soon bring a petition about your constituents being mistreated. We say the most important aspects of UHC are standards, accreditation, and the quality-of-care people receive. Kenya has made great strides toward UHC, but we cannot achieve it until we ensure that the coverage Kenyans receive includes quality healthcare and patient safety.

Hon. Temporary Speaker, the Authority that this Bill seeks to establish will be the primary regulator of all the facilities in the country. We will not have any more conflict because we will no longer have a myriad of organisations or bodies claiming to regulate the quality of care in this country. You will know the door to knock on when your patient is wrongly treated. For example, if your patient is wrongly treated at Kenyatta National Hospital (KNH) today and you seek to file a complaint, the nurse may say, “No, I am not the one who did it; I referred the patient to the specialist.” The specialist may respond, “I am not the one; it is the general surgeon.” The general surgeon may, in turn, say that no mistake occurred. You may be pushed to so many organisations as you seek justice for your patient. This Authority will be like an umbrella, a one-stop shop where you can go to claim that you did not get the quality of care that you wanted.

As I conclude, this is very important...

*(Hon. Wanami Wamboka spoke off the record)*

**The Temporary Speaker** (Hon. Martha Wangari): Focus on the Speaker. Ignore Hon. Wamboka, who is harassing you.

**Hon. Patrick Ntwiga** (Chuka/Igambang’ombe, UDA): I know he will eventually disturb us and forcibly bring petitions here.

Hon. Temporary Speaker, when you want to register a health facility in this country today, there are too many licensing bodies you have to go to, which are expensive. Every year, you renew four or five licences from different bodies, and the cost is ultimately passed on to the patient. As an entrepreneur, once I register my facility and pay for these licences, I must recover my money. But now, we are closing this gap. You only need to register your health facility with one authority.

During interactions with the ministry, this gap was clearly noted. We have received so many complaints about having to pay for six or seven licences to register one facility, yet there is one Government. Cognisant of this, one of the arguments we advance for a single, common regulator in the sector is that having numerous regulators creates so much conflict that no one is willing to take accountability.

For instance, you cannot send the KMPDC to investigate an issue in a nursing facility, nor can the NCK send an investigator to a KMPDC facility. If a patient is given the wrong medication and you approach the Pharmacy and Poisons Board (PPB), they will advise you not to involve the KMPDC because it is deemed a pharmaceutical issue. By the time you acquire justice, you have been led in circles until you are tired.

Hon. Members will have the opportunity to debate this Bill on the Floor. However, I would like to explain the gist. This Bill addresses the quality of healthcare that Kenyans receive in this country, both at the national and county levels. When someone receives a misdiagnosis or is treated incorrectly, they can appeal. Currently, as a nation, we merely discuss healthcare. While it is true that everyone can access a doctor or a nurse, the quality of treatment has never been discussed. We have yet to discuss patient safety, even though it should be at the centre of UHC.

We must focus on patient safety and quality care, not just any care. We are transitioning from words to actions. We included provisions for this in the Constitution, but we did not

implement them effectively. As Article 43(1)(a) of the Constitution states, Kenyans will finally be able to access quality care, and patient safety will not merely be a statement but a right guaranteed in the Constitution of this country.

*(Question proposed)*

**The Temporary Speaker** (Hon. Martha Wangari): Member for Dagoretti North.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I also rise to support this very important Bill and to thank the Deputy Leader of the Majority Party for bringing it to this House.

When we talk about quality healthcare and patient safety, many may think this pertains solely to illnesses. However, the most important aspect is how effectively you conduct your work, consistently and without causing harm. This is what every Kenyan needs. I wish that healthcare providers would recognise that patients are at the centre of all this. Therefore, the needs and preferences of patients must be respected while minimising risks and harm.

Yet, if we examine our processes, particularly for the establishment of healthcare centres, as all previous speakers have mentioned. Various licences are required: facility licences, county licences, public health and sanitation licences, fire and safety licences, and professional licences for staff, among others. When it comes to patients who have experienced mismanagement and are seeking justice, this is where we require this, Bill.

Many of the organisations currently in place seem to prioritise their own interests. Patients often navigate a complex system, and their families go through hell while seeking justice. When one resorts to the courts, justice arrives five or six years later.

When I look at this Quality Healthcare and Patient Safety Bill, particularly Part II on patient rights and safety, I am impressed. Due to the lengthy processes involved in seeking justice, many Kenyans grow tired and eventually give up. We all know this. We have made it too easy for citizens to lose hope and walk away.

