



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Thursday, 11th June, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 11th June, 2026

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

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

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Temporary Speaker (Sen. Wakili Sigei): Clerk, confirm whether we have quorum.

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

Serjeant-at-Arms, kindly, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Order, hon. Senators.

Sen. (Dr.) Lelegwe and Kisang, take your seats. We now have quorum.

Clerk, call out the first Order.

COMMUNICATION FROM THE CHAIR

UPDATED WEBSITE FOR PARLIAMENT

Hon. Senators, I have communication to make from the Chair on the updating of Parliament's website.

(Sen. Wafula and Sen. Gataya Mo Fire held loud consultations)

Sen. Wakoli and Sen. Mo Fire, I am giving you the first warning for the afternoon.

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Hon. Senators, the Parliament of Kenya is in the process of updating its website. In this regard, standardised photographs of all honourable Senators will be required for this exercise. A professional photographer has been engaged and will be stationed outside the Senate Chamber today, Thursday, 11th June, 2026 and Tuesday, 16th June, 2026 from 2.30 p.m. to facilitate this exercise.

Hon. Senators are requested to avail themselves at their earliest convenience within this period to have their photographs taken. I thank you and take note of that requirement.

Next Order.

MESSAGE FROM THE NATIONAL ASSEMBLY

PASSAGE OF THE CROPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO.8 OF 2023)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, I also have a message from the National Assembly on the passage of the Crops (Amendment) Bill (National Assembly Bills No. 8 of 2023).

(Sen. Wafula consulted with Sen. (Dr.) Murango)

Sen. Wakoli, I will ignore the Senator for Kirinyaga but for you, second and last warning of the day.

I wish to report to the Senate that pursuant to Standing Order No. 46(3) and (4), I have received the following message from the Speaker of the National Assembly regarding the approval by the National Assembly of the Crops (Amendment) Bill (National Assembly Bills No. 8 of 2023). The message dated Wednesday, 3rd June, 2026 was received in the Office of the Clerk of the Senate on Wednesday, 9th June, 2026.

Pursuant to Standing Order No. 46(4), I now report the message.

Pursuant to the provisions of Standing Orders No. 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following message from the National Assembly.

Whereas the Crops (Amendment) Bill (National Assembly Bills No. 8 of 2023) was published in the Kenya Gazette Supplement No.30 of 15th March, 2023 as a Bill seeking to amend the Crops Act, Cap 318, to include a short merengue as a scheduled crop; and whereas on Wednesday, 29th April, 2026, the National Assembly considered and passed the said Bill without amendments.

Now therefore, in accordance with the provisions of Article 110(4) of the Constitution and Standing Orders No. 142 of the National Assembly Standing Orders, I hereby refer the said Bill to the Senate for consideration.

Hon. Senators, pursuant to Standing Orders No. 163, which requires that a Bill which originates in the National Assembly be proceeded with by the Senate in the same manner as a Bill introduced in the Senate by way of First Reading in accordance with

Standing Orders No. 144, I direct that the Crops (Amendment) Bill (National Assembly Bills No. 8 of 2023) be listed in the Order Paper to be read a First Time.

I thank you.

Call out the next Order.

The Temporary Speaker (Sen. Wakili Sigei): Senator Maanzo, you have the Floor.

PAPER LAID

REPORT ON PETITION: ENACTMENT OF A LEGAL FRAMEWORK TO PROVIDE FOR CITIZEN INITIATED RECALL OF THE PRESIDENT AND COUNTY GOVERNORS

Sen. Maanzo: Mr. Temporary Speaker, Sir, on behalf of the Chairperson, Standing Committee of Justice, Legal Affairs and Human Rights (JLAC), I beg to lay the following paper on the Table of the Senate today, Thursday 11th June, 2026.

Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of a Petition to the Senate by Mr. Laban Omusundi regarding the enactment of a legal framework to provide for recall of the President or governor through a citizen initiative.

I thank you.

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

Sen. Maanzo, once again.

NOTICE OF MOTION

ADOPTION OF REPORT ON PETITION ON ENACTMENT OF A LEGAL FRAMEWORK TO PROVIDE FOR CITIZEN INITIATED RECALL OF THE PRESIDENT AND COUNTY GOVERNORS

Sen. Maanzo: Mr. Temporary Speaker, Sir, on behalf of the Chairperson, JLAC, I beg to give notice of the following Motion:

THAT, the Senate adopts a report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of a Petition to the Senate by Mr. Laban Omusundi regarding the enactment of a legal framework to provide for the recall of the President or governor through a citizen initiative laid on the Table of the Senate on Thursday, 11th June, 2026.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Maanzo. Call the next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Temporary Speaker (Sen. Wakili Sigei): Request for statements pursuant to Standing Order No. 53(1).
Sen. Okiya Omtatah?

OWNERSHIP DISCLOSURE AND STRUCTURE
OF SHAREHOLDERS IN KPC

Sen. Okiya Omtatah: Mr. Temporary Speaker, Sir, I have a request for a statement on non-disclosure of beneficial ownership in the Kenya Pipeline Company (KPC).

I rise pursuant to Standing Order No. 53(1) to seek a statement from the Standing Committee on Energy on a matter of national concern regarding the ownership structure and beneficial ownership disclosure of shareholders in KPC.

(Several Senators held loud consultations)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, order. Allow Sen. Omtatah to be heard in silence. If you must consult, Sen. Chemitei, consult in low tones.

Sen. Okiya Omtatah: Mr. Temporary Speaker, Sir, Sen. Cheruiyot seems to have had some heavy lunch. Therefore, he is looking for ways to keep awake by interjecting all the time.

The Kenya Pipeline Company is a strategic national asset, central to the transportation, storage and management of petroleum products vital to Kenya's energy security and economic stability. The recently released KPC Initial Public Offer (IPO) information memorