



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

21st April 2026

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THE HANSARD

Tuesday, 21st April 2026

(The House met at 2.30 p.m.)

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

PRAYERS

QUORUM

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

(The Quorum Bell was rung)

Hon. Members, we now have a quorum to transact business.

(Several Members stood in their places)

Members on your feet, take your seats. Members at the back, take the nearest seats. Hon. Makilap and Hon. Keynan, take the nearest seats.

(Hon. Suleka Harun stood in her place)

Who is the Member on her feet next to Hon. Didmus? You have obviously covered your ears. You are not hearing.

COMMUNICATIONS FROM THE CHAIR

RECOGNITION OF DELEGATION FROM PARLIAMENT OF TÜRKIYE

Hon. Speaker: Hon. Members, I have short Communications. The first one is recognition of a Member of Parliament from the Parliament of Türkiye, formerly known as Turkey. I wish to introduce to you Hon. (Prof.) Abdurrahim Dusak, Member of Parliament of Türkiye, who is seated in the Speaker's Row. He serves as a Rapporteur of the Committee on Muslim Communities and Minorities of the Parliamentary Union of the Organisation of Islamic Cooperation (OIC) Member States. He is also a member of the Kenya-Türkiye Parliamentary Friendship Group.

Hon. Abdurrahim is accompanied by His Excellency Subutay Yuksel, Ambassador of Türkiye to Kenya and four staffers from the Parliament of Türkiye. They are on a visit to engage with key stakeholders in order to gain insights and share experiences on matters of mutual interest, particularly in relation to diplomatic initiatives on the harmonious co-existence of Muslim communities in Kenya.

On my behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful engagements during their stay.

(Applause)

UTAMBULISHAJI WA UJUMBE KUTOKA BUNGE
LA JAMHURI YA MUUNGANO WA TANZANIA

Hon. Speaker: Taarifa ya pili ni kutambulisha ujumbe kutoka Bunge la Jamhuri ya Muungano wa Tanzania. Waheshimiwa Wabunge, ningependa kuwajulisha kuhusu kuwepo kwa ujumbe kutoka Bunge la Jamhuri ya Muungano wa Tanzania ambao umeketi katika Safu ya Spika. Ujumbe huu kutoka kwa Kamati ya Sheria Ndogo unajumuisha Waheshimiwa wafuatao:

1. Mhe. Yahya Mfaume Zuberi - Makamu Mwenyekiti wa Kamati na Kiongozi wa Ujumbe
2. Mhe. Rashid Habib Ali
3. Mhe. Salehe Mbwana Mhando
4. Mhe. Sigrada Wilhelm Mligo
5. Mhe. Suleiman Premji Arif
6. Mhe. George Boniface Simbachawene

Ujumbe huu, ukiwa umeandamana na maafisa wawili wa Bunge, umezuru Bunge la Taifa kwa madhumuni ya mafunzo na kubadilishana uzoefu wa kazi na uwezo wa Kamati ya Sheria Ndogo ya hapa bungeni kwetu. Mazungumzo yao yatajikita katika mifumo ya kisheria na kitaasisi inayosimamia upitaji na udhibiti wa sheria ndogo unaofanywa na Bunge. *That is Hon. Chepkonga's Committee, I believe*

Waheshimiwa Wabunge, kwa niaba yangu na kwa niaba ya Bunge la Kitaifa, nawakaribisha wageni wetu katika Bunge letu, na wawe na majadiliano mazuri na wenzao.

Asanteni sana.

(Applause)

GUIDANCE ON HANDLING EAST
AFRICAN COMMUNITY PROPOSALS

Hon. Speaker: This is a short Communication on the handling of East African Community proposals. Hon. Members, it has come to my attention that following a recent court decision, the National Treasury and Economic Planning has complied with the judgment regarding the manner of handling the East African Community Customs proposals. The National Assembly is now required to consider the proposals for the 2026/2027 financial year.

I am aware that these instruments have since been submitted by the National Treasury and Economic Planning. They are to be acknowledged and tabled in the usual manner and thereafter referred to the Departmental Committee on Finance and National Planning for consideration. The Committee should proceed in line with the respective statutory provisions and report back to the House before we proceed for the long recess on 1st May 2026.

The House is accordingly guided.

Leader of the Majority Party, you may have a minute to welcome your colleagues from your partner East African country of Tanzania. I would advise that you do not speak in Kiswahili because you will also be welcoming the delegation from Türkiye, who do not understand Kiswahili. Once you start speaking in Kiswahili, you do not change the language. So, choose the language you want.

(Laughter)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. My colleagues are...

Hon. Speaker: Are they teasing you?

Hon. Kimani Ichung'wah (Kikuyu, UDA): They are not just teasing me. They probably want to embarrass me in front of the Tanzanian delegation, knowing very well that I may not speak the kind of Kiswahili they do.

(Laughter)

Nonetheless, allow me to take this opportunity to welcome the delegation from the Republic of Türkiye and our brothers and neighbours from the Republic of Tanzania. Welcome to the National Assembly of Kenya. On behalf of all these Members and the Parliament of Kenya, I welcome you to this country and to our Parliament. I hope that in your engagements with us and the rest of the country, you will learn and take something back home in Tanzania and in Türkiye. These are two countries with which we enjoy very good relations. Many Kenyan businesspeople visit Türkiye almost daily. Most of the clothes we are wearing are mostly from the Republic of Türkiye, thus many business people are benefiting.

Our brothers and sisters from the Republic of Tanzania, welcome. We are very good neighbours, and we enjoy cordial relations with you. We support each other and, at times, compete. We are certain that you will participate in this year's East Africa Legislative Assembly (EALA) games. You were not very active last year because of the elections, but we promise to show you dust on the pitch and on the athletics field this year. Otherwise, welcome to our country and to Parliament. Enjoy Kenya. Do not just visit Nairobi, visit the countryside, our constituencies and the iconic Maasai Mara. I know you have Serengeti National Park in your country, but visit the other national parks in our country, like Meru National Park.

With that, I welcome you.

Hon. Speaker: Thank you. Hon. Wangari. Go ahead in Kiswahili.

Hon. Martha Wangari (Gilgil, UDA): Asante sana, Mhe. Spika, kwa kunipa nafasi hii pia niweze kuwakaribisha wenzetu, hasa wale ambao wametoka nchi jirani ya Tanzania. Tumeweza kufanya kazi na wabunge hapa hasa wakati wa Umoja wa Mabunge ya Dunia, ama *Inter-Parliamentary Union (IPU)*, unaoleta wabunge pamoja, ambapo taasisi ilihakikisha kwamba Spika wa Tanzania aliweza kuchaguliwa.

Hon. Speaker: Aliyekuwa Spika wa Tanzania.

Hon. Martha Wangari (Gilgil, UDA): Aliyekuwa Spika wa Tanzania alipata kuchaguliwa kama Rais katika Umoja wa Mabunge ya Dunia. Hii iliwezekana kwa sababu tuliweza kufanya kazi pamoja kama nchi jirani.

Hivi majuzi tulikuwa kule Arusha, tukiwa kamati kadhaa za Bunge hili tukiongozwa na Mhe. Mayaka, ambaye anaongoza Kamati ya Utangamano wa Nchi Zetu za Jumuiya ya Afrika Mashariki. Tuliweza kujadiliana kuhusu mambo muhimu ambayo hatungeweza kufanya bila kufanya kazi pamoja na kuweza kushirikiana. Natumai kwamba wakirudi Tanzania, kupitia harakati za kidiplomasia ya bunge, tutaweza kuendeleza uhusiano huu si hapa tu barani Afrika, bali pia katika dunia nzima kwa sababu hapo ndipo tunafaa. Tunatuma salamu zetu. Natumai kuwa siku zijazo tutapata nafasi ya kujiunga na Bunge la Tanzania ili tuweze kujifunza jambo moja ama mawili kutoka kwa Bunge la Taifa la Tanzania.

Asante, Mheshimiwa Spika.

Hon. Speaker: Hon. Tandaza.

Hon. Kassim Tandaza (Matuga, ANC): Asante, Mhe. Spika. Imebidi nisimame kwa sababu naamini kwamba ndugu zetu kutoka Tanzania hawakukielewa vizuri Kiswahili ambacho dadangu Martha amezungumza. Dada Martha alizungumza Kiswahili cha Bara.

(Laughter)

Mimi ni jirani wenu kutoka Kaunti ya Kwale, na hasa katika eneo la mpakani kule Lungalunga na Horohoro. Mara nyingi nikiwa nyumbani, huwa ninavuka mpaka na kupata chakula cha mchana upande ule wa Horohoro.

(Loud consultations)

Kuna chakula kinachoitwa Uwono; ninajua hamjui uwono ni nini. Pengine itabidi muwaone badaaye waweze kuwaelezea uwono ni nini, kwa sababu hatuna chakula hicho nchini Kenya. Kuna matobosha na kwa mara ya kwanza, Tanzania wanatengeneza chai ya nazi, ambayo huwa naipata tu wakati nimefika Tanga. Mpeleke salamu zetu; kwamba, Kenya hatujafikia kiwango cha kutengeneza chai ya nazi. Tunao mchuzi wa pweza kama mlivyona kule Tanzania. Chai ya nazi tu ndiyo kidogo hatujaweza kutengeneza.

Natumia hii fursa kusisitiza kwamba sisi ni ndugu. Katika mipaka yetu, tunatangamana na kushirikiana. Kuna jamii yangu inayoishi katika eneo la mpaka wa Tanzania na Kenya. Nina imani kwamba hali ilivyo katika sehemu ya magharibi na kwingineko hali ni hiyo hiyo. Mjisikie mko nyumbani na ikiwa mtahitaji mchuzi wa pweza jioni, naomba mpewe anwani yangu ili tushiriki pamoja.

Ahsante sana, Mhe. Spika.

Hon. Speaker: Thank you. Hon. Members, allow me to also acknowledge a delegation of five officers from the Department of Research Services of the Parliament of Uganda, who are seated in the Speaker's Gallery. The delegation is on a benchmarking visit to learn best practices in the execution of their mandate from their counterparts, the Directorate of Parliamentary Research Services.

Also, seated in the Public Gallery is PCEA Gateway Church School from Roysambu, Nairobi County. On my own behalf and that of the House, I welcome the officers from the Parliament of Uganda, and the students from the PCEA School, their teachers and those accompanying them to the Parliament of Kenya.

(Applause)

Next Order.

PAPERS

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Legal Notice No.66 of 2026 relating to the National Government Co-ordination (Administrative Units) Regulations, 2026 from the Ministry of Interior and National Administration.
2. Intergovernmental Partnership Agreement between the National Government (through the Ministry of Education) and the County Government of Nyandarua.
3. Annual Report of the Teachers Service Commission (TSC) for the financial year 2024/2025.
4. Annual Report of the Office of the Director of Public Prosecutions (ODPP) for the Financial Year 2024/2025.
5. East African Community Customs Proposals for the financial year 2026/2027 from the National Treasury.
6. Reports of the Auditor-General and Financial Statements of the National Governments Constituencies Development Fund (NG-CDF) for the year

ended 30th June 2025 and the Certificates therein in respect of the following constituencies—

- | | |
|-------------------|---------------------|
| (a) Ainabkoi | (i) Mogotio |
| (b) Homa Bay Town | (j) Mvita |
| (c) Kangema | (k) Ndaragwa |
| (d) Kilifi South | (l) Rangwe |
| (e) Kuresoi South | (m) Suna East |
| (f) Kuria East | (n) Tinderet |
| (g) Kuria West | (o) Turkana Central |
| (h) Loima | (p) Voi |

Thank you, Hon. Speaker.

Hon. Speaker: Leader of Delegation to Inter-Parliamentary Union (IPU), Hon. Jane Njeri.

Hon. Njeri Maina (Kirinyaga County, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Kenya Delegation to the 9th Inter-Parliamentary Union (IPU) Global Conference of Young Parliamentarians Held in Hanoi, Vietnam from 15th to 17th September 2023.

Thank you, Hon. Speaker.

Hon. Speaker: Chairperson of the 11th World Scouts Parliamentary Union General Assembly, Hon. Wilberforce Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the 11th World Scout Parliamentary Union General Assembly held in Nairobi, Kenya from 6th to 13th November 2025.

Thank you, Hon. Speaker.

Hon. Speaker: Next Order.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

Hon. Speaker: Member for Isiolo County, Hon. Mumina Bonaya.

RISE OF FEMICIDE CASES IN ISIOLO COUNTY

Hon. Mumina Bonaya (Isiolo County, JP): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the rise in femicide cases in Isiolo County.

Residents of Isiolo County have, in the recent past, witnessed rising cases of insecurity in the area that have resulted in the loss of lives and heightened fear among the residents. On 27th November 2025, Ms Linda Nancy Achieng of ID No. 85xxxx25 was brutally murdered outside GK prison farm in Isiolo County by unknown persons. The matter was reported to the police under OB No. 23/27/11/2025. Further, on 28th February 2026, Ms Wendy Kendi of ID No. 34xxxx73 was found murdered in Soko Mjinga, Kulamawein Isiolo Town and the incident was reported under OB No. 08/28/02/2026.

On 3rd April 2026, Ms Hawo Kabiro Omar of ID No. 54xxxx76 was also found murdered outside the GK Prison farm in Isiolo Town, and the matter was reported under OB

No. 58/03/04/2026. Further, on 7th April 2026, a six-year-old child who had been reported missing on 5th April 2026 was found dead in the Rapsu area, Isiolo County. It was reported that the child was allegedly abducted while returning from Madrassah classes before being sexually assaulted and murdered. These heinous acts reveal gaps in public safety and protection of vulnerable persons, particularly women, children and the elderly.

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

1. The status of investigations into the reported criminal cases in Isiolo County, including steps taken to apprehend those responsible.
2. Immediate measures being taken by security agencies to restore security in Isiolo County, and particularly within the GK Prison farm area.
3. The long-term measures being put in place, including community-based interventions, to address violence against vulnerable persons and improve safety in Isiolo County.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Raso, that Request for Statement is directed to your Committee. When can you bring a response?

Hon. Ali Raso (Saku, UDA): Hon. Speaker, we will respond in two weeks' time.

Hon. Speaker: In two weeks, we will be on recess. Can you bring the response on Thursday next week?

Hon. Ali Raso (Saku, UDA): Hon. Speaker, the number of statements before the Committee is big. We can bring the Statement as soon as we come back from recess.

Hon. Speaker: Okay. Hon. George Murugara, Member for Tharaka.

CIRCUMSTANCES SURROUNDING DEATH OF MR SHADRACK KIENGE MAKEMBO

Hon. George Murugara (Tharaka, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the death of Mr Shadrack Kienge Makembo. Mr Shadrack Kienge Makembo of ID No. 28xxxx55, an employee of the Kenya Power and Lighting Company, was found dead on 9th April 2026 in Isiolo while on duty under unclear circumstances. The incident has caused fear, anguish and widespread concern among residents, colleagues and family members. It has raised questions regarding the circumstances surrounding the incident, the safety of workers operating in the area and the need for prompt investigations to establish the facts and ensure accountability.

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

1. The circumstances that led to the death of Mr Shadrack Kienge Makembo of ID No. 28xxxx55 on 9th April 2026 in Isiolo.
2. The status of investigations into the death, including the measures being taken to identify and apprehend those responsible for the crime.
3. The timelines within which the government is expected to conclude investigations and apprehend those found responsible.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Raso, when can you bring a response? There is a microphone next to you.

Hon. Ali Raso (Saku, UDA): Hon. Speaker, immediately we resume from recess, we will respond to the House.

Hon. Speaker: Okay, on the first day of post-recess.

REPATRIATION OF KENYANS FROM
THE KINGDOM OF THAILAND

Hon. Njeri Maina (Kirinyaga County, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I request a statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding the repatriation of three Kenyans stranded in the Kingdom of Thailand.

On 24th September 2025, three Kenyans, namely, Mr Alex Kinyua Wanjiku, Mr Dennis Kinyua Wanjiku and Mr Morgan Mutugi Mwangi, travelled to the Kingdom of Thailand in pursuit of employment opportunities. However, they were allegedly abducted on 22nd January 2026, and their families were subsequently contacted and threatened with demands for ransom in exchange for their release.

On 14th February 2026, the families secured their release after paying the demanded ransom. However, upon their release, the victims' passports were forcefully confiscated by the abductors, rendering them undocumented and highly vulnerable in a foreign jurisdiction. Consequently, the victims were arrested by Thai authorities for lack of documentation and remain in custody in a foreign country. This situation raises serious concerns regarding the safety and protection of Kenyan citizens abroad, as well as the responsiveness of the relevant government agencies in providing consular assistance in distress situations.

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

1. The immediate steps being taken by the government to facilitate the repatriation of Mr Alex Kinyua Wanjiku, Mr Dennis Kinyua Wanjiku and Mr Morgan Mutugi Mwangi from the Kingdom of Thailand.
2. Reasons for the delay, if any, in providing consular assistance to the victims, and the expected timeline within which the government will ensure their release and safe return to Kenya.
3. Measures being taken, in collaboration with relevant authorities in Thailand, to investigate the abduction and hold those responsible accountable to ensure justice is served.

Thank you.

Hon. Speaker: Hon. Chairman, Departmental Committee on Defence, Intelligence and Foreign Relations.

Hon. Martha Wangari (Gilgil, UDA): I am here, Hon. Speaker. We will bring the response in the first week after we resume from recess.

Hon. Speaker: Excellent.

ENVIRONMENTAL DEGRADATION
IN RABAI CONSTITUENCY

Hon. Speaker: Is the Member for Rabai, Hon. Anthony Mupe, in the House?

(Request for Statement deferred)

Hon. Speaker: Hon. Mark Mwenje, Member for Embakasi West.

ILLEGAL VOTER TRANSFER IN COUNTIES

Hon. Mark Mwenje (Embakasi West, JP): Hon. Speaker, I request a statement regarding the alleged illegal voter transfer between counties. Pursuant to the provisions of

Standing Order 44(2)(c), I request a statement from the Chairperson of the Departmental Committee on Justice and Legal Affairs regarding alleged illegal voter transfer from Nairobi City County to Garissa County.

The Independent Electoral and Boundaries Commission (IEBC) is currently undertaking an enhanced continuous voter registration and verification exercise across the country, aimed at updating the register of voters. Concerns have been raised that during the ongoing verification exercise, several registered voters within Nairobi City County have allegedly been assigned polling stations outside Nairobi, with some reflected as registered voters in Garissa County. This development raises serious concerns regarding the integrity, accuracy and credibility of the voters' register. Such irregularities, if confirmed, have the potential of undermining public confidence in the electoral process and may occasion disenfranchisement of voters who are unable to access their designated polling stations.

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

1. The veracity of the allegations regarding the transfer of voters from Nairobi City County to Garissa County and the extent of the affected voters;
2. The measures being taken by the Government to verify and rectify any anomalies in the voter register;
3. The safeguards in place to prevent irregular transfer of voters across counties and polling stations, and finally
4. The timelines within which any anomalies are expected to be resolved to restore public confidence in the electoral processes.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Chairperson of the Departmental Committee on Justice and Legal Affairs? I thought I saw Hon. Murugara here. Do we have any members of that Committee? Yes, Hon. DK, when can you bring a response?

Hon. David Kiplagat (Soy, UDA): Thank you, Hon. Speaker. I am a bit lost on the impact of what Hon. Mwenje has raised. Every citizen has the right to transfer.

Hon. Speaker: Order. You are out of order. Any citizen can register to vote anywhere. However, what Hon. Mwenje is raising is illegal, not legal transfer, so you do not need to interrogate that. When can you bring a response? If you listened to him, he said people are finding themselves involuntarily transferred to vote elsewhere. Is that not what Hon. Mwenje said?

Hon. Members: Yes.

Hon. Speaker: Hon. DK, if anybody is involuntarily transferred, that is an illegality. If anybody wants to transfer from Embakasi to Soy, that is their legitimate right. When can you bring a response if you are a Member of that Committee?

(Hon. David Kiplagat spoke off the record)

Hon. Osoro, are you not a Member of the Departmental Committee on Justice and Legal Affairs? That Request is directed at your Committee.

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Speaker, I wanted to seek clarity, and now that I have heard clearly, we will be retreating with the Committee, and I will raise the issue with Hon. Chairman. Expect a response within the first week upon resumption from recess.

Hon. Speaker: It will be so. Hon. Tim Wanyonyi, Member for Westlands.

EXCLUSION OF PERSONS WITH DISABILITIES
IN AFCON ORGANISING COMMITTEE

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I request a statement from the Chairperson of the Departmental Committee on Sports and Culture regarding the exclusion of persons with disabilities from the Local Organising Committee (LOC) for the upcoming Pamoja Africa Cup of Nations (AFCON) 2027 tournament.

The Ministry of Youth Affairs, Creative Economy and Sports, vide *Gazette* Notice No. 4794 dated 30th March 2026, constituted a 38-member LOC to oversee the country's preparations and organisation prior to the Pamoja AFCON 2027 tournament. While we commend the government for the steps taken towards preparing for this historic continental event, it is noted with great concern that none of the appointed members of the LOC is a person with a disability. This omission constitutes a clear case of exclusion and undermines the constitutional and legal commitments to equality, inclusion and non-discrimination.

Article 27 of the Constitution guarantees equality before the law and expressly prohibits discrimination on any grounds, including disability. Article 54(2) of the Constitution obligates the state to ensure that at least five per cent of members of the public in elective and appointive bodies are PWDs. The absence of representation of PWDs in the AFCON 2027 Local Organising Committee (LOC) not only violates the constitutional provisions but also risks overlooking critical considerations in planning and execution of the tournament. This includes accessibility to stadiums, training facilities and public infrastructure, inclusive fan experiences and ticketing systems, as well as compliance with international best practices on disability inclusion in major sporting activities.

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

1. The steps taken by the Ministry of Youth Affairs, Creative Economy and Sports to review and reconstitute the LOC to ensure inclusion of PWDs, including representatives from Kenya Disability Parliamentary Association (KEDIPA), the Kenya National Paralympic Committee (KNPC), disability-related sporting federations, and experts in accessibility and inclusive design;
2. The timelines for the reconstitution of LOC to accord with the Articles 27 and 54(2) of the Constitution.

Thank you, Hon. Speaker.

Hon. Speaker: Chair, Departmental Committee on Sports and Culture, Hon. Dan Wanyama, when can you bring a response?

Hon. Daniel Wanyama (Webuye West, UDA): Thank you, Hon. Speaker. I will bring the response immediately after the recess.

Hon. Speaker: Thank you.

STATEMENTS

We will now receive Responses to Requests. Chairman of the Departmental Committee on Administration and Internal Affairs, Hon. Tongoyo, are you ready to respond to Hon. Beatrice Kemei's Request?

Hon. Gabriel Tongoyo (Narok West, UDA): Yes, I am, Hon. Speaker.

BURIAL OF UNIDENTIFIED BODIES
AT KERICHO COUNTY CEMETERY

Hon. Speaker: Where is Hon. Beatrice Kemei? I thought I saw her here.

Hon. Ali Raso (Saku, UDA): Hon. Speaker, we were with the Cabinet Secretary this morning.

Hon. Speaker: Did you prosecute this matter?

Hon. Ali Raso (Saku, UDA): Yes, among many others. Almost 14 Requests for Statements, including this one, were responded to by the Cabinet Secretary. Both the Cabinet Secretary and the Directorate of Criminal Investigations (DCI) addressed this matter. On this case, there are people who are already before court.

(Hon. Kangogo Bowen spoke off the record)

Hon. Speaker: Yes, Hon. Kangogo Bowen.

Hon. Ali Raso (Saku, UDA): Hon. Speaker, I did not want to disrupt Hon Raso, but you pronounced yourself in this House that if a Member raises a Question and at the time of response the Member is not present, the reply should be tabled. The owner of the Question can then pick it up from the Table Office. I do not know what happens now because Hon. Raso is answering the question, yet Hon. Kemei is not here.

Hon. Speaker: He has not attempted to answer at all. All you need to do, Hon. Raso, is, in addition to what you prosecuted with the Cabinet Secretary, table the response that you have. Hon. Bowen is absolutely right.

(Hon. Ali Raso laid the response on the Table)

Hon. Speaker: Is the Chair for the Departmental Committee on Education here to respond to the Statement Request by Hon. Bedzimba? Is Hon. Bedzimba here? Hon. Eve Obara.

RECOGNITION AND EQUATION OF CERTIFICATES
FROM INTERNATIONAL CURRICULA

Hon. Eve Obara (Kabondo Kasipul, ODM): Chair, the Ministry has asked for more time.

Hon. Speaker: Which Chair are you addressing?

Hon. Eve Obara (Kabondo Kasipul, ODM): Pardon?

Hon. Speaker: Which Chair are you addressing?

(Laughter)

Hon. Eve Obara (Kabondo Kasipul, ODM): I am sorry, Hon. Speaker.

Hon. Speaker: Yes.

Hon. Eve Obara (Kabondo Kasipul, ODM): Hon. Speaker, the Ministry is not ready. They have asked for more time. We will respond in the first week after the recess.

Thank you.

Hon. Speaker: Is Hon. Bedzimba here?

Hon. Eve Obara (Kabondo Kasipul, ODM): No.

Hon. Speaker: Can you bring a response next week? It has been pending. We also need to reduce the backlog. Can you try to bring a response next week?

Hon. Eve Obara (Kabondo Kasipul, ODM): We will try, but the Ministry asked for more time, Hon. Speaker.

Hon. Speaker: Hon. Eve Obara, the Cabinet Secretary for Education, will be here tomorrow. Why not ask him if he has this response? I can list it as one of the issues for him to address, because there are only two issues he will be coming to respond to.

Hon. Eve Obara (Kabondo Kasipul, ODM): Yes, I will.

Hon. Speaker: Communicate with his office in good time and tell him he will be expected to respond to this matter.

Hon. Eve Obara (Kabondo Kasipul, ODM) I will, right away.

(Statement deferred)

Hon. Speaker: Thank you, *Mheshimiwa*. Yes, Hon. Tongoyo.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, as a follow-up to what my Vice-Chairman has informed the House. True to what we promised the House, the Cabinet Secretary plus the security team appeared before the Committee today at County Hall. He responded to about 16 Statement Requests, including the one for Hon. Kemei. I have just called the Secretariat. They were processing the responses through the Table Office. I ask that we have all 15 of them slated to be tabled in the House tomorrow.

Hon. Speaker: Will you table them tomorrow?

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

Hon. Speaker: Okay. Give particular attention to Hon. Kemei's Request; both the House and I would be keen to know how 33 bodies found themselves in one mass grave in Kericho.

Hon. Gabriel Tongoyo (Narok West, UDA): Okay.

Hon. Speaker: You can table all the statements tomorrow, but give the House some highlights on the 33 bodies that were found in a mass grave in Kericho.

Hon. Gabriel Tongoyo (Narok West, UDA): I am well guided, Hon. Speaker. I will do that in the afternoon.

Thank you.

Hon. Speaker: Chairman of Departmental Committee on Housing, Urban Planning and Public Works, Hon. Rindikiri, are you ready to respond to Hon. Wanami Wamboka's Request for Statement?

Hon. Mugambi Rindikiri (Buuri, UDA): Yes, Hon. Speaker.

Hon. Speaker: Go ahead.

COLLAPSE OF BUILDINGS ACROSS THE COUNTRY

Hon. Mugambi Rindikiri (Buuri, UDA): Hon. Speaker, I take this opportunity to respond to the Statement Requests raised by Hon. Wamboka on the collapse of buildings in the country, specifically in Nairobi. I have received a very bulky report from the Ministry's State Department of Public Works. I believe it has been submitted to the Clerk's Office. Hon. Wamboka is also in receipt of the report. We are dealing with the issue of collapsing buildings, which statistically has become a concern in this country. I thank Hon. Wamboka for raising the matter. If you allow me, I will not go through the 48 pages of the response, but we have prepared a summary of the same.

Hon. Speaker: Even if you tried, I would not allow you. That is 48 pages!

Hon. Mugambi Rindikiri (Buuri, UDA): The first part of the Request requires the Cabinet Secretary to state the circumstances contributing to the increase in incidences of

building collapsing in the country, including the regulatory framework and oversight bodies involved in approving and monitoring the construction of each collapsed building.

The collapse of buildings, especially high-rise structures, is mostly attributable to several causes. I want to summarise them. The first one is non-compliance with building standards and regulations. The standards of buildings in this country are embodied in the Constitution of Kenya in Article 43(1)(b), which guarantees the right of every person to access a comfortable and quality building to live in. We have a problem of unscrupulous developers flouting the existing zoning regulations. This is very important because the National Building Code 2024 brings forth regulations for each area. Each area has some differences in terms of materials to be used.

Unscrupulous developers flout existing zoning regulations. For instance, increasing the number of floors eventually results in a heavier load on the substructure. In some cases, a one-storey building is approved, but some unscrupulous developers end up building three or four floors on top. The other cause is gaps in the construction approval process. There is a process that is embedded in the regulation that is very clear from the National Environment Management Authority (NEMA) and the National Construction Authority (NCA). You find that developers or contractors often flout these processes.

For example, the approval process reveals the following gaps:

1. Disjointed approval process between the three agencies. All these agencies have different approval points. You find that one has been approved differently from the other one. When the contractor is putting the building in place, he does not know exactly which one to follow.
2. Poor workmanship. The workmanship, the ability of a contractor to follow proper standards to deliver safe and quality buildings, such as installing products and materials correctly, is lacking. This is happening in many construction sites.
3. Use of substandard materials. Most building materials are not tested. Many contractors, including some of us here, like me, are guilty of that. We do not take our residential building materials for testing. That is one of the reasons some buildings collapse.
4. Inadequate structural design and overloading of the structure.
5. Lack of formal construction contracts. This is very important for the Members to note. I will not deal with a history teacher. There is a lack of construction contracts.
6. Professional integrity. I am building on the reasons noted for the collapse of buildings. This is not an academic subject. They are the reasons found by NCA and the other bodies tasked with these responsibilities.

Old buildings collapse due to neglect. From that perspective, the report shows that about 100 buildings collapsed between 1996 and 2006. That is quite a large number. Hon. Wamboka sought to know the current building approval processes, inspection and enforcement mechanisms, and the level of compliance with the national construction standards across the country. The current building approval process is as follows:

1. Architectural plan approval.
2. Structural plan submission and approval.
3. National Environment Management Authority licence.
4. Project registration by the National Construction Authority.
5. Project construction on site.
6. Inspection of regulatory compliance.
7. Obtaining an occupation certificate.

Then we have quality activities and inspection, which is the work of NCA. If you follow all these processes, you will know exactly where the fault is and where we are having the problems. Then there is compliance with and enforcement of the National Building Code 2024.

Hon. Wamboka wanted to know the accountability measures, including investigations and prosecutions of culpable persons, as well as proposed mechanisms for compensation and support to victims and affected families. This is a very sensitive matter. I would like us to note that many collapsed buildings have been extensively investigated by the Directorate of Criminal Investigations (DCI) from a criminal angle, as some cases involve criminal aspects.

The other matters are within the purview of the Office of the Director of Public Prosecutions (ODPP). Once this process is complete, the matter is taken up for prosecution from the time of inspection. The (NCA's) Board conducts enquiries. That is under Section 22 of the Act. The Board is mandated to undertake enquiries into the conduct of contractors to investigate alleged unprofessional conduct and determine whether such conduct contravenes the Act or the law. Those are the questions in summary.

As I said, this is a bulk report of 48 pages. I hope the questions have been summarised. I know Hon. Wamboka would not have gone through all of them in depth, but I think we have addressed his important questions. I want to thank him because this is a national concern. It needs the attention it deserves. If you look at the report, you will find that historically we have had 100 high-level buildings collapsing. They are all cutting across the country. There is no specific area that we can pinpoint. However, there are specific areas, particularly Nairobi and Kiambu, that are becoming increasingly prominent for building collapses. You will also find that compliance with the legislation varies. Looking at the level of compliance will tell you where some of the problems are. For example: Nairobi 57.8 per cent, Kisumu and Kiambu 43.9 per cent, Kajiado 48.3 per cent, Lower Eastern 52 per cent and Coast 20 per cent compliance.

There is a problem that needs to be further handled. I believe that, with the goodwill of each Member here and the Committee, we are doing everything we can to ensure this trend does not continue. Various actions have been taken for the contractors and developers. We are reviewing the Building Code to align with current trends.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Wamboka.

Hon. Wanami Wamboka (Bumula, DAP-K): Thank you, Hon. Speaker. The number of building collapses in this country has been on the rise. We continually pass laws that are either disregarded or do not fit the framework for what needs to be done. I have gone through the report and the answers. I think what the Committee has done, which is not a bad thing, is to list the obvious problems, regulatory issues, corruption, and poor workmanship. Those are normal issues.

In the United Kingdom, there was a fire tragedy that hit a building, which led to the deaths of...

Hon. Speaker: You have said that those are normal issues. I am asking if corruption in the construction industry is a normal issue.

Hon. Wanami Wamboka (Bumula, DAP-K): These are issues that have been with us for the longest, to say the least. In the United Kingdom, a fire wrecked a whole building, killing 72 people, which led to the Grenfell Tower Inquiry. I propose to the Committee and this House that we set up an inquiry into the collapse of this building, similar to the Grenfell Tower Inquiry, which successfully shifted the focus from individual blame to systemic regulatory fragmentation. The Government of the United Kingdom was forced to accept all the 58 House recommendations, leading to the creation of a single construction regulator and the Building Safety Act. The Committee has discussed many things, which, without a proper inquiry, will be no different from any other document of this House.

Just as the Grenfell Tower Inquiry exposed confusion in the United Kingdom's regulations, Kenya suffers from fragmented mandates. The Grenfell Tower Inquiry's core recommendation was to integrate building control products and professionals into a single accountable system. This directly mirrors Kenya's need to coordinate the NCA, a professional body that regulates construction, with the county governments, as the Committee has alluded.