Hon. Temporary Speaker, if we were truly to guarantee patients' rights and safety, we must confront a difficult question: how do we address staff shortages? We have too few doctors. Also, there is something we rarely talk about openly. For instance, if a doctor is employed at KNH, it is unfair for them to concentrate more on their private clinic than on the main hospital where they work. If that is the case, then perhaps it would be better to choose their private clinics. This imbalance creates real risks for patients.

I will mention several examples. I recall the late Justice Majanja's case. It is sad that after his doctor finalised his operation, a small oversight occurred, something as simple as a pipe not being properly handled, which cost him his life. Now the family is left in court, seeking justice. Unfortunately, we lost him. He had even driven himself to the hospital to seek treatment. There are many such cases.

I remember the late Hon. Malulu's case. I will not mention the hospital, but by the time we moved him from that hospital, he had fallen in the washroom, and his bodyguard was struggling to help him. Unfortunately, by the time we took him to another hospital, he was gone. It is unfair, and often there is no clear accountability. If today the Leader of the Majority Party were to call for petitions from Kenyans on patient safety, we would be shocked by the number we would receive.

Just the other day, I spoke to Hon. Jamleck's wife, and her experience was very disturbing. She rushed to a hospital, complaining of chest pain and difficulty breathing. After checking her vitals, a nurse dismissed her concerns, telling her it was nothing serious. She felt uneasy, removed the injections she had been given, and called another doctor. She was later diagnosed with pneumonia, which had been missed. We could have lost her just like that. So, where do patients run to? We need to approve this Bill urgently. Let us try our best. I keep

saying that the 13<sup>th</sup> Parliament has tried its best to bring very critical Bills that have become Acts. Yet they keep abusing and bashing us because they do not read them. We have done our best.

Finally, Clause 14(1), which guarantees every patient the right to safe and high-quality healthcare products and technologies, highlights yet another challenge. We have cases where a patient is diagnosed with a serious illness like cancer in one hospital, only to be told in another hospital that they never had it. In fact, some doctors tell patients they prefer treating them at a certain hospital rather than the one they are currently in. Why? Therefore, the challenge we face is that we have very good doctors, but the support team responsible for patient care is the problem. That is the issue we must cure, and this Bill addresses it.

Looking at the memorandum and objects, a clause that we need to work on is Part VIII, Clause 93. It provides for the delegation of power to the Cabinet Secretary in the Ministry of Health, in consultation with the Authority's Board of Directors. To improve regulations, implement the provisions of the Act and the general provisions, such as ambulance categorisation.

As I finalise, we are losing so many lives in road accidents just because there are no quick responses and no ambulances. We need them on the highways now. We need the Kenya National Highways Authority (KENHA) to assist with every highway. Let them have a few ambulances that can save Kenyans.

With that, Hon. Temporary Speaker, I beg to support.

**The Temporary Speaker** (Hon. Martha Wangari): I could not agree with you more, Hon. Elachi. The black spots are known. I come from the most affected constituency. It is about time we responded to this. Hon. Wamboka.

**Hon. Wanami Wamboka** (Bumula, DAP-K): Thank you, Hon. Temporary Speaker. I wish to support this Bill my friend introduced. Healthcare in this country is deteriorating rapidly. Whereas it is a human right, very many people are suffering at the hands of practitioners and crooks who pretend to be professionals in this field. Many people lose lives that we ought not to have lost. The fact that this Bill emphasises patients' rights and safety is very important.

It has reached a point where healthcare in this country is very commercialised. If today you had an accident at the gate of Nairobi Hospital and you were a nobody, believe me, you would not be treated there. You will be taken to KNH, thrown there, and left unattended. It is very unfair. If you are to be taken to Nairobi Hospital, you will need to make a mandatory deposit of about Ksh1 million. We must fix this and let the lives of ordinary patients count. So many lives are lost in this country. I wish the Bill could tighten and bring sanity to the healthcare field.

The other day, when the Government brought this monster called the Social Health Authority (SHA), they told us so many stories about how it would work, but it is not working. Kenyans are suffering. We need this done like yesterday. Something is happening around the SHA arena: a hospital provides services to people, but eventually it closes. When you go there, you are told that SHA is not working. This is a patient enrolled in SHA and admitted to that hospital, knowing that SHA will help them sort out their hospital bills.

However, when they are almost being discharged, they are told that they have to pay because the SHA is not working. The government must address this issue. There are so many cartels around the health sector. Teachers in my county are crying. They were removed from Minet Insurance and dumped on SHA. Teachers in Bungoma County are suffering. They were told that only Bungoma West Hospital would provide services under the SHA. However, after one month, they were unable to access those services. These teachers have nowhere to go.