The Grenfell Tower Inquiry model prioritises residents' voices and safety over developer convenience. Developers in our country do not care about the common *mwananchi*, in sharp contrast with the United Kingdom. Around 64 per cent of residents feel that our laws favour developers and not the common *mwananchi*. I am sure the Committee will agree with me. I plead with this House to set up an inquiry, which will not just...

Hon. Speaker: Seek clarification from the Statement.

Hon. Wanami Wamboka (Bumula, DAP-K): That is what I am doing. I am building a background.

Hon. Speaker: You are making a speech.

Hon. Wanami Wamboka (Bumula, DAP-K): I am building a background, Hon. Speaker.

Hon. Speaker: Yes.

Hon. Wanami Wamboka (Bumula, DAP-K): The Committee should find a way to stop all these incidents by setting up an inquiry with a broader mandate and time frame to interrogate these issues and come up with standardised laws and a better way forward.

Hon. Speaker: Hold on, Hon. Rindikiri. Hon. Mwenje wants to joyride on the issue.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Speaker. I want to add that a house recently collapsed in South C. I was on site with the Cabinet Secretary when we discovered that the engineers and county officials were compromised. The NCA stopped construction, but someone gave further approval, allowing it to resume. It would be prudent for the Committee to push the NCA to suspend some of these engineers.

Hon. Rindikiri's response should have mentioned that the Engineers Board of Kenya (EBK) has suspended 10 engineers or that Nairobi City County officials licensed by the NCA have been suspended. That would show that action is being taken. His Report just glossed over those issues. No action has been taken. What action has been taken to scare people off from compromising on building codes, ensuring that no other building ever collapses in this country?

Thank you, Hon. Speaker.

Hon. Speaker: Let us have Hon. Junet.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I agree with Hon. Mwenje. It is very easy to blame engineers, architects, and quantity surveyors in the construction industry. But one of the most serious problems in this country is the standard of construction materials in use. The economy has grown, and many companies produce construction materials. But if the Kenya Bureau of Standards (KEBS) does not take its responsibilities seriously by ensuring that the quality of steel and cement used in the construction industry meets the required standards, buildings will continue to collapse. If that is not looked into, we will continue to blame engineers, quantity surveyors, and City Hall.

Many people obtain approvals for the construction of a certain number of floors but seek shortcuts to increase the number without City Hall's approval, thereby compromising the officials involved. I am more worried about the quality of materials we use. If the inquiry could be expanded to include the quality of materials used, we would get an answer to this problem.

Hon. Speaker: Let us have Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker and the two Members. I have a 48-page Report in which one of the recommendations outlines the actions taken. If you allow me, I will give a copy of it to Hon. Mwenje because one of the annexes...

Hon. Speaker: Hon. Rindikiri, as the Chairperson of the Committee, did you hear Hon. Wamboka's question?

Hon. Mugambi Rindikiri (Buuri, UDA): Yes, Hon. Speaker.

Hon. Speaker: Buildings have been collapsing and killing people. Do you remember the school that collapsed along Ngong Road?

Hon. Mugambi Rindikiri (Buuri, UDA): Yes, Hon. Speaker.

Hon. Speaker: Investigations showed that the contractor had used barbed wire in place of steel in constructing a storey building. It collapsed and killed 29 children or thereabout. There have been many such cases. What deterrent measures is the ministry undertaking to ensure that there are no shortcuts? How many people have been prosecuted? How many have been convicted as a deterrent? That is what Hon. Wamboka is asking you. When a building collapses in Eastleigh, we issue many statements. Months later, another one collapses in South C, and we come up with more statements. Months later, another one collapses in Kiambu.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker. If you listened to my Statement, I spoke about substandard materials. That is captured in the Report. I also agree with Hon. Mwenje that specific actions are needed. The Report has a whole section on that. I would bore the House if I went through the entire Report.

An entire section of the Report outlines the actions taken against the contractors. We have only been running after the contractors and not the developers. So, we will propose an amendment to that. The contractor and the developer will be jointly and severally liable in the event of a building collapse. In many cases, a developer wants to finish a building by taking shortcuts, but when it collapses, only the contractor is held liable, leaving the developer out. We will amend that law.

We have also proposed regulations, and we are revising the National Building Code. We have issues, whether we like it or not. The Report contains the list of registered architects and engineers. You will be amazed by the new developments taking place in the 47 counties. Numbers do not lie. I totally agree with what the Members have said. I will also take time with them and give the Report. It has answered all the questions. We also require support from the National Treasury, as the State Department of Public Works is responsible for implementing codes and registering architects and quantity surveyors. A Bill will be coming to this House to set the pace on the way forward because this is a real menace in the country.

I agree with you, Hon. Speaker. We shall continue engaging Members of Parliament on the way forward. We will also ask this Parliament to consider reinstating the NCA's registration fees, as this is really affecting their operations. In the future, we shall engage Hon. Wamboka to explore the possibility of inquiries. Going through this Report will determine whether we really need an inquiry.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Wamboka.

Hon. Wanami Wamboka (Bumula, DAP-K): Hon. Speaker, you summarised the gist of my Question. I think it would be of good service to this House and country if I invited your wisdom and experience to navigate the coming inquiry. This would allow us to conduct a holistic investigation into all the issues surrounding building collapses and deaths over the past 10 years or so. It would inform a better way forward, other than what Hon. Rindikiri is giving us. It is okay, but we need firmer instructions from this House.

Thank you.

Hon. Speaker: Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): I will commit this matter to our Cabinet Secretary, who is the policy and decision maker of the ministry. He really needs to listen to the Members. This matter will be returned to her, and she will see to it that what the Members have requested is considered going forward. I was reading what we got from the State Department.

At the policy level, I will ask our Cabinet Secretary to make time available so she can put more effort into answering this Question on the way forward.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Wamboka, under the Commission of Inquiries Act, only the President can cause a commission of inquiry. Following your sentiments, I direct the Clerk to communicate with the Office of the President and see what to do.

However, Hon. Rindikiri, one of the big problems is just failure to enforce the law. You cite your quantity surveyor, electrical engineer, structural engineer and all involved professionals when you apply to City Hall for approval to construct a building. How many of those professional advisors to the project have ever been prosecuted when buildings collapse? Where is the structural engineer when a contractor unlawfully embarks on developing a 12-storey building into a seventeen-storey building? Where is the architect? Where is the materials engineer? Where is the quantity surveyor? How many have you prosecuted for sleeping on the job?

Hon. Mugambi Rindikiri (Buuri, UDA): I agree with you. Some of this information suggests there may have been a slight deficiency in specific cases. We take responsibility for that. We will make sure that is done for the specific cases. Generally, the law is not silent. Prosecutions are not silent. I agree there is a bit of a lapse here. As I said in this Report, the National Government and county governments are mentioned. That is why we need to review the country's building code. We endeavour to submit an annex containing all action plans taken to date.

Hon. Speaker: I will give you two months to bring a comprehensive direction on what you want to do.

(Applause)

Suppose you drive around Nairobi on a quiet day and visit some places, particularly Eastlands, where Hon. Mwenje represents you, you will see buildings that are literally “on your marks”, ready to take off, yet construction is going on. Even a layperson can see some defect. We want to see the Ministry you oversee being proactive. You do not have to wait for something that is visibly defective to kill people before we lament.

(Applause)

Hon. Mugambi Rindikiri (Buuri, UDA): I am most obliged by your guidance, Hon. Speaker.

Hon. Speaker: Thank you. Next, we have the Departmental Committee on Transport and Infrastructure. Is the Chairman here? Hon. Didmus, you are the Vice-Chairman. Do you have a Response for Hon. Dick Maungu?

Hon. Didmus Barasa (Kimilili, UDA): Yes, Hon. Speaker, I have.

Hon. Speaker: Go ahead.

IMPLEMENTATION OF NAIVASHA - KISUMU - MALABA SGR

Hon. Didmus Barasa (Kimilili, UDA): Thank you for giving me the opportunity to read this Statement in response to the Statement sought by Hon. Dick Maungu, Member of Parliament for Luanda Constituency. Among other things, Hon. Maungu sought to establish in the Request for Statement:

1. A report on the approved stations' plan and the routing framework for the Naivasha - Kisumu - Malaba Standard Gauge Railway (SGR), including reasons for the omission of a station in Vihiga County.
2. A report on the public participation and stakeholder consultations undertaken before altering initial station plans with respect to Vihiga County, and measures the Ministry of Roads and Transport is taking to ensure that Vihiga County is not excluded from the socioeconomic benefits of SGR, including reinstating the station at Luanda.

I have shared the Statement with Hon. Dick Maungu. He can read the theory; I will go straight to the answers. He seeks a report on the approved stations' plan and the routing framework for the Naivasha-Kisumu-Malaba SGR, including the reasons for omitting a station in Vihiga County.

The Ministry submitted that the Kisumu - Malaba SGR is proposed to have intermediate stations at Yala and Mumias, with a terminal station at Malaba. Within Vihiga County, a passing station is proposed at Ramula, which is not in Vihiga *per se* but on the border of Siaya and Vihiga. It will serve the people of Vihiga.

The Ministry submitted a report on public participation and stakeholder consultations undertaken before altering the initial station plans for Vihiga County. The Resettlement Action Plan (RAP) consulting services initially undertook public participation for the proposed development of the Kisumu-Malaba SGR section during the period of December 2024 and June 2025. Later, an environmental and social impact assessment was conducted from August 2025 to December 2025. As per the designs by the engineering, procurement, and construction contractors, a passing station was proposed at Ramula. It is at the border of Siaya and Vihiga. It aims to serve the people of Vihiga.

The Ministry of Roads and Transport submitted measures to ensure that Vihiga County is not excluded from the socio-economic benefits of the SGR, including reinstating the Luanda station. Through the implementation of the proposed Naivasha-Kisumu-Malaba SGR by the Ministry of Roads and Transport, the Government of Kenya is keen to ensure that socio-economic development is realised and felt not only in counties traversed by the SGR line but also in adjoining counties.

Vihiga County, though not directly traversed by the proposed SGR line, stands to benefit from direct employment opportunities in the hospital industry and the use of locally available resources, such as sand, gravel, aggregates, and water, during construction, operations and maintenance. There will also be improved inter-county trade through the ease of movement of goods, services and people.

One of the reasons Hon. Dick Maungu sought this Statement is that he felt that the SGR does not pass through Vihiga. However, the Cabinet Secretary, in his response, has indicated that, because the railway follows a specific line, the introduction of a station at Ramula is intended to serve the people of Vihiga.

I submit the remaining details for Hon. Dick Maungu's perusal. Thank you.

Hon. Speaker: Yes, Hon. Dick Maungu.

Hon. Dick Oyugi (Luanda, DAP-K): Thank you very much, Hon. Speaker. I am a very disappointed man. This is because the Statement does not capture the aspirations of the people of Vihiga, especially those of the Luanda Constituency. I am also disappointed because it does not reflect the outcomes of the public participation conducted in December 2024 and June 2025, during which it was agreed that the station would be located at Ochoe.

The statement does not address equity and inclusivity in national infrastructure. Looking at the plan, we have stations in Yala and Ramula. The Statement is incorrect because Ramula is not in Luanda. It is in Siaya County, and it is a whole location within the county. Both Ramula and Yala fall within the Gem Constituency.

I am disappointed because this denies our people economic opportunities. Since the Meter Gauge Railway (MGR) began, Luanda has had a station that has served the entire Vihiga County, parts of Kakamega and even sections of Kisumu. This disadvantages the people of Vihiga and the western region. Why do I say this? For instance, in the plan, Kisumu County has been allocated three stations at Sondu, Ahero and Kisumu. Vihiga has none. Therefore, what equity exists when a county has three stations, and Vihiga has none?

Yala is only a few kilometres from Luanda, but Luanda is what it is today because of the MGR station it has had since colonial times. Therefore, the Chairman must clearly explain why the outcomes of public participation were changed. People sat and agreed that Ochoire in Luanda South would host the station. But it has now been converted into what is being called a passing station. I wish to understand: what is a passing station? We were informed that a full station would be established in Ochoire. Arguments about topography do not hold as Luanda has relatively flat terrain, particularly in Emmaloba Location.

Therefore, I wish to know why the Chairman says this station has been shifted to Ramula at the border. Being at the border does not mean it is in Luanda or Vihiga. The people of Vihiga demand a fair share of the national economic infrastructure being built in the country. Maseno University, located at the border of Vihiga and Kisumu, has over 14,000 students. All these students have historically relied on the railway station. Denying Luanda access to a station denies them access to their learning area.

Additionally, the Government is constructing a County Industrial Aggregation Park in Luanda for Ksh500 million, intended to facilitate the transport of farm produce via the SGR to Uganda and Mombasa. Denying Luanda, a station, risks rendering this investment a white elephant. Luanda is an economic hub. It cannot be compared to Yala, which is a smaller town. I have no issue with Yala having a station, but I seek to understand the criteria used to deny Luanda one.

I submit.

Hon. Speaker: Yes, Hon. Gisairo. Hon. Didmus, note the concerns.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Speaker. I rise to support the statement sought by Hon. Dick Maungu and the response given. While the issue appears specific to Luanda and Vihiga, the statement sought clarification on the entire SGR route from Naivasha to the Kenya-Uganda border. Alterations were made to the initial plan. I expected the Committee to table annexures, including maps showing the original and revised station locations, and the reasons for those changes.

While Vihiga is crying that it has been left out, the initial plan also included a station at Ikonge in Nyamira County, meant to serve the larger Kisii and Nyamira, or what we can call the Gusii region. Following the changes, the Ikonge station disappeared from the map and the plan and what we got, which we do not have a problem with, is a station in Sotik over and above the one in Bomet. We do not oppose the creation of new stations, but...

Hon. Speaker: Yes.

Hon. Clive Gisairo (Kitutu Masaba, ODM): However, removing a station that serves an entire region effectively excludes that community, particularly one known for agricultural production and goods that can be transported to the cities.

Hon. Speaker: Point made.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Hon. Speaker, to finalise, we would like to know. We have been hearing political statements that these stations will be reinstated. Can we have official documentation and maps confirming this?

Hon. Speaker: Hon. Milemba. Hon. Didmus, note those interventions.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker. On the same note, Luanda has a long history of an old railway station. When the Kenya-Uganda railway reached Kisumu (Port Florence) in 1901 and was later extended in 1915 towards Uganda and

Kilembe for mines, the western line passed through Luanda. Public participation reaffirmed Luanda as a station location. However, the recent alterations have shifted it to Ramula, which is not in Luanda or Vihiga.

The Chair and the Cabinet Secretary must explain why these changes were made and why Luanda, a rich agricultural hub with significant value addition and infrastructure, has been denied a station. Luanda hosts one of the largest open-air markets after Karatina, yet it is being denied a railway station, which is an economic facility. The Cabinet Secretary's answer is not satisfactory. Even earlier presidential statements mentioned Luanda and Mianga in Bungoma as station sites, yet we now see these alterations.

Hon. Speaker, I find this answer unsatisfactory. We should refer the question back to the Cabinet Secretary. The Cabinet Secretary should be invited here to show us the original map when public participation was done, and also show us the alterations. He will also explain to us why the alterations were made in favour of certain areas but disfavoured places like Luanda in Vihiga, and Mianga in Bungoma.

Thank you, Hon. Speaker.

Hon. Speaker: Hold on Hon. Didmus. Hon. Wamboka.

Hon. Wanami Wamboka (Bumula, DAP - K): Hon. Speaker, thank you. I will pick up where my brother, Hon. Omboko, left off. Some of these major government projects should promote inter-community coexistence because they bring enormous economic empowerment. Initially, the planned stations were Luanda in Vihiga, Mumias in Kakamega, and Mianga in Bungoma Counties. They have removed the three stations and taken them to our brothers in Siaya and Kisumu. They have stations at Sondu, Ahero, Kiboswa, Yala and Ramula. This is unfair. Initially, when the white man placed a ruler on the geography of this country, it started from Mombasa to Nairobi, Nakuru, Eldoret, Bungoma and Malaba. We had hopes *alhamdulillah* that this new development would include Vihiga and other regions. The cash crop in Vihiga is *omusala*. How will it reach its users?

Hon. Speaker: Hon. Wamboka you are out of order. Is *omusala* not bhang?

Hon. Wanami Wamboka (Bumula, DAP - K): Hon. Speaker, you are a Luhya leader and an elder. I am finalising...

Hon. Speaker: Order. *Omusala* is not a cash crop.

Hon. Wanami Wamboka (Bumula, DAP - K): I withdraw, Hon. Speaker.

Hon. Speaker: He has withdrawn.

Hon. Wanami Wamboka (Bumula, DAP - K): Hon. Speaker, you and I come from the same community. As our ranking leader in the Luhya Nation, Hon. Speaker, you are on record speaking about the stations. We look up to you. How will it work? How can they take the few stations from Luhya land and give the community of Hon. Okello the rest so that they have more, but we have none? As Luhyas, we are disenfranchised, and we say no. This must be relooked at and redrawn. We are in the same basket with Abagusi.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Oundo.