Teachers deserve to be treated as fairly as any other civil servant. The government should move with speed. Minet Insurance was working. So, why fix it? You only fix things

that are not working. The government should move quickly and ensure that teachers, especially those in Bungoma County who have expressed deep concerns about their suffering to me, receive regularised care. The life of every Kenyan has a meaning.

In terms of registration, licensing and accreditation, many people have died in the hands of crooks who pretend to be practitioners. We have witnessed these incidents. For example, while giving birth, some mothers are attended to by people who have never gone to any school. So, our mothers and children end up dying. I support this Bill so that it tightens and even introduces very tough penalties, including the death penalty, to make it very difficult for any scrupulous fraudster who would want to take advantage of the Kenyan people.

This is because lives have been lost at the hands of these characters. We must have them face the death penalty. If you want to practice without registration, licensing, or accreditation, then face the law. We cannot allow Kenyans to continue suffering. This government should go after the cartels that are stealing from Kenyans, especially under the SHA. There is so much theft in the country. A lot of money is coming in, but very little is going out to only a few who are known to those in power.

The introduction of the healthcare tribunal is a fundamental concept. We want legal practitioners who understand healthcare. We want this issue addressed by lawyers who understand the medical field. Our courts are too crowded. You take a matter to court now, but it takes a long time to be concluded. I lost an uncle, the late Hon. Wamalwa, who was a County Commissioner for Busia County. For many years, we have been pursuing justice in vain. I have lost many other people. We are still chasing answers to these deaths, but we cannot get justice because our courts are too crowded with many other things.

We should have a tribunal specifically tasked with handling healthcare matters. So that, at the end of the day, these issues are addressed urgently, and Kenyans get justice. I do not want to say much more, but I will end my contribution by pleading with this government. Kenyans are suffering. The primary mandate of any government that respects itself and is responsible to the citizenry that elected it is to serve them. You can talk about many things, including trips to Singapore, the way you want. Forget about Singapore. You will have no energy even to go to Bungoma unless you sort out this health menace. You may have very fantastic ideas about this country.

However, I majored in healthcare and education because healthcare is built on proper education. We must have functioning schools. Children must attend school, proper universities, and receive proper medical education so that this field can function. Leader of the Majority Party, go back to the government because the SHA is not working. We need proper healthcare.

I support this, Bill. Thank you.

**The Temporary Speaker** (Hon. Martha Wangari): Very well. Member from Mbeere North.

**Hon. Leo Wa Muthende** (Mbeere North, UDA): Thank you for the opportunity on a matter that is close to my heart both professionally and in legislation. I put it to everyone here that poor quality healthcare has affected someone you know. It is not just about the quality of healthcare services, the condition of dispensaries, or even the quality of theatres. It is also medical misdiagnosis, delayed diagnosis and wrong prescriptions. I have a case involving a good friend of mine who was very lucky. He went to a chemist, bought a drug, and had a reaction. I advised him to go to a certain doctor who saved his life. Such cases are very many.

I support this Bill because it is timely. I consider myself lucky to have joined Parliament at a time when it is legislating key Bills, such as the National Infrastructure Fund Bill and, now, the Quality Healthcare and Patient Safety Bill. A study done by researchers at Johns Hopkins University in 2016 found that medical negligence is the third leading cause of death in the United States. They looked only at cancer and heart diseases.

Now, consider Kenya, where one can walk into a chemist and get antibiotics. You explain something to a pharmaceutical technologist or dispenser without taking a history. They do not know your family history, but give you drugs whose adverse reactions are on an entire page. I dare say that we must take healthcare seriously.

However, this time I will not point fingers at the government. I differ with the Member because there is no one called the 'government'. It is our brothers and sisters who work as chemists.

**Hon. Wanami Wamboka** (Bumula, DAP-K): On a point of order.

**The Temporary Speaker** (Hon. Martha Wangari): What is out of order, Hon. Wamboka?

**Hon. Wanami Wamboka** (Bumula, DAP-K): I will ask the Majority side to teach Hon. Wa Muthende a few rules; you cannot differ. You are debating. Just concentrate on the Bill. Do not support or differ with me on this Floor.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Wamboka, order. You are totally out of order. I have heard you also disagree on this Floor as you debate. Allow the Member for Mbeere North to debate. Continue, Hon. Wa Muthende.