Hon (Dr) Ojiambo Oundo (Funyula, ODM): At times, we wish to keep quiet, but we are pushed to the wall, and we have to speak out. While several stations pass through Busia on the way to Malaba, the station at Luanda is very critical, especially to me, because it serves as a central point. From Luanda, I can go to Busia Town, I can pass through Siaya and go to my place, including the lower parts of Busia, including Hon. Wanjala's Budalang'i. The station is of great importance. It is important that it is reconsidered. That is where my wife comes from. I can "board" her as I go home.

Thank you. Hon. Speaker.

Hon. Speaker: Point made; the country will not build a railway because of your wife. Hon. Didmus, I find the response provided unsatisfactory. None other than the President

himself pronounced that the Standard Gauge Railway would not only pass through Luanda but also Mianga. I direct you to provide a more comprehensive response, including, but not limited to, a map showing the two stations: Luanda and Mianga.

Hon. Didmus Barasa (Kimilili, UDA): Hon. Speaker, I confirm that I received this response this morning. It is prepared and signed by the Principal Secretary, Mohamed Daghar. I also confirm that the Cabinet Secretary is currently bereaved, having lost his father. I agree with Members of this House that the response is substandard. I therefore commit that next week we will table a standard response that captures the President's aspiration that the railway should pass through both Luanda and Mianga.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. I direct you to bring a response within the first week after recess, clearly indicating the two stations.

Hon. Didmus Barasa (Kimilili, UDA): Much obliged, Hon. Speaker.

Hon. Jared Okello (Nyando, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: What is your point of order, Hon. Jared Okello?

Hon. Jared Okello (Nyando, ODM): Hon. Speaker, allow me also to sincerely thank you for walking the journey of rationalising hardship areas. The Prime Cabinet Secretary was with us two weeks ago. He alluded to the fact that somebody went to court to petition the report of the multi-agency technical committee. While appearing before the Departmental Committee on Education last week, the Principal Secretary for Public Service confirmed that the court disallowed the petition, therefore paving the way for the Ministry of Public Service to gazette areas that were earmarked for hardship allowances.

Hon. Speaker, you have kept your eye on this ball this far, understanding the disparities that have been in place with certain areas. I request you to ask the Leader of the Majority Party to fast-track this matter. I remember when the Prime Cabinet Secretary presented the report here, he indicated that the Government was going to save Ksh6 billion after doing the rationalisation. This is because it was believed there were areas that really did not merit, or situations that have so far improved, that do not allow them to continue benefiting. With our very constricted fiscal space, it behoves all of us to be as responsive as we can.

Hon. Speaker: Point made; furnish my office with the outcome of the case that made the Prime Cabinet Secretary refrain from concluding the matter so that I can give the Leader of the Majority Party further direction on the matter.

Hon. Jared Okello (Nyando, ODM): Most obliged, Hon. Speaker. I will do that tomorrow.

Hon. Speaker: Furnish the office of the Clerk with the outcome of the case.

Hon. Jared Okello (Nyando, ODM): I will do so, Hon. Speaker.

Hon. Speaker: Yes, Hon. Wamboka.

Hon. Wanami Wamboka (Bumula, DAP - K): Before we proceeded to recess, I had asked a question to the Departmental Committee of Education with regard to Junior Secondary School teachers. You had directed that upon resumption from recess, the question would be addressed in the first week. To date, they have not sent an answer.

Thank you.

Hon. Speaker: Was it the Departmental Committee on Education?

Hon. Wanami Wamboka (Bumula, DAP - K): Yes, Hon. Speaker.

Hon. Speaker: I will revisit that tomorrow in the afternoon.

Next Order.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

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

IN THE COMMITTEE

*[The Temporary Chairlady
(Hon. Martha Wangari) in the Chair]*

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

The Temporary Chairlady (Hon. Martha Wangari): Hon. Members, we are now in the Committee of the whole House to consider the Special Economic Zones (Amendment) Bill (National Assembly Bill No. 8 of 2026). Kindly note that there are some amendments in the Order Paper. There are also some revised amendments by the Departmental Committee on Trade, Industry and Cooperatives in circulation that you can refer to.

Clause 3

The Temporary Chairlady (Hon. Martha Wangari): There are some proposed amendments. Vice-Chairperson, Departmental Committee on Trade, Industry and Cooperatives, are you ready to prosecute your amendment?

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Chairlady, I beg to move: THAT, the Bill be amended by deleting Clause 3.

The Temporary Chairlady (Hon. Martha Wangari): Vice-Chairperson, did you move the amendment?

Hon. Marianne Kitany (Aldai, UDA): Yes, I have proposed that we delete Clause 3.

The Temporary Chairlady (Hon. Martha Wangari): Give a brief justification.

Hon. Marianne Kitany (Aldai, UDA): The justification is that the definition proposed in Clause 3 is already carried in a proposed amendment that will come in another clause.

(Question of the amendment proposed)

The Temporary Chairlady (Hon. Martha Wangari): Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Chairlady, for the reasons given by my Vice-Chairlady, I have a similar amendment to delete Clause 3. When you get to it, I will withdraw it respectfully.

The Temporary Chairlady (Hon. Martha Wangari): Hon. Member, that is well noted. We will give direction, depending on the outcome of this amendment.

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

The Temporary Chairlady (Hon. Martha Wangari): Hon. Member for Funyula, your proposed amendment falls.

(Clause 3 as amended agreed to)

Clause 4

The Temporary Chairlady (Hon. Martha Wangari): Mover, Vice-Chairperson, Departmental Committee on Trade, Industry and Cooperatives.

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, the Bill be amended by deleting Clause 4 and substituting therefor the following new clause—

Amendment of
Section 27 of
Cap. 517A.

4. Section 27 of the principal Act is amended by—

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

(5A) A licence issued under this Act to a special economic zone developer, operator or enterprise carrying on business or undertaking activities within an industrial park shall be valid for a minimum period of ten years.

(5B) The Authority shall, on an annual basis, and for the entire period during which a licence remains valid, conduct a compliance audit of a special economic zone developer, operator or enterprise to whom a licence is issued pursuant to subsection (5A) to ensure compliance with such terms and conditions of licence as prescribed in regulations, and the developer, operator or enterprise shall pay such annual licence fees to the Authority as may be prescribed.

(5C) A special economic zone developer, operator or enterprise that fails to pay the prescribed annual licence fees within sixty days after the expiry of each twelve-month period following the date of issuance of the licence shall be liable to pay a penalty as prescribed in the regulations.

(b) inserting the following new subsections immediately after subsection (6)—

(6A) Before suspending or revoking a licence under subsection (6), the Authority shall give written notice of at least thirty days, specifying—

- (a) the grounds for the intended suspension or revocation;
- (b) the terms and conditions of the licence or the provisions of law that have been contravened, not complied with or violated;
- (c) the remedial action required;
- (d) the period within which the licensee is required to comply or show cause why the licence should not be suspended or revoked.

(6B) Where a licence is revoked, the Authority shall, in consultation with the Cabinet Secretary, make such arrangements as may be necessary to provide for the protection of third-party interests and the orderly exit, transfer or disposal of assets within the special economic zone.

(6C) A special economic zone developer, operator or enterprise aggrieved by a decision of the Authority to suspend or revoke a licence may appeal the decision to the Cabinet Secretary within

thirty days of receipt of the notification of suspension or revocation.

The justification is that we are introducing a 10-year special licence that, initially, in the Bill, applied only to one sector: the petroleum zones. We have now expanded it to include the Special Economic Zones, including what we call industrial parks. However, there is a rider that any such investment shall have a minimum value of Ksh5 billion. Only those who will invest above Ksh5 billion will benefit from the 10-year special licence. This does not exclude those investing in the oil and gas sector, both midstream and upstream.

Thank you, Hon. Temporary Chairlady.

(Question of the amendment proposed)

The Temporary Chairlady (Hon. Martha Wangari): Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairlady, I rise to support this particular amendment because it supports what is provided for in the Bill. It also mitigates the risk of anyone going to court to argue that the provisions of the Bill are unconstitutional, on the grounds that they are unfair and do not give everyone a level playing field. Therefore, this amendment gives everybody a level playing field.

However, there is a proviso that if you get 10 years, there must be a minimum threshold. This protects our nation from people who want to come and set up shops to assemble small things, rather than help in our quest for industrialisation. Therefore, the minimum threshold of Ksh5 billion applies. I know Ksh5 billion can be relative in terms of time. That is why the second bit of the amendment allows the Cabinet Secretary, by notice in the Kenya Gazette, to amend the minimum investment value set out in the Clause. If Ksh5 billion has the same value as Ksh2 billion today in another five years, that threshold will be adjusted. If our currency loses value and Ksh5 billion becomes too much, the Cabinet Secretary can vary it, in consultation with the Authority.

The Special Economic Zones Director General informed me this afternoon that they were working on a comprehensive set of reforms for Special Economic Zones. I ask them to hasten them. They are working together with the International Finance Corporation (IFC). I know that the Director General and some of his staff are observing these proceedings. I request the Ministry of Investments, Trade and Industry and the Special Economic Zones Authority to hasten those reforms, so that we have a comprehensive law that covers all emerging issues in the Special Economic Zones. This is the way the world is going.

When the war began in Iran, in the Gulf Region, you saw the transshipment of cars. They were coming from somewhere, headed to the Gulf Region, but ended up in Lamu. We have been speaking about the Lamu Special Economic Zone for years. We must now move from speaking to actualising what we have been speaking about. Since these are things that were conceptualised a long time ago, let us hasten all the reforms that we need. Let us also tell the Special Economic Zones Authority and the Ministry of Investments, Trade and Industry that Parliament is more than ready.

The record time Parliament has taken this Bill through, with very comprehensive public participation, listening to stakeholders, and getting to where we are today, is a testament to its commitment. We are committed to ensuring that our Special Economic Zones are operational and attract investors from around the world to invest in this country and create job opportunities for our young people.

I support the amendment. Thank you, Hon. Temporary Chairlady.

The Temporary Chairlady (Hon. Martha Wangari): Kindly, if you get an opportunity to contribute, do not be like the Leader of the Majority Party. Do not debate. We are in the Committee of the whole House.

Member for Funyula, I will allow you to speak because you have a similar proposal. If this is carried, then yours will fall.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Chairlady, I thank the Leader of the Majority Party and the Vice-Chair of the Committee for listening to the wishes of the majority of stakeholders who came before us. The earlier draft and the initial recommendation by the Committee were discriminatory and would have placed Parliament and the country in a bad light. This is the spirit we need to embrace in this Parliament to ensure we make laws that benefit Kenyans. As we pass this law, the issue of tax expenditure will have to be addressed in the comprehensive review that we intend to have, in respect of this ecosystem.

With those remarks, if this amendment is carried, I will be happy because my amendments, views and empathy for Kenyans will be carried along.

Thank you, Hon. Temporary Chairlady.

The Temporary Chairlady (Hon. Martha Wangari): Very well. Hon. Caroli, do you want to contribute to this amendment? If you intend to speak to this amendment, press the intervention button.

(Hon. Jared Okello raised his hands)

Member for Nyando, why are you raising your hands?

Hon. Jared Okello (Nyando, ODM): Thank you, Hon. Temporary Chairlady. I support the amendment. I just returned from a coffee conference in San Diego, USA. Although we are an agricultural country, we have yet to even scratch the surface in terms of the market share in America. Americans drink coffee, not tea, as is common in Iran and Europe. Therefore, we will have finished products and move away from selling raw materials to people who would then add value and bring them back to us at a very high rate. Therefore, this kind of intervention is timely and key. The Ksh5 billion, which will run for 10 years, is an incentive to encourage people to invest in our country for more than 10 years. Therefore, I thank the Committee for bringing this amendment.

I support.

(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 agree to)

(Clause 4 as amended agreed to)

(Clause 5 agreed to)

Clause 6

The Temporary Chairlady (Hon. Martha Wangari): Hon. Oundo, you have a proposed amendment.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Chairlady, I have had a discussion with the Leader of the Majority Party and the Mover of the amendments, that once the amendments under Clause 2 are carried, the proposed amendment under 6 will be rendered redundant. I do not know whether you will set aside my amendment and see what will happen on the other end.

The Temporary Chairlady (Hon. Martha Wangari): Hon. Oundo, that cannot happen. You will have to trust what you have discussed with the Leader of the Majority Party. Therefore, you are on record as having withdrawn the amendments to Clause 6.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Yes. I trust and believe the amendment to Clause 2 will go through.

The Temporary Chairlady (Hon. Martha Wangari): It will be unconditional on record.

*(Proposed amendment by
Hon. (Dr) Ojiambo Oundo withdrawn)*

(Clause 6 agreed to)

(Clauses 7 and 8 agreed to)

New Clause 3A

THAT, the Bill be amended by inserting the following new clause immediately after Clause 3:

Amendment of Section 11 of
Cap.517A.

3A. Section 11 of the principal Act is amended by deleting paragraph (m) and substituting therefor the following paragraph—
(m) to suspend or cancel the licence of a special economic zone developer, operator or enterprise which is in violation of this Act, the East African Community Customs Management Act, 2004 or any other applicable law.

(The new clause was read a First Time)

The Temporary Chairlady: Mover to move the Second Reading. Chairperson, Departmental Committee on Trade, Industry and Cooperatives.

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Chairlady, I propose that the New Clause 3A be now read a Second Time.

The justification is that ...

The Temporary Chairlady (Hon. Martha Wangari): Hon. Kitany, kindly move that the Clause be read a Second Time; do not propose.

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Chairlady, I beg to move that the New Clause 3A be now read a Second Time.

The Temporary Chairlady (Hon. Martha Wangari): Do you have any justification?

Hon. Marianne Kitany (Aldai, UDA): Yes. The proposed New Clause 3A will cure the issue of tenure for licenses issued to investors committing a minimum of Ksh5 billion. It further provides that where such investors fail to invest or comply with the license conditions, the Authority shall have the power to cancel the license.

Thank you.

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

The Temporary Chairlady (Hon. Martha Wangari): Hon. Member for Funyula, I will give you the first shot on this because I know you had a proposed amendment to the same.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): We are doing very well. The voice of the people is the voice of God. Thank you, Members, for agreeing on this amendment.

Thank you.

The Temporary Chairlady (Hon. Martha Wangari): You are supporting the amendment.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Chairlady, to save time, let me go on record that this is similar to what I have. I therefore withdraw my amendment.

The Temporary Chairlady (Hon. Martha Wangari): That is what I was hoping for.

*(Proposed amendment by
Hon. (Dr) Ojiambo Oundo withdrawn)*

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

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

Clause 2

The Temporary Chairlady (Hon. Martha Wangari): Mover to move amendments.

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Chairlady, I beg to move: **THAT**, the Bill be amended by deleting Clause 2 and substituting therefor the following new Clause 2 —

Amendment of section 2 of Cap.
517A.

2. Section 2 of the Special Economic Zones Act (in this Act referred to as “the principal Act”) is amended by inserting the following new definitions in their proper alphabetical sequence—
“midstream petroleum operations” means all or any of the operations related to petroleum transportation, storage, refining operations, or natural gas processing operations that are related to multiple development areas

including operations for the liquefaction of natural gas; “upstream petroleum operations” means all or any of the operations related to the exploration, development, production, separation and treatment, storage and transportation of petroleum up to the agreed delivery point.

The reason is that we are introducing a new definition of an “industrial park,” which brings together all functions related to petroleum operations, including both midstream and upstream activities, as well as agro-processing, manufacturing, and other related activities. This is to ensure clarity and definition in the Act.

We have also introduced definitions of midstream and upstream petroleum operations. That, again, is for clarity, so that operations that are not midstream or upstream are not within Special Economic Zones.

Thank you.

(Question of the amendment proposed)

The Temporary Chairlady: Member for Funyula. If you have a similar amendment, you can drop it on record.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): I had a similar amendment which expanded the definition of “mid-stream” to include “up-stream,” following advice from the drafters that it is sometimes better to be explicit in a Bill rather than asking a reader to refer to another Bill altogether.

However, in order to avoid unnecessary haggling and wastage of time, unless they think otherwise, I would rather take the Committee’s proposal because it more or less aligns with what we had agreed upon.

Thank you.

*(Proposed amendment by
Hon. (Dr) Ojiambo Oundo withdrawn)*

*(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, put and agree to)*

(Clause 2 as amended agreed to)

(Schedule agreed to)

(Title agreed to)

Clause 1

The Temporary Chairlady (Hon. Martha Wangari): Mover?

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Chairlady, I propose that Clause 1 be amended to include the date when this Act will take effect; that is, upon publication of this Act.

Thank you.

(Question of the amendment proposed)

The Temporary Chairlady: There is no interest in this.

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

(Clause 1 as amended agreed to)

Hon. Members, we have come to the end of this Committee of the whole House. Can we have the Mover to move reporting?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairlady, I beg to move that the Committee do report to the House its consideration of the Special Economic Zones (Amendment Bill) (National Assembly Bill No. 8 of 2026) and its approval thereof with amendments.

(Question put and agreed to)

(The House resumed)

IN THE HOUSE

*[The Temporary Speaker
(Hon. Martha Wangari) in the Chair]*

MOTION

CONSIDERATION OF REPORT ON THE SPECIAL ECONOMIC ZONES (AMENDMENT) BILL

The Temporary Speaker (Hon. Martha Wangari): Hon. Chairperson, proceed.

Hon. Gladys Boss (Uasin Gishu County, UDA): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Special Economic Zones (Amendment) Bill (National Assembly Bill No. 8 of 2026) and approved the same with amendments.

The Temporary Speaker (Hon. Martha Wangari): Let us have the Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that this House do agree with the Report of the Committee of the whole House on its consideration of the Special Economic Zones (Amendment) Bill, National Assembly Bill No. 8 of 2026, and I wish to request the Member for Funyula, Hon. (Dr) Oundo, to second the Motion.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, I second.

(Question proposed)

(Question put and agreed to)

BILLS

Third Reading

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

The Temporary Speaker (Hon. Martha Wangari): Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that the Special Economic Zones (Amendment) Bill (National Assembly Bill No. 8 of 2026) be now read a Third Time. I request the Member for Aldai, Hon. Marianne Kitany, the indomitable Vice-Chair of the Departmental Committee on Trade, Industry and Cooperatives, to second.

Allow me to reiterate what I said earlier. Any legislation we enact in this House must be anchored in policy. That must be made clear to the bureaucrats in Government, that this House will not allow people to parachute matters that are not anchored on policy into the House. I saw attempts when the Committee began its interactions on this Bill to introduce certain substantive amendments to this piece of legislation that had not undergone policy consideration in Cabinet. We must re-emphasise that if those in Government want to propose any policy changes to be anchored in law, they must be processed through Cabinet to ensure the orderly conduct of business in legislative processes.

With those remarks, I request Hon. Marianne to second.

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Speaker, I second.

(Question proposed)

(Question put and agreed to)

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

The Temporary Speaker (Hon. Martha Wangari): Next Order.

Second Reading

THE FOREST CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (National Assembly Bill No. 38 of 2025)

Hon. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. I beg to move that the Forest Conservation and Management (Amendment) Bill (National Assembly Bill No. 38 of 2025) be now read a Second Time.

I begin by begging your indulgence, as I know that many of the Members of the Departmental Committee on Environment, Forestry and Mining, under the able chairmanship of Hon. Kawayu, are not in the House. We therefore seek your indulgence that, at an appropriate time, once the Members present contribute to this Bill, we may adjourn debate to allow Hon. Kawayu's Committee, which is undertaking public participation on this Bill, to come and have their input as well as enrich it with what they will have gathered. This Bill is still under

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consideration. We will debate it as published, but we will seek to enrich it further based on what we receive from the public participation exercise, which is being concluded this week. We hope that we benefit from the Members of the Committee when they return from their retreat for report writing on the said Bill.

This is a very important Bill and marks a pivotal step in our legislative journey towards environmental sustainability. If the Governor for Vihiga were still a Member of this House, I am certain Hon. Ottichilo would be very keen on this Bill, because he is a man who has always been keen on environmental conservation and sustainability, and it would have touched him in a very special way. This Bill seeks to align our forest laws, some of which are archaic and were enacted during colonial times, with the National Forest Policy of 2023. As I said earlier in the Committee of the whole House, any piece of legislation must be anchored on policy. This Bill is anchored in the National Forest Policy, developed in 2023, and aligns with modern global conservation trends and standards, ensuring that our legal framework reflects current ecological realities and is aligned with the Constitution of 2010. Many of the provisions under our forest laws came before the enactment of the 2010 Constitution.

Part of the objectives of this Bill is to bridge existing gaps in our forest sector, particularly on matters of conservation and environmental sustainability in this era and age of global warming and climate change. One of the things that this Bill seeks to do is to strengthen institutions by formally anchoring research and regulatory offices under the Act. One such institution is the Kenya Forestry Research Institute (KeFRI) headquarters at Muguga, hosted by the great people of Kikuyu Constituency.

The second objective is to enhance conservation by introducing innovative concepts such as forest carbon and buffer zones. Under this new Act, Members who have read the Bill will see there are definitions of all these terms, including the trade in carbon credits, forest carbon, and the buffer zones for our forests.

The other objective is to empower counties. Many of the previous laws or the laws that we had before on forest conservation and environmental sustainability came in before the advent of devolution. Therefore, the laws did not recognise or clarify the actual role of our county governments in forestry management. Forests exist across counties. Some are yet to be vested in the Kenya Forest Service; others are on private land; others are on county land. Therefore, we must clarify the role of county governments in managing our forests.

The fourth objective is to deter environmental crimes by enhancing penalties for illegal activities. The laws I described as archaic, which were in place governing this area before, had very lenient penalties and fines for criminal or illegal activities in our forests. That is why you have seen people clear entire forests without apology, illegally logging and processing timber to make a lot of money. If you are arrested and taken to court, you often only get a slap on the wrist. Therefore, we want to make it painful for anyone to engage in environmentally degrading activities in our forests. This is not just about cutting trees. It also includes damage to the flora and fauna in our forests, including bushes. People graze their animals in forests as if those forests were part of their grazing lands. We must protect them. I do not want to mention specific forests as much as the Deputy Speaker is inciting me to. I am sure she will mention them when contributing to the Bill. I have neighbours and friends around Kaptagat, so I do not want to be misquoted.

This Bill introduces new concepts and institutions to enhance environmental conservation and forestry management. For instance, Clause 7 introduces a new Section 17A, which establishes the Kenya Forest Academy, which will professionalise the training of forest officers. This Section creates a specialised training institution within the Kenya Forest Service, ensuring that forest officers are not just law enforcers. Currently, we see them carrying guns and sometimes, arresting women collecting firewood or small fallen branches. We need a professional service that understands what conservation is. Such officers will know how to

handle issues like illegal grazing in forested areas. They will understand that conservation involves maintaining the flora and fauna, which helps preserve the moisture levels needed for trees to thrive.

Therefore, the Kenya Forest Academy will provide mandatory law enforcement and security training. It will also ensure that forest officers are not just security personnel, but also trained conservationists. They will be disciplined, well-equipped, and capable of protecting natural resources from increasingly sophisticated threats. In this day and age, we have even seen foreigners invading our forests and engaging in various illegal activities. I will not name any nationalities. Some are even breeding insects. I am told that there are people breeding ants in some of our forests.

One of the most lucrative illegal trades today is not in elephant tusks, but in small animals such as ants. I saw a Report on the British Broadcasting Corporation (BBC) showing that a queen ant can trade for up to US\$220 on the black market. We have seen such illegal activities.

The Temporary Speaker (Hon. Martha Wangari): The most recent one is from Eburu Forest in Gilgil, where these ants are found.

(Laughter)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, a forest officer who is not well-trained may not understand the value of such insects. They may think that they are harmless creatures, even when people breeding them in forests like Eburu are raking in hundreds of millions of shillings. An officer may even destroy anthills, not knowing their value. I passed through that area on my way to Mount Narok. I saw many anthills around the Technical and Vocational Education and Training (TVET) facility that you and I visited, Hon. Temporary Speaker. Therefore, we must train our forest officers to be knowledgeable and true conservationists. They should not merely carry firearms or harass people collecting firewood or grazing animals near forests.

The Bill also proposes establishing the Office of the Director of Forest Regulation, which will **serve** as a watchdog for the sector. It will set national standards, inspect forest management, and maintain a national forest registry. This is very important because we have many forests: some are private, others belong to county governments, and others belong to the national Government under the management of the Kenya Forest Service. However, we lack a clear register defining what constitutes a national forest. This Office will not only define standards, but also determine whether forests consist of exotic trees, indigenous trees, or a mix of both. It will also identify protected tree species and oversee inspections, including in private forests, ensuring that important species, especially those that support water catchment areas, are preserved.

The Office of the Director of Forest Regulation will ensure proper oversight, including timber grading and certification of experts. Today, people import timber from neighbouring countries such as the Democratic Republic of Congo (DRC), Tanzania, and South Sudan. However, many people masquerade as experts in the grading and certification of timber and as a result, poor-quality timber is sold as high-quality, well-seasoned wood. After a few months, furniture made from that wood warps and the joinery separates. Even doors are affected. I have seen houses with beautiful mahogany or *mvule* doors that were initially of good quality. However, over time, due to poor timber treatment and seasoning, and lack of proper certification, the timber warps, and creates gaps. One can even see inside the house before the door is opened. I will not mention whose house it is because he is my former friend.

(Laughter)

Hon. Wamboka pretends to know whose house I am talking about.

(Hon. Wanami Wamboka spoke off the record)

I know he knows.

(Laughter)

The Temporary Speaker (Hon. Martha Wangari): Since you said he is a former friend, is he now your enemy?

Hon. Kimani Ichung'wah (Kikuyu, UDA): No. He became a rumour monger, tribalist and warmonger, and I could no longer associate with him.

(Laughter)

This Office will also improve traceability. In the modern world, everything, including food, requires traceability. The same should apply to timber. We must establish a system to trace Kenyan forest products in international markets. We should be able to trace timber grown in our forested plantation areas for commercial use. For example, if *mvule* timber is exported to Italy and a problem arises, we should be able to trace it back to its source plantation. That will strengthen our timber market and wood products sector. It will also put us at an international standard where all products, including tree and wood products, are traceable.

I have mentioned that my constituency hosts the Kenya Forestry Research Institute (KEFRI). Clause 10 of Part III of the Bill seeks to anchor such institutions, especially research institutions such as KEFRI, under this Act. That moves KEFRI from the science and technology framework to its natural operational space in forestry. Anchoring it under this Act will formalise its mandate as a lead agency in forestry research and technology development.

We must develop seedlings and seeds that can survive in areas where current tree varieties cannot. KEFRI is already researching tree varieties suitable for dryland forests. Those of us from Northern Kenya and other arid and semi-arid areas know that these regions lack forest cover, which affects rainfall. With science and technology, KEFRI and similar institutions can develop seedling varieties that can survive in dryland forests.

This will match dryland forests with pastoralism in what scientists have defined as agrosilvopastoralism. This is where you combine trees, crops, livestock and fodder. The approach strengthens climate resilience and improves livelihoods. Especially in arid and semi-arid areas. It allows pastoralism to coexist with dryland forests, supports fodder production, and promotes crop farming, thus alleviating hunger and food insecurity. Thus, address the livelihood of the people that all these Members represent.

The Bill is quite comprehensive and will go to the Senate. I do not want to belabour it further, as it is still undergoing public participation. However, allow me to mention one last thing about Clause 13, which provides for Payment for Ecosystem Services (PES). It is creating incentives for forest owners for ecological stewardship. As I mentioned, many people, including myself, have private forests. I have a small one in my space in Kikuyu. For every small piece of land I get, I make sure to set aside a portion to develop a forest. I did not know this Bill was going to be brought forth. I am also catered in it. You are, in a way, contributing to the nation's ecology if you are the owner of a forest now, either big or small. Kenyans will reap benefits from the forests they own or manage. Therefore, we are creating a framework that allows incentives to be paid to the public, community and private forest owners.

There are community forests particularly in Kajiado, Narok and Samburu Counties. There are also private forest owners who manage their lands to provide ecological services. For instance, I said that some people are protecting or caring for water catchment areas or carbon

sinks on their land. Such individuals should derive value from these ecological services. That is why we say we will get payment for the ecosystem services we provide to the country. It encourages citizens and communities to plant and protect trees, as they will be financially rewarded for the ecological benefits their forests provide to the nation. The ecological good or service you provide to the nation by maintaining forests and water catchment areas, or as a carbon sink, adds value to our nation. Public, private or community forest owners or managers should derive value from whatever money the nation earns from carbon credit trading or the sale of timber from forests.

Lastly, Clause 21 is also important. It vests intellectual property rights of forestry innovations in KEFRI. KEFRI will hold intellectual property rights if it develops tree varieties suitable for specific environments. It will be patented or have intellectual property rights if it innovates a tree variety that grows in swampy areas and converts the areas into productive land or forested areas. This turns our forestry research from being a mere service into a protected national asset, and thus ensures that Kenya owns solutions to its environmental challenges.

We are training many scientists. This House devotes a lot of money to the development of research facilities. It is not in vain that we spend such immense national resources in training our scientists and developing research institutes. Our scientists spend much more time in these institutions doing research, developing seedling varieties and seeds, and whatever else they develop. However, they do not own intellectual property rights for whatever they innovate. This law ensures that KEFRI, for instance, holds intellectual property rights for its research and innovation within forestry. They will earn from that knowledge if others outside this country apply the knowledge to benefit from it. They will pay or compensate them.

It is a detailed Bill. I hope Members have had the opportunity to interact with it. Those who are out there concluding public participation will further enrich it with public feedback before we conclude, and it proceeds to the other House. As I said, it also brings the ambit of managing our forests to county governments. Therefore, it is a county-related Bill, and we have to find space or a way to the other House.

With those remarks, I beg to move. I now request my very able Deputy Whip of the Majority Party, who the people of Marsabit County famously refer to as Mama Naomi, to second. She is also a Canon in the Anglican Church of Kenya. She is a lady of might and service to the nation and, more importantly, the Church of God and the people of God.

(Hon. Naomi Waqo stood in her place)

The Temporary Speaker (Hon. Martha Wangari): I was going to ask the Member to take a seat so that you can continue with the introduction.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Canon Mama Hon. Naomi Waqo has served the people of Marsabit County very diligently. She is very passionate about her service to them. As much as you hear she is a Canon in the Anglican Church of Kenya, I know she serves the people of Marsabit, including the Muslim community, without any iota of discrimination. She loves them. Her commitment to the people of Marsabit County is something I have not seen before with many Members in this House. That is why it is my singular honour to invite Mama Hon. Naomi Waqo to second.

The Temporary Speaker (Hon. Martha Wangari): I am not going to contradict anything you have said. I think it is proper. Being an Anglican myself, I confirm.

Member for Marsabit County, please second.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. I want to express my appreciation to the very able Leader of the Majority Party for the many good things he has said about me. I was whispering something, but he refused to say it. I was

telling him to say that the next Governor for Marsabit County, but he said he will reserve that information for the next ...

The Temporary Speaker (Hon. Martha Wangari): Maybe he will say that when he replies. So, we will wait.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. I beg to second the Bill and confirm that it is of great importance to the entire nation. The Forest Conservation and Management (Amendment) Bill is one of the important Bills introduced in this House that will benefit every part of the country. The Bill introduces enhanced enforcement and protection of our forests. Our forests need proper enhancement and protection. We know very well that there are people who sell firewood, charcoal and timber. All these people interfere with our forests. However, with this Bill, we would be able to protect our forests.

The Bill has addressed private forest protection. Many Kenyans have private forests that need protection. For the first time, the law extends protection against unlawful violation to private forest which were previously excluded from specific prohibited activities under the Forest Conservation and Management Act, 2016. This is a big relief to private forest owners because in the past, they did not have any Bill that would have protected them. The Bill has now put that into consideration and increased the penalty. There are many cartels in the business of selling timber who make a lot of money. However, when they do wrong things, the penalty is often just a fine of Ksh100,000. That is very minimal, and any businessman in that line can easily afford it. With the introduction of Ksh1 million fine, they will have to reconsider their steps. Therefore, this is a very good Bill that will protect our forests and instil discipline to those who are in that business and the cartels.

For the uniformed cadre, the Bill streamlines the designation of uniformed and disciplined officers, mandating security training and oath of allegiance. I come from Marsabit, and we have one very beautiful forest that covers 1,554 square meters. That forest is what sustains Marsabit, especially Saku, where I was born and brought up. It has all the big five animals and other wild animals like giraffes. That forest is what sustains both human beings and wild animals. That forest is the source of water in Marsabit, and that is why I support the Bill. Some of our uniformed officers have misused their offices, mistreated people and participated in funny businesses within our forests. This Bill has taken care of all that. Taking care of our forests will help us overcome all the challenges that come with climate change.

On water cycle regulation and purification, as I said, people of Marsabit depend on their forest for water that they use. When we take care of our forests, we will avoid soil erosion and prevent so many other challenges. Forests sustain livelihoods. They provide food, fuel, medicine and jobs for millions of Kenyans. We have no option but to support this Bill and protect our forests. By protecting our forests, we will also be reducing the risk of diseases spreading from wildlife to human beings, and we will have a balanced ecosystem. With those few remarks, I second the Bill and I encourage Hon. Members to support it so that it is assented to, in order to benefit millions of Kenyans in our country.

Thank you.

(Question proposed)

The Temporary Speaker (Hon. Martha Wangari): Dr Mutunga.

Hon. Dr John Mutunga Kanyuithia (Tigania West, UDA): Thank you very much, Hon. Temporary Speaker, for the opportunity to contribute to this very important Bill. Kenya has less than 10 per cent of forest cover. This is according to the Kenya Forestry Resource Assessment Report of 2024. I have started with that sentence because we are confusing people when we speak of 12 per cent, 13 per cent or 14 per cent forest cover. That is not true. Kenya right now is at 8.83 per cent forest cover, as per that report. If it has increased, then it is over the last year, and I do not think it can increase by a significant proportion.