*(Hon. Wanami Wamboka  
spoke off the record)*

**Hon. Leo Wa Muthende** (Mbeere North, UDA): Thank you, Hon. Temporary Speaker. It is a good attempt.

*(Laughter)*

It is a misfire, and I respect that. I was actually putting across a very important point. There is no one called the government in a hospital. We have very good doctors, pharmacists, lab technologists and healthcare workers. But there is also the opposite. Therefore, if you are not treated well and you say the government is not working, that is not correct. We can report on some of these services that are wrong, or even on these workers who do not do justice to our people.

As I stand here today, Mbeere North is in mourning. We had a demonstration today, again on the same issue about the Ishiara Sub-County Hospital, a Level 4 hospital. Police have shot two young men. It is really a sad situation. We condole with the family. I believe action will be taken. We are calling for action against these police.

Coming back to this Bill, this tribunal is really tough. I hope we can finally achieve it through this Bill. We have doctors' professional indemnity. I do not know why our doctors are so keen on protecting each other when there is a medical error, or even when a patient has complained. Doctors even shy away from offering patients a second opinion when asked.

In South Africa, a country where healthcare has advanced, doctors offer a second opinion. They also notify their colleagues that their patient came to them with a concern about what their colleague did, then they send the patient back. Today in Kenya, if you seek a second opinion, the doctor you consult will ask you how you even got to that other doctor, because their patients keep coming back. That is why you find that, many times, doctors are not willing to come and testify, or even give evidence, in very glaring cases of negligence.

I, therefore, support this Bill. We need this healthcare tribunal. We need to find a way to ensure our patients receive quality healthcare. It is a right, and it should not be a right just on paper. It should be delivered because it is very easy. Kenyan universities have the best training in medicine and pharmacy. I therefore do not see why we should not offer quality healthcare here in Kenya. When you go to the United States of America (USA), the United

Kingdom (UK) or South Africa, most of the leading doctors and surgeons are Kenyans. We also have doctors here in Kenya who are doing very well.

I dare say we need this healthcare tribunal set up. It also needs to be very responsive to the patient, because any healthcare system should be patient-centred. It should be delivered only to the patient. Unfortunately, when you are both referee and player, it becomes very difficult. I have a case from 2022 where a young woman was taken to one of the leading hospitals and was in the hands of senior doctors. A very simple procedure got complicated, and she died one year later.

How do we deal with such cases when the doctor who operated on that patient trained the doctors at KMPDC, and those doctors are in any tribunal we set up? We must ensure that patients' complaints are handled professionally and objectively. Doctors should have professional indemnity. Doctors in most countries do not worry about such lawsuits because their professional indemnity insurance covers them. Our doctors want to curtail and prevent such provisions.

I beg to support the long-overdue Bill. SHA is working in Mbeere North. You should find out what is happening in Bungoma.

**The Temporary Speaker** (Hon. Martha Wangari): Let us have the Member for Kilome.

**Hon. Thaddeus Nzambia** (Kilome, WDM): Thank you, Hon. Temporary Speaker. I rise to support the Bill. A healthy nation is a strong nation. I can see I only have a few minutes to contribute. We need to consider certain critical issues. For a healthy nation, we should invest more in health and education because both sectors carry equal weight. I do not dispute the importance of affordable housing, but I wish we could prioritise healthcare services.

I hope the Mover of the Bill captures our issues. We have had issues with emergencies. Most public and private hospitals have unmerciful doctors. You can be in critical condition, but you are not treated until you pay a deposit. The Bill should make it mandatory for doctors to treat patients in critical condition without requiring a deposit. We have lost many patients to emergencies.

County governments face challenges in offering quality medical care. I do not know where most county governments allocate funds. I stand to be corrected, but most health facilities in counties do not have medicines. They have doctors and nurses, but they do not have drugs. Patients are treated and given prescriptions to buy medicine from chemists. I also want the Mover of the Bill to capture the issue of doctors' and nurses' strikes. That should be regulated so that their issues do not risk Kenyan lives. That rampant issue can be well articulated and included in the Bill.

Finally, the Mover of the Bill should secure sufficient funding for public participation to inform health care departments and even engage doctors and nurses themselves. As I finish, any nation in the world where health care is well provided for is very healthy. I want to insist that, as a government, we should invest more in healthcare and education facilities. I can say candidly that if we take care of healthcare in our country... We have such good facilities for training doctors and nurses in this country...

**The Temporary Speaker** (Hon. Martha Wangari): Very well. Member for Kilome, you will have a balance of two minutes the next time this comes up for debate.

## ADJOURNMENT

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Members, the time being 7.01 p.m., this House stands adjourned until tomorrow, Wednesday, 15<sup>th</sup> April 2026 at 9.30 a.m.

*(The House rose at 7.01 p.m.)*

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