I have started pessimistically because we need to improve our forest cover. This legislative proposal comes in to support that intervention. We have 8.8 million hectares of degraded land. The initiative mentioned in this proposed legislation will help Kenyans and foreigners who invest in Kenya reduce degraded land. Degraded land is one that cannot be used for anything else. We need to encourage people and give them the incentive to do that.

Environmental conservation is key to sustaining and protecting the diversity of our species. This country enjoys a wide variety of diversity because we have quite a number of agroecologists. It starts from high altitude, through low altitude, and into the desert. Because of that, we have a wide variety of trees, different species of flora and fauna that we can preserve in the country. Improving and increasing diversity is key in terms of enabling our country to have a better environment.

To benefit from environmental variety, the Bill proposes several initiatives in the form of institutions. It proposes establishing a professional service within the forest management system. Professionalising a sector like forestry is key to having professionals grow in this particular area. Forestry used to be offered as a unit or a course in the Kenyan education system. The growth of this particular domain has not been significant. It is an area that we need to focus on so that we develop more professionals. That provision in the proposed legislation will help us expand the scope of professionals we can develop and the domains in which they will work.

I have also realised that there is a proposal from the Kenya Forest Academy, which is another form of specialisation. It is creating an opportunity for us Kenyans and our future generations to dig and dive deeper, to understand what other species, what different types of trees and what different types of bushes can grow in this country. This creates opportunities for Kenyans, and even for other people who might come to live in Kenya, to have and apply different species.

What I have noted with great interest is the incentive. Incentivising those who want to create their own forests or lands, those who own plots, and those who want to create conservation areas. People move into semi-arid areas and create recreational facilities, building microclimates of trees. They bring in trees from different parts of the country and grow them there. What that tells us is that this country is God-blessed to the extent that we can grow most species across various ecologies. This has enabled the creation of microclimates, suggesting it is possible to establish woodlots or forests. The incentive to enable people to physically develop or improve carbon sinks is key, and is a provision in this Bill.

Ecological goods are natural, long-term, and extremely localised. Ecological goods cannot be enjoyed across a wide area. Therefore, we have specificity in terms of ecology, and we can improve on this. This incentive will be useful in developing and capturing most of the areas in this country that may require forests. We have 2.1 million hectares of forest and woodlands. We need to increase woodland, and we need more wood. Trees relate very closely to rainfall. The more forests we have, the more rain we get in a given area. We also need to transform the 24.8 million hectares of bushland into woodlands, which is possible. To do this, we need legislation like the one we are discussing today.

The most interesting aspect I have found in this legislative proposal is the possibility of having innovation rights and benefits from innovations. Kenyans are being given an opportunity to innovate, to develop species that can thrive in various environments, and therefore be compensated for their intellectual property. This is key because it will encourage scientists to delve into this area and develop species that perform better in certain environments. These species can be produced in different ways, and that is why enhancing the capacity of the Kenya Forestry Research Institute is key. It will help the Institute diversify the varieties and species of trees across different areas of this country, and also match ecological localities, where different species are planted to promote afforestation in different areas.

I have also specifically looked at the penalties, because we have been experiencing forest destruction, indiscriminate tree felling, and sometimes unmanaged harvesting. We clear bushes, fell trees, and sometimes people burn charcoal, among other activities. The penalties specified in this legislation are key and will make Kenyans understand that indiscriminate felling of trees will not be tolerated when this legislation becomes law. It is important to realise that we need to manage our forests. It is called harvesting. It is not merely felling or cutting down trees. It is about ensuring the regeneration of species.

There has been an afforestation approach that has borne fruit in this country, where people are given a piece of land in a forested area, plant trees, grow them alongside their crops, and within two or three seasons, they move to another place. It has worked very well. This is community-based, encourages public engagement, and can greatly help if promoted to grow more trees in this country.

With those very few remarks, I support this legislative proposal. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Buuri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. Today you are wearing green. Green symbolises another party which has come in, but you are not...

The Temporary Speaker (Hon. Martha Wangari): Green is for the forest.

Hon. Mugambi Rindikiri (Buuri, UDA): Indeed, green is for the forest. Thank you, Hon. Temporary Speaker, for giving me this opportunity. As I grew up, I can say I benefited from the forest. My late father was a sawmiller and the founder of a timber industry in Meru County. He started three forest stations and was a pioneer of afforestation in Meru County. The importance of forests and forestry in this country should be given prominence. Through forestry, we have economic and climate benefits. We are part of the global concern about climate change, and our President has been recognised as a champion of climate action in Africa.

This Bill comes at the right time. Yesterday, I had a meeting with one of the largest CFAs, and the concerns were conservation and sustainability. The exotic and the modern trees that we are planting cannot sustain the area for a long time. We now have many areas without water because the climate has changed due to environmental degradation. This is a global concern. As other speakers have said, there is a significant biodiversity economy in our forests, and we cannot ignore it.

As I have said, I grew up within a forest-based economy. My father was a logger, and the family has continued in the same business. Forests have also helped in terms of soil conservation. There are forests with cultural and social values. If you go to Central or Western Kenya, you will find forests with traditional and cultural significance, which is important for the conservation of our culture. The same applies to the improvement of air quality.

This Bill introduces a regulation which has been missing. What we had focused more on was guarding forests. That is why you find the biggest activity has been enforcement by rangers. Many carry guns but have little understanding of conservation. Conservation is preserving what we have and enhancing it, while sustainability ensures that what exists is maintained over a long period. The regulator is coming in at the right time because it will address various aspects of the economy that forestry brings. One of them is research.

Where I come from, the upper side of Mount Kenya, is a transition area. In the middle, we have a leeward side, which is more like the North-Eastern, where a semi-arid area begins. We have had a problem where the forest areas transition into shrub lands. However, if we have an institution that purely and seriously focuses on research and development, we can develop three species which can be transplanted in other areas and not only the forest. Currently, the Government is trying to plant as many trees as possible within the existing forest areas. However, we now need to move into the rural areas.

Hon. Temporary Speaker, we need to develop tree species for hills and water catchment areas. There are trees that do very well in arid areas. The known forests like Mount Kenya and Mount Elgon in Kakamega will be destroyed if this climate problem continues. We need to start developing new tree species that can sustain climate change and degradation to develop a new forestry cover.

The issue of funding is very important, and this Bill brings in that element. Regarding training, last week, I had the opportunity to meet some people during the Africa Urban Forum (AUF). They told us that there are people who specialise in climate in the urban areas. This is an emerging concept that comes up with climate-resilient activities within the urban centres. With enhanced training and research, I see something coming up through this Bill. We cannot put our heads down. I see the Bill attracting many investors and interested parties. Out there, we have people who would like to partner with an organised institution that has an organised structure. We have NGOs that are focusing on climate change and specifically, on tree growing. We no longer speak about tree planting. The regulator will focus on coming up with new systems and even forests in the rural areas, particularly fruit trees, which we have avoided for a long time.

Regarding research and training, I found that we are wasting a lot of resources. We have so many graduates who are rangers in the forest. Some of them have studied agriculture, forestry and science-related concepts in forestry at the university. This Bill has come at the right time. We need to support it. We need to empower the academy and the regulator, and start specialisations.

Before I finish, Hon. Temporary Speaker, I like the idea of penalties. Yesterday, we had a serious argument with the Kamulu Community Forest Association (CFA) in Buuri Constituency, Meru. We saw a lot of cutting of trees. There was illegal logging, even in prohibited areas. These penalties will come in handy to prevent a lot of destruction.

With those few words, I support and ask all the Members to not only support this Bill, but also, be part of tree growing. Every Member of Parliament should go back to their constituency and start growing trees, specifically fruit trees, for our people.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Wajir North, Hon. Saney.

Hon. Ibrahim Saney (Wajir North, UDA): Hon. Temporary Speaker, forests are our environmental asset. They are refuge homes for our flora and fauna, and even human beings. Forests offer livelihoods to both animals and human beings. They are a signature of our diversity. In them, you find the bounties of nature. It is not one tree. It is a composition of many different species.

Forests are sources of water. They are rainmakers indeed. From them flow the fountains of all forms of water and rivers that provide us with life. Forests are the sink of carbon, the biggest nuisance today globally, to what we call climate change. Forests are what we require to absorb carbon to ensure we are safe on planet Earth. Without forests, then all other problems follow.

Forests are the generator of health. Without forests, we would not be healthy. Management and conservation of all our forests means trying to fortify all the utilities we get from them. It is about sustainable management, not just for today, but for posterity. Why should we do that? At the current rate of desertification, deforestation, illegal logging and all kinds of negative anthropogenic activities, they have to be maintained and managed. For conservation, we at least need a planned use, protection and preservation. Preservation will bring in the aspect of wise use of our natural resources and ensure that whatever we are using is available for generations to come on a sustainable basis.

Hon. Temporary Speaker, at the outset, the Bill introduces devolution of forestry within the Kenya Forest Service. A devolved component of the Kenya Forest Service is in sync and in consonance with our Constitution. This makes what existed to be in tandem with our constitutional order. It also uplifts our local legal framework to an international level, making it on par with all international practices. One important thing that it brings to the fore is the classification of forests: from public, private and community forests. That means, with devolution, there should be community forests. I love that because it brings public participation in forestry.

The Bill brings reforms to institutions. It has proposed the creation of a forest regulatory directorate, which is concerned with the standards and the Kenya Forest Academy for specialised training and other fresher courses. In ASALs, it has introduced the aspect of dry land forestry. Forests are not only in the high-altitude areas. Bushlands and woodlands are also part and parcel of our forests. Harvesting water and ensuring there is forestry in the dry lands is a welcome move. This discussion clearly brings out the aspect of enforcement. KFS wardens have been transformed into a disciplined, uniformed, and well-trained force. This means they shall be enforcing regulations. They will not merely act as observers or security guards as they did before. They will have the authority to enforce matters within the KFS's mandates.

The legal framework for managing carbon trade has been established through this Bill. Previously, it was haphazard. You would hear of some communities profiting from carbon trading without any legal structure to support that. This amendment introduces a legal framework to ensure that carbon trade is effectively managed.

Furthermore, it addresses the issue of easements. There have been numerous complaints about instances of interference with forest land. There is a lot of hue and cry about how the KFS land was utilised. This amendment provides a mechanism to ensure that easements are available when public utilities—such as roads or other infrastructure—are required for the public good, without compromising the conservation and management of our forests.

The Bill also highlights the management of fragile ecosystems. These ecosystems, which are sensitive and require careful handling, will be safeguarded. Any attempt to exploit such ecosystems could be disastrous. To ensure they remain undisturbed, this Bill acknowledges the need for serious attention to sensitive, fragile ecosystems. Additionally, the Bill supports the work of the Kenya Forest Service Institute (KFSI), which is tasked with ensuring the protection of indigenous forests. We have faced issues where non-native trees were introduced into the country, subsequently overtaking our rangelands and grazing areas, detrimental to other growths and trees. With this amendment, there is a need to protect our native trees and indigenous woodlands.

With those few contributions, I assert that this is a very comprehensive amendment Bill, and I support it entirely.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Very well. Hon. Omanyo, the Member for Busia.

Hon. Catherine Omanyo (Busia County, ODM): Hon. Temporary Speaker, I am waiting to comment on my committee report.

The Temporary Speaker (Hon. Martha Wangari): Okay, not on this?

Hon. Catherine Omanyo (Busia County, ODM): No.

The Temporary Speaker (Hon. Martha Wangari): The Member for Turkana Central.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you so much, Hon. Temporary Speaker. I wish to contribute to this amendment, Bill. Although some people assume that Turkana is devoid of forests, we have Loima Forest in Loima Constituency. This 13th Parliament has done a lot regarding climate change. If I may take note, this is the third amendment we are introducing to support issues related to climate change. You may recall that when Kenya was granted the chairmanship to champion climate change issues, and our

president was nominated for that task, we had to amend the Climate Change Act in 2023. This Act introduced the Kenya National Carbon Registry. Currently, we are optimistic that by 2032, we will plant 15 billion trees, and this Bill supports that goal. Another amendment we introduced into the Mining Amendment Act of 2025 addresses environmental bonds, which were originally a Senate Bill.

When we talk about forest conservation and management, we must consider how these forests are managed and the potential economic benefits they can bring to our country. For example, in examining the Bill, the introduction of the Office of the Director of Forest Regulation means that we are regulating water resources, forestry, and climate change. Additionally, we now have a registry for carbon credit bonds. This is a positive development for forest conservation and management. Compliance is important, and the planned introduction of uniformed, plain-clothed forest guards or forest wardens is a step in the right direction. We have witnessed its success in the KFS, and if we implement a similar approach here, it will be beneficial. Compliance measures will be significantly enhanced.

Regarding licensing, logging is done haphazardly in this country. If licensing is controlled and certification is effectively managed, we will be on the right trajectory as a nation. Therefore, when we consider the National Forestry Registry, I am optimistic that those who venture into the rangelands to plant trees and create microclimates or micro-catchment areas in our drylands will be compensated, entered into the registry, and rewarded for the goods and services they provide. This will help us achieve the ambitious goal of planting 15 billion trees.

Ultimately, I am left pondering how forestry and climate change, with regard to carbon credits and the forestry registry, will contribute to our Gross Domestic Product (GDP). The evaluation of carbon credit bonds, when aligned with forestry initiatives, will immensely boost contributions to the GDP. At present, when we look at how our GDP is reported, it is apparent that nothing is recorded regarding forests as an economic asset for this country.

In conclusion, I want to assert that this Bill enhances forestry conservation and management, especially in light of the existing 2016 Act on Forest Conservation and Management. It is evident that guaranteed concessions are essential for our country to implement. Given that all our forests are government-owned, we have yet to derive any benefits from them. Therefore, if this Bill helps us unlock that potential, it would be a tremendous contribution to this country.

I submit, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Igembe South, Hon. John Paul.

Hon. John Paul Mwirigi (Igembe South, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this Bill. Firstly, it is timely because it has come at a time when this country is facing water shortages and challenges affecting indigenous trees and livelihoods. For a few years, we have not had rain. This is a good Bill. Forests help conserve the environment and improve our climate.

Secondly, the Bill will help the Kenya Forest Service (KWS), county government management teams and the community govern forests. This is before forest management was centralised at the national level. Thirdly, the Bill seeks to outline policies that will define the responsibilities of county governments and communities. Also, the Bill will address the issue of permits. People who require permits will not have to travel far to get them. The services will be provided at the county level. Communities have suffered for a long time. Additionally, this Bill seeks to ensure that communities benefit from carbon credits. They take care of the forest, yet they never benefit from it. For now, those who benefit from carbon credits are investors based in Nairobi, while those who take care of the forest do not. This Bill seeks to outline the percentage that the counties and the national Government will receive.

The Bill also encourages agroforestry. The community will be allowed to plant trees, thus improving tree cover. A while back, the forest cover in Kenya was around 3 per cent, but it has improved, thanks to the Government initiatives encouraging people to plant more trees. This Bill encourages planting of fruit trees that will benefit people directly; they will get fruits and animal feed.

This Bill also establishes the Kenya Forest Academy, where officers will get current advanced training on how to manage forests and how to collaborate with people. The people of this Republic have suffered a lot at the hands of Kenya Forest Service (KFS) officers. People are intimidated, but through the academy, the officers will be professional because of the training they will undergo.

Generally, this is a good Bill. It has come at the right time. It recognises the roles that county governments and communities are supposed to play in forest conservation.

Thank you, Hon. Temporary Speaker. I beg to support.

The Temporary Speaker (Hon. Martha Wangari): Member for Mwingi West.

Hon. Charles Nguna (Mwingi West, WDM): Thank you, Hon. Temporary Speaker. I was waiting to speak on the next Bill. Nonetheless, let me begin by appreciating the importance of forest conservation and management. Forest conservation and management provide many ecological, economic, social, and health benefits to our society because forests support biodiversity. Forests regulate the water cycle. They also help combat climate change. More importantly, forest conservation purifies water systems, which is a vital aspect of our lives.

The Bill's main objective is to establish a legal framework for forest management in line with the modern realities we face due to climate change. I have quickly gone through the Bill, and I find Clause 6 very interesting. This is because it discusses promoting efficient water harvesting. It has been raining across Kenya, which makes us very lucky. There are countries like Israel which receive rain once a year. We have two rainy seasons almost everywhere in this country, but most of the time, water flows into the Indian Ocean. We do not benefit much from this rain because we do not harvest water. We need to emphasise efficient water-harvesting and management technologies to benefit from rain-fed agriculture. We rely too much on rain-fed agriculture. It is high time we began harvesting water more efficiently to address the perennial challenge of food insecurity in the country.

Clause 4 of the Bill provides for the headquarters. We have never known where the KFS headquarters are. Most of the time, people assume it is in Nairobi, but the Bill has specifically designated Kiambu as the headquarters. Clause 6 of the Bill also provides for the development of agroforestry and commercial forests in private and community land. It provides for both private and community land ownership. It is clear we need a strategy to help conserve our environment. The Bill has also empowered the Cabinet Secretary to handle matters relating to officers, thereby bringing discipline and harmony to the management of the forest.

I am very happy to see the establishment of the Kenya Forest Academy. This will have many benefits, as most officers will receive proper training in forestry management. This academy will also help our country with research to better manage our forests.

There will be additional functions for county governments, as they also use our regulations. When the President declared that we would plant 10 million trees, counties had no function in that. It is high time that counties realised that we need to protect the environment and forests together for the benefit of our people.

This is a very important Bill. We cannot exhaustively talk about it. I am happy that we will introduce penalties for offences involving the export or import of a forest product prohibited in our country. With those few remarks, I support.

Thank you, Hon. Temporary Speaker.

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

Hon. Patrick Ntwiga (Chuka/Igambang’ombe, UDA): Thank you, Hon. Temporary Speaker. From the outset, I stand to support this Bill. I come from a constituency that borders Mt. Kenya Forest. Mt. Kenya covers the whole edge of my constituency. Around 10 years ago, some politicians from our place entered the forest and cut almost all the trees. As a result, we missed rain in Tharaka Nithi for almost three years. That is when people realised that forests help determine rainfall amounts. When we stood our ground and stopped the deforestation, we are now getting enough rain in Tharaka Nithi.

Today, in Kenya, with 3 per cent forest cover, the biggest challenge is that we have relied on the normal forests and ignored the dry land forests. Three-quarters of this country is semi-arid, and what can help us is having tree species that can survive in those areas. For example, a third of Tharaka Nithi is very arable, but three-quarters is semi-arid. So, if we rely solely on Mt. Kenya Forest, we would be relying on a very small forest cover. We need to improve dryland forestry because areas like the North East and many other parts of the country are very dry; hence, we cannot rely solely on normal forests.

We have another threat in our forests: deforestation by tea companies, which takes up so much of our forest cover. For example, in our place, every day you will see lorries carrying trees for burners to process tea. I hope the tea industry can find another formula instead of deforestation. The tea industry requires a lot of timber, but I do not see the tea companies planting trees as part of their Corporate Social Responsibility (CSR). That is a major challenge in our forests. There is also the issue of charcoal burning in other areas, such as the lower part of Tharaka Nithi. This needs to be handled now that the county government is gaining powers over these forests.

Most of the time, the biggest enemy of our forests is still the KFS officers. This is because, for example, in our place, you cannot get to Mt. Kenya Forest or cut trees without the assistance of KFS officers. So, the Ministry needs to be very careful because the enemy is within. Those engaged in logging for charcoal production are being assisted by KFS offices. This is a matter that needs to be taken seriously. The Ministry needs to deal with its officers. Instead of protecting forests, they have become the greatest threat to forest cover in this country.

Hon. Temporary Speaker, since we shall have an academy, we need a lot of research in this country so that we can know which trees do well and where. Many county governments plant trees along roads, such as Meru and Laikipia. However, the kinds of trees they plant do not do well in those places. We need a lot of research through the proposed academy, so that people can know the kind of trees they should plant. This will help the whole country improve forest cover.

Even as we give more powers to the county governments on forest matters, we should do so with a bit of caution. We all know what happens in county governments and what they can do. We might give them so much power and then realise later on that we made a mistake.

This is a good Bill. The forest cover of a country can determine its economy. If we have rain, even if we do so many things, the economy cannot grow. I urge that we start planting trees with our children at an early age. I have tried using primary school children for tree planting, and they are very effective. As a country, we need to train our children, from the word go, that trees support our lives.

Hon. Temporary Speaker, I support the Bill.

The Temporary Speaker (Hon. Martha Wangari): Member for Magarini.

Hon. Harrison Kombe (Magarini, ODM): Hon. Temporary Speaker, I rise on a point of order. Pursuant to Standing Order 96, I beg to move that the debate be now adjourned to a later date. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, Standing Order 96 is on adjournment of debate. It is assented to. This debate shall continue at the next appointed time. For now, we shall put it to rest.

(Debate on the Bill adjourned)

Next Order.

MOTION

ADOPTION OF REPORT ON AUDITED ACCOUNTS OF VARIOUS STATE CORPORATIONS

THAT, this House adopts the Seventh Report of the Public Investments Committee on Governance and Education on its examination of the audited financial statements of the following state corporations for the Financial Years 2018/2019, 2019/2020 and 2020/2021, laid on the Table of the House on Thursday, 26th February 2026. The institutions are:

1. Kenya Law Reforms Commission
2. Kenya Copyright Board
3. National Cohesion and Integration Commission
4. Business Registration Service
5. Nairobi Centre for International Arbitration
6. Kenya Accreditation Service
7. National Transport and Safety Authority

*(Moved by Hon. Wanami Wamboka
on 15.4.2026 – Afternoon Sitting)*

*(Resumption of debate interrupted
on 15.4.2026 – Afternoon Sitting)*

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, this Motion was effectively moved and debated. From my panel, I do not see any Member interested in speaking to it.

(Hon. Stephen Mogaka raised his hand)

Hon. Mogaka, why are you raising your hand?

(Hon. Stephen Mogaka spoke off the record)

The Temporary Speaker (Hon. Martha Wangari): Hon. Member, where is your card? There is a microphone next to you.

Hon. Stephen Mogaka (West Mugirango, JP): I will ask my next of kin where my card is. I have to confess that I do not have it.

The Temporary Speaker (Hon. Martha Wangari): That is okay. Do you intend to speak to this Motion?

Hon. Stephen Mogaka (West Mugirango, JP): Yes, if you permit me.

The Temporary Speaker (Hon. Martha Wangari): Please do.

Hon. Stephen Mogaka (West Mugirango, JP): Thank you, Hon. Temporary Speaker. I sit in the Decentralised Funds Accounts Committee.

(Hon. Wanami Wamboka spoke off the record)

I need protection from Hon. Wamboka.

The Temporary Speaker (Hon. Martha Wangari): Hon. Mogaka, we are on Order No. 10 by the Public Investments Committee on Governance and Education.

Hon. Stephen Mogaka (West Mugirango, JP): I stand down because I am being harassed by Hon. Wamboka. I have declared the Committee I sit in.

The Temporary Speaker (Hon. Martha Wangari): You have stood down because you were speaking to the wrong Order, but it is well noted.

Hon. Members, there being no more interest in this matter, I will call upon the Chairman of the Public Investments Committee on Governance and Education to reply.

Hon. Wanami Wamboka (Bumula, DAP-K): Thank you, Hon. Temporary Speaker. I take this opportunity to thank all the Members who contributed to this Motion, without which we would not be here. I thank members of my Committee, led by myself, the Vice-Chair, and the Secretariat, led by the Lead Clerk, Madam Ruth. I also thank the Speaker of the National Assembly and the Clerk of the National Assembly, Mr Njoroge, for facilitating and making sure that we do our work as Committees. Indeed, it is incumbent on all public officers to spend resources in the manner stipulated in the law. The Audit Committees of this House have a big task to audit and ensure that public resources are spent. We are not only watchdogs, but we are also dogs with teeth. We bite where necessary to ensure that public officers spend the public's finances prudently. It is not easy to do this work.

I will give the example of the National Cohesion and Integration Commission (NCIC). We need to relook at the law, especially on commissions. Most commissioners are actually executive in nature. Most of them would want to find any flimsy excuse to avoid audit. Hon. Ichung'wah and all of us in this House have been reprimanding NCIC commissioners whose terms have elapsed. They eat a lot of money and do nothing. We called these commissioners to attend audit sessions and answer questions, but they refused. We are now invoking Standing Orders of this House to ensure that they come and face audit. Some of them go so far as to try to arm-twist Committee members. Some even use some Members to try to intimidate the Committee members and the Committee.

I thank the Speaker of this House and the Clerk for staying firm. This is because it is not easy to be in this audit space. It is not easy. Just to give Members' perspective, the NCIC commissioners overspent by Ksh132 million, which was unauthorised. This is money for which they do not want to come and face accountability. I thank all Members of this House. I promise the House that, as members of the Public Investments Committee, we shall do all that is within our purview to ensure that everybody is brought under audit.

Another example is that the same NCIC overspent on their domestic and foreign travel by Ksh112 million. They had a contract for painting services. They overspent by Ksh7.5 million. In their office maintenance, they had a contract for repairs valued at Ksh921,000, which shot to Ksh11 million without any approvals. We are saying that all those charged with the responsibility of ensuring that finances are spent well must and will be forced to ensure that all that is done.

I want to thank everyone, the Chair, the Speaker and all the Members for having contributed to this Motion. Thank you for the opportunity to move. *Ahsante sana.*

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Members, I shall defer putting of the question on this Order.

(Putting the question deferred)

Next Order. Chairperson of the Departmental Committee on Agriculture and Livestock, are you in the House? If you are not, we shall defer that Order.

Hon. Stephen Mogaka (West Mugirango, JP): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Yes, Hon. Mogaka.

Hon. Stephen Mogaka (West Mugirango, JP): Hon. Temporary Speaker, Order No. 11 is a very critical Order, particularly for the tea-growing areas of this country. I want to enquire whether House leadership is taking the tea growers in this country seriously, when an Order of this nature has to be stood down for lack of a Chairperson or anyone to move. I do consider this a slap in the face of the tea farmers. I come from a tea-growing area.

The Temporary Speaker (Hon. Martha Wangari): Hon. Mogaka, kindly do not debate. You walked into this House less than 30 minutes ago, while I am sitting right here. I said that to be fair to the Member, but the Temporary Speaker has already directed that the Order shall be scheduled by the House Business Committee.

(Order No. 11 deferred)

Next Order.

MOTION

The Temporary Speaker (Hon. Martha Wangari): Chairperson, Special Funds Accounts Committee. Hon. Kivasu, are you the one moving? You have the Floor.

ADOPTION OF REPORT ON AUDITED ACCOUNTS OF STORES AND SERVICES FUND AND OCCUPATIONAL SAFETY AND HEALTH FUND

Hon. Kivasu Nzioka (Mbooni, WDM): Thank you, Hon. Temporary Speaker. I beg to move the following Motion:

THAT, this House adopts the Sixth Report of the Special Funds Accounts Committee on its consideration of the Report of the audited Financial Statements for the Stores and Services Fund for Financial Years 2020/2021 and 2021/2022 and the Occupational Safety and Health Fund for the Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

In examining the audited accounts for the Stores and Services Fund and the Occupational Safety and Health Fund, the Committee received oral and written submissions from the Principal Secretary, State Department for Public Works, as well as the Principal Secretary, State Department for Labour and Social Protection, to consider the audited financial statements for the Stores and Services Fund and the Occupational Safety and Health Fund respectively for the Financial Years 2020/2021 and 2021/2022. The submissions formed the basis of the Committee's observations, findings, and recommendations.

In preparing this Report, the Committee relied on the constitutional and legal provisions of the Public Finance Management Act, 2012, and other enabling legislation as a basis for inviting the accounting officers of the Stores and Services Fund and the Occupational Safety and Health Fund to respond to issues raised by the Auditor-General, to come up with general recommendations geared towards effective management and operations of the funds, as well as improved accountability and financial reporting.

Following the examination of the audited reports, the Committee made the following four general observations and recommendations, which apply across the two financial years for both funds. Lack of underlying records and approved budget. The Stores and Services Fund did not provide for an audit review of the underlying records used to prepare the financial statements by way of an approved budget and trial balance. In addition, the financial statements

presented for audit did not include the statement of comparison of budget and actual amounts, contrary to the reporting template issued by the Public Sector Accounting Standards Board.

The Committee therefore recommends that the Auditor-General receive, verify, and confirm whether the statement of comparison of budget and actual amounts is included in the financial statements in compliance with the requirements of the Public Sector Accounting Standards Board guidelines during the audit for the Financial Year 2022/2023. The accounting officer is also to ensure the timely submission of accounting documentation required for audit verification during the audit as per the provisions of Section 6(g)(i) and Section 2(h) of the Public Finance Management Act, 2012 and Regulation 31(2) of the Public Finance Management (National Government) Regulations, 2015.

The accounting officer should also ensure that all applicable accounting and financial control system standards, laws, and procedures are followed in the preparation of the financial statements in compliance with the Public Finance Management Act 2012 and the standards prescribed by the Public Sector Accounting Standards Board as per Regulation 104(4) of the Public Finance Management National Government Regulations, 2012.

The second observation is on the unsupported inventory balance. The Committee observed that the inventory balance of Ksh197,048,168 in the Stores and Services Fund remained unchanged over the years. However, no supporting documents were provided for the audit, including stock-taking schedules for the inventory balance and stock ledgers. The Committee therefore recommends that, within three months of the adoption of this Report, the accounting officer provide the stock-taking schedules for the inventory balance, as well as the stock ledgers, to the Auditor-General for audit verification.

The accounting officer is to ensure that proper control systems are in place to eliminate theft, losses, wastage, and misuse of the fund's assets, in compliance with Regulation 139 of the Public Finance Management (National Government) Regulations, 2012.

The third observation concerns the irregular issuance of multiple imprests. The Committee observed that the expenditure records on the Occupational Safety Fund indicated that new imprests totalling Ksh675,200 were issued to officers who had not surrendered previous imprests. Consequently, management was in breach of Regulation 92(4)(b) of the Public Finance Management National Government Regulations, 2015, which prohibits the issue of new imprests to persons who have not surrendered once. The Committee recommends that the accounting officer ensure that Regulation 93(4)(b) of the Public Finance Management National Government Regulations, 2015 is always complied with when issuing temporary imprests.

Finally, on ineffective Audit Committee observation, the Committee observed that the Stores and Services Fund records revealed that the Audit Committee of the State Department for Public Works met only twice during the year under review. This is contrary to Regulation 179(i) of the Public Finance Management National Government Regulations 2015, which requires the Committee to meet at least once every three months. The Committee therefore recommends that the accounting officer ensure compliance with Regulation 179(i) of the Public Finance Management National Government Regulations, 2015, which requires the Audit Committee to meet at least once every three months.

In conclusion, Hon. Temporary Speaker, I wish to register my appreciation to the offices of the Speaker and the Clerk of the National Assembly, the Hon. Members of the Committee, the Parliamentary Liaison Offices of the Auditor-General, the National Treasury and the Committee Secretariat for facilitating the work of the Committee and making the production of this Report possible.

Hon. Speaker, I beg to move and request Hon. Eve Obara, Member for Kabondo Kasipul, to second this Motion. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Obara.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker. I rise to second the Motion on Adoption of the Sixth Report of the Special Funds Accounts Committee on its consideration of the Auditor-General's Report on the financial statements of the Stores and Services Fund and Occupational Safety and Health Fund for the 2020/2021 and 2021/2022 financial years.

The Committee made specific observations and recommendations to each audit query contained in the Report. The Stores and Services Fund plays a significant role in supporting Government supply operations by providing stores, goods, and related services to public institutions. Further, the Occupational Safety and Health Fund plays an equally important role in promoting safe workplaces, enforcing occupational safety and standards, and supporting labour welfare programmes. Therefore, effective management of both funds is necessary to ensure prudent use of public resources, strengthen accountability and transparency, and enhance service delivery to the citizens. The observations highlighted by the Mover reflect a pattern of inadequate financial control, poor documentation practices, and insufficient oversight that, if left unaddressed, undermine the principles of accountability, transparency, and value for money in the management of public resources.

The Committee's recommendations are clear and time-bound. They call upon the accounting officers to remedy these deficiencies within the defined timelines and ensure full compliance with applicable laws, regulations, and financial reporting standards. Therefore, I second the Motion and urge all Hon. Members to adopt the Committee's Report. Thank you.

(Question proposed)

The Temporary Speaker (Hon. Martha Wangari): Hon. Ngusya.

Hon. Charles Nguna (Mwingi West, WDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to add a few remarks. I sit on the Special Funds Accounts Committee. The Principal Secretary and the Chief Executive Officer (CEO) appeared before the Committee to adduce the evidence, as the Mover has just moved.

In all the Funds we have audited so far, there is a serious lack of records and approved budgets in most instances. We need to take this matter seriously because every time there is under-or over-budgeting, it is often done without authority or approval from the relevant authorities. The Stores and Services Fund is very important for supplying our public institutions.

There were also unsupported inventory balances: Ksh187 million is a lot of money! If records are not produced in time for the auditor, it should automatically result in a modified opinion. That is why we need seriousness and must ensure that public institutions, which are fully and adequately staffed with qualified personnel, take the management of records and inventories seriously.

There is also the recurring issue of imprest. Most staff simply apply for and receive imprests without supporting documentation to justify their receipt. This is a serious issue that must be addressed to ensure value for money in our public institutions.

There is also the issue of an ineffective audit committee. The internal audit committee is crucial in managing internal control systems and implementing safeguards to ensure proper and efficient utilisation of public resources. These are some of the measures we must adopt to ensure funds are used efficiently, guarantee value for money, and achieve the three Es in public sector management. We recommended that most of these irregularities, which resulted in a modified opinion, be rectified within three months. It is, therefore, upon the Committee on Implementation to ensure that the issues are properly addressed so as to restore sanity in the management of public funds.

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

The Temporary Speaker (Hon. Martha Wangari): Very Well. Hon. Member for Chuka/Igambang'ombe.

Hon. Patrick Ntwiga (Chuka/Igambang'ombe): Hon. Temporary Speaker, thank you. Mine is just a general comment. Having listened to Hon. Nguna and the Chairperson of the Committee, it appears that spending money without approval is a major problem across Government institutions. It appears to be a widespread disease, as the complaint is the same: They overspend without approval and overshoot their budgets.

This is a serious matter that this House needs to look at. We cannot have Government officers who do not follow the law when it comes to public expenditure. This country is going through hard economic times, and when we sit here looking at reports of people spending public money without following any law or approval, and we are the House that allocates and appropriates public funds, it is a matter we need to take seriously.

Hon. Temporary Speaker (Hon. Martha Wangari): Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to support this very important Motion on the audited accounts for the Stores and Services Fund and the Occupational Safety and Health Fund for the financial years 2020/2021 and 2021/2022. We have received several reports in this House, and considering the duration covered, about two years, this is commendable. Having reviewed the Report and its observations, I wish to congratulate the Committee.

These funds provide significant advantages by creating a structured financial approach to safety and directly reducing workplace incidents. This is relevant to any workplace because of what it does, but in the Report, the Chairperson said they observed a lack of records for audited reports. This is very unfortunate because if those reports are not there, we will not know what has been happening in the past. Again, if we want proper accountability, all the past records and proper planning must be there. That also shows a gap in accountability and proper stewardship. These funds belong to the citizens; we must take care of them. We recommended that we have the right people in the offices so that they can do their reports and be accountable for any gaps. They should also provide the reports and submit them on time.

Hon. Temporary Speaker, with those few remarks, I support and congratulate the Committee.

The Temporary Speaker (Hon. Martha Wangari): Hon. Omanyo, are you on this one? I cannot see you on my screen. You had indicated you were waiting for it.

Hon. Catherine Omanyo (Busia County, ODM): Yes. Thank you, Hon. Temporary Speaker. I am a member of this Committee, and we made a few critical observations regarding the running of our public institutions. We noted delays in payment of imprests. Many public offices, according to the auditors' recommendations, delay submitting their accounting reports, and when asked why, seem not to even have the receipts or documents needed. They keep asking for more time. We wondered why someone should purchase petty things. There is petty cash to be spent. There must be a record somewhere, including receipts. This is not money from an individual's pocket! We are talking of public funds, and however little they are, they must always be accounted for.

We noticed that many institutions suffer financial misappropriation because they lack documentation, creating avenues for fraud. It gives the auditors a hard time finishing their work. Also, we noticed that if the Exchequer release is delayed by the National Treasury, operations stall. Most projects in county governments are stalled due to delays in releasing funds, especially in healthcare. That is why we see doctors and nurses on strike every time. Also, we end up lacking essential things like water.

We were concerned about pending bills. If every institution has a budget, you tick the boxes as you buy what you have already budgeted for. Why do we have pending bills if we budgeted for what we require? Why do we even budget then? Delayed surrender and

mismanagement were also observations we made when the auditor presented the report. It is increasing the burden, especially in the counties. So, it is very hard, even for the governors, to run the counties because they inherit much of this baggage (the pending bills). We recommended that the accountants in these public offices must be put on the spot, especially those who lack essential documents.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, there being no more requests to speak to the Motion, I call upon the Member for Mbooni to reply.

Hon. Kivasu Nzioka (Mbooni, WDM): Thank you, Hon. Temporary Speaker. I thank the Members who have supported and contributed to the Motion. We have listened to your contributions. The Committee oversees 104 funds, some of which have pending audit reports from 2013 to 2024. We have realised some common mistakes across the funds. The most notorious one is the lack of presentation of documents required for the financial statements. This has led the Committee to question the level of expertise employed by the funds.

We recommend that documents required by auditors be submitted within the stipulated timelines so that we can fully cross-examine the reports and ensure value for the appropriated funds. The Committee hopes that the recommendations will be escalated by the Committee on Implementation and applied to other funds to avoid similar reporting errors.

With those few remarks, I beg to reply.

The Temporary Speaker (Hon. Martha Wangari): We shall defer the putting of the Question on this Motion to the next sitting.

(Putting the question deferred)

Next Order.

ADOPTION OF REPORT ON AUDITED ACCOUNTS OF
NG-CDF FOR FYS 2016/2017 TO 2021/2022

Let us have the Chairperson of the Decentralised Funds Accounts Committee. Hon. Muthoni, are you the one moving this Motion?

Hon. Dorothy Muthoni (Nominated, UDA): Yes, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Go ahead.

Hon. Dorothy Muthoni (Nominated, UDA): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House adopts the Tenth Report of the Decentralised Funds Accounts Committee on its consideration of the audited accounts of the National Government Constituencies Development Fund for the Financial Years 2016/2017 to 2021/2022, laid on the Table of the House on Tuesday, 2nd December 2025.

The Report examines 30 reports of the Auditor-General for Lari, Lurambi, Embakasi Central, Kilifi North and Mvita constituencies for the financial years 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022. The Committee made recommendations and observations. Allow me to highlight key observations and findings from the Committee on the successful projects implemented by the constituencies examined.

In Lari Constituency, the Fund supported the construction and renovation of classrooms, security innovations, and Information and Communication Technology (ICT) hubs. In Lurambi Constituency, the Fund undertook various education and infrastructure projects. In Embakasi Central Constituency, the Fund implemented several development initiatives, among others, in a densely populated urban setting. In Kilifi North Constituency, the Fund supported education, security, and community development projects. In Mvita

Constituency, the Fund financed projects in education, security, and social infrastructure, all of which are stipulated in the National Government Constituencies Development Fund Act.

Specific issues of concern require the attention of this House. Regarding project implementation delays, the Committee observed that constituencies experienced significant under-expenditure, resulting in stalled projects. The delays were primarily due to perennial late Exchequer releases by the National Treasury.

Regarding outstanding land issues during the period under review, the Committee observed that Lurambi and Kilifi North Constituencies faced unresolved land matters, particularly due to delays in the acquisition of title deeds. The Committee recommended that the Board's accounting officers report on matters relating to land ownership. They should follow up with relevant ministries to ensure that constituencies acquire the required ownership documents.

There are procurement challenges. The Committee observed that several fund managers faced various procurement challenges. It recommended that the Board, in consultation with the Public Procurement Regulatory Authority (PPRA), should at all times conduct continuous capacity building to all Fund Account Managers to enhance compliance with the Public Procurement and Asset Disposal Act (Cap. 412C) and its Regulations. NG-CDF remains a cornerstone of grassroots development in this country. Implementation of this report will safeguard these resources, enhance accountability, and ensure that the Fund continues to serve the people of Kenya effectively.

The Committee's recommendations aim to strengthen the Fund's governance framework, thereby ensuring that every shilling allocated to constituencies is used prudently to benefit all Kenyans. I thank the members of the Committee for their dedication, and the Office of the Speaker and the Office of the Clerk for the support accorded to the Committee in the discharge of its mandate.

I beg to move and ask Hon. Patrick Munene to second. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Member for Igambang'ombe.

Hon. Patrick Ntwiga (Chuka/Igambang'ombe, UDA): Thank you. Normally, I am the Member for Chuka/Igambang'ombe. Igambang'ombe is one Ward. Some people might feel disenfranchised when you say Member for Igambang'ombe.

The Temporary Speaker (Hon. Martha Wangari): It is on record that it is Chuka/Igambang'ombe. Hon Member for Chuka/Igambang'ombe.

Hon. Patrick Ntwiga (Chuka/Igambang'ombe, UDA): Thank you, Hon. Temporary Speaker. I second the Motion that the House adopt the 10th Report of the Decentralised Funds Accounts Committee. It is on its examination of the Report of the Auditor-General on the financial statements of Lari Constituency, Lurambi Constituency, Embakasi Central Constituency, Kilifi North Constituency, and Mvita Constituency for the 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021, and 2021/22 financial years. I agree with the issues the Chairperson moved. They are the deliberations of the Committee. Moreover, I would like to reiterate certain things.

One is on timely disbursements. The National Treasury should ensure the timely and adequate disbursement of funds to the NG-CDF Board to prevent project stalling and budget under absorption. Two is digitisation and automation. To enhance data accuracy and financial management, accounting officers should ensure that boards' operations are fully digitised and automated by the end of the 2025/2026 Financial Year. Three is on capacity building. The NG-CDF Board should conduct annual sensitisation of its staff on International Public Sector Accounting Standards (IPSAS) reporting standards to minimise future audit qualifications.

With those remarks, Hon. Temporary Speaker, I beg to second.

(Question proposed)

The Temporary Speaker (Hon. Martha Wangari): Hon. Member for Marsabit.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. I stand to support this Motion and also congratulate the Committee for tabling this very impressive Report. I also congratulate all Hon. Members, as the Report has clearly shown that we are accountable and that Members of Parliament are working very hard and using the funds given to us in a prudent manner. As Hon. Catherine was giving her Report, she clearly talked about the success projects.

The Temporary Speaker (Hon. Martha Wangari): It was Hon. Dorothy Muthoni.

Hon. Naomi Waqo (Marsabit County, UDA): Yes, Hon. Dorothy Muthoni. Sorry *Mheshimiwa*. She is a good friend of mine. Hon. Muthoni clearly told us the success stories which have the capacity to transform this community and our country at large. The Committee has reported on development initiatives undertaken, through NG-CDF, including support for education and the many bursaries we have given to orphans and needy children across different communities. Again, Members of Parliament have put in place security and social infrastructure in their constituencies. If these funds can be made available on time, then I am sure great work can be done.

Under the challenges, again, Hon. Muthoni spoke about stalled projects and delayed Exchequer releases, which are causing delays in completing projects across different areas. Project managers are facing challenges in procurement. If the Exchequer issue can be resolved, Members can prudently use the funds on time and provide service to the people who elected us. Billions and billions of money go to the counties, but today many counties cannot account for them. With NG-CDF, there is proper accountability. Reports are tabled on time and also audited. I just want to encourage every Member to continue doing what we are doing with the same spirit because I know some Members will progress to be governors. Let us continue with that attitude and passion for serving our people, so we can transform their lives through infrastructure, education, and development. Let us focus on and use the money placed in our hands so we can be good stewards. I also agree with all the recommendations that the Committee has given.

I thank members of the Committee and Hon. Muthoni.

Hon. Temporary Speaker (Hon. Martha Wangari): Very well. Next is Hon. Mogaka.

Hon. Stephen Mogaka (West Mugirango, JP): Thank you, Hon. Temporary Speaker, for allowing me to also contribute to the Report of this Committee, to which I belong. Truth be told, the most powerful development model for Africa is NG-CDF. We would not have schools today if it were not for NG-CDF. Our security and the institutions that provide security within our constituencies would be completely deficient were it not for NG-CDF.

Hon. Temporary Speaker, I thank my Committee. In particular, allow me to celebrate the Chairperson of the Decentralised Funds Accounts Committee, Architect (Dr) Gideon Mulyungi, for guiding the Committee in reviewing audit reports dating back to 2013. I have seen the Committee burn the midnight oil reviewing audit reports, and we are almost up to date. If I were in a position to recommend, the Chairperson of the Decentralised Funds Committee truly deserves a Head of State commendation.

The audit reports tabled before the Committee reveal clear challenges. Exchequer releases are delayed. Year after year, auditors raise queries about the rate of absorption of NG-CDF funds. Now that brother Mbadi is at the National Treasury, I take this opportunity to beseech him to ensure that if there is a fund whose money must be released on time, it is the NG-CDF. If it is not released in good time, children who are supposed to report to school will be grounded for lack of bursaries. It is, therefore, critically important that the bursary component of the NG-CDF be released no later than three months after Parliament approves the Finance Bill each year.

I am particularly disturbed that in certain constituencies, fund managers have not been proactive or taken their responsibilities seriously. Time and again, certain constituencies are flagged for misallocation of funds and failure to account to auditors. I take this opportunity to urge the NG-CDF Board to inculcate discipline among fund managers. Whenever an audit is conducted, all the documents sought by the Auditor-General should be provided at the time of the audit. It is annoying when fund managers fail to provide the documents, only to do so later when appearing before the Committee.

Hon. Temporary Speaker, I will not sit before I celebrate the project management committees for various projects successfully undertaken under the NG-CDF. Without these project management committees that focus on applying funds where they are supposed to be, we would end up with pilferage. I remember a case in Bonchari where project funds were withdrawn in cash on the authority of the fund manager. This House must weigh in on rogue fund managers who, rather than apply the money to approved projects, divert it and end up embarrassing their constituencies. It is very painful that whenever that happens, the Members of Parliament are profiled and bastardised, yet they have no role to play in the management of project funds.

Hon. Temporary Speaker, I thank this Committee and appreciate Hon. Muthoni for moving the Motion on behalf of my Committee. I beg to support.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Baringo.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you, Hon. Temporary Speaker. I support my friend, Hon. Muthoni, for moving this 10th Report on audited accounts of NG-CDF on behalf of the Decentralised Funds Accounts Committee. These are audited accounts for the Lari, Lurambi, Embakasi Central, Kilifi North, and Mvita Constituencies for the 2016/2017 to 2021/2022 financial years.

As a Member of Parliament representing a county, apart from our constitutional mandate of oversight, representation, and legislation, the NG-CDF comes in handy to support our work. I congratulate Members of Parliament who have demonstrated that these funds are impactful, especially when engaging citizens and delivering through the support of fund managers.

Hon. Temporary Speaker, I am your supporter and fan on TikTok and Facebook. I watch you when you launch projects. It gives a beautiful image of leadership: we reach out and touch the lives of our people, especially when opening new schools and promoting quality, dignified education in primary and secondary schools. As we all know, education is an equaliser. In one way or another, education has enabled all of us to engage with the world today.

I join my colleagues in urging the National Treasury, under the guidance of Cabinet Secretary, Hon. Mbadi, who is a strong champion of NG-CDF, to ensure the timely disbursement of funds. This will enable Members of Parliament to implement projects seamlessly within the Budget and calendar year. From a county perspective, as a County Woman Representative, some of the most visible projects are funded by NG-CDF. These include the construction of chiefs' offices, police stations, concrete paving in schools and centres, and other community facilities. Such projects enable communities to see the direct use of public funds, which builds trust and dignity. This gives me joy and respect as a Member of Parliament. Going forward, we need to restructure the national Budget because implementing our Constitution is quite expensive. It will enable us to know where development lies. It can be under the gubernatorial position or any other position.

Often, there is a push-and-pull between the roles of governors and the national Government. That is where Members of Parliament, through NG-CDF, come in. We should allow digitisation and public sensitisation in NG-CDF. We should use these funds in line with the Bottom-up Economic Transformation Agenda (BETA). We should ensure that the

beneficiaries understand that these projects are funded by public resources contributed by taxpayers. Indeed, these are projects that are funded by the national coffers. The funds help the managers of the NG-CDF, through their Members of Parliament, deliver services seamlessly in line with expectations.

I look forward to more funding for NG-CDF, if possible. I receive Ksh40 million from NGAAF for the whole county, and I have an area of 17,000 square kilometres to cover. As much as I could be a very hard-working Member of Parliament, that amount of money may not be very visible on the ground. My Hon. Member is also facing the same challenge because her area is the largest in the whole country. If we enhance the NG-CDF and give it more roles beyond the few projects it currently handles, it will have a positive impact.

Every time I watch you while launching schools and opening projects, you dance with the local *mamas* in the village. I see you interacting with chiefs and teachers. That means that constituencies are almost the best with the support of county assemblies. This is one of the best Funds that can be enhanced. I will propose a Bill to increase the NG-CDF to Ksh1 billion in the future, so it can fund projects with a positive impact on the people of Kenya.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Members, I do not seem to see more interest in this matter. I will ask the mover to reply.

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Temporary Speaker. I wish to thank Members who have contributed to this Motion. The Deputy Majority Whip, Hon. Naomi Wako, has strongly echoed the Committee's views, stating clearly that this is a highly impactful Fund in our communities.

I wish to thank Hon. Stephen Mogaka, a Member of the Committee, who has also emphasised the role and importance of this Fund. The sentiments of the Baringo County Women Representative, Hon. Jematiah has been an eye-opener. She has proposed increasing the Fund's allocation because it is the most visible Fund in our communities. I also want to thank the seconder of this Motion, Hon. Patrick Ntwiga Munene of Chuka/Igambang'ombe, who has strongly stated the importance of the Fund.

NG-CDF is and will remain the most impactful Fund in Kenya today. Without a doubt, it is visible and helping our communities. It is a Fund that we insist must be managed with prudence, so that no single coin of the Fund will find its way to the wrong hands. There are checks and balances. The auditors and the oversight Committee are doing everything possible to ensure it is protected from abuse. I want to allay communities' fears. They think that NG-CDF is handled by Members of Parliament. It is managed independently by fund managers who are directly answerable to the National Government Constituencies Development Fund at the national office.

Hon. Temporary Speaker, I thank everyone who has raised their voice on this, and I beg to reply.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well, Hon. Muthoni.

ADJOURNMENT

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, be upstanding. The time being 7.00 p.m., this House stands adjourned until tomorrow, Wednesday, 22nd April 2026 at 9.30 a.m.

(The House rose at 7.00 p.m.)

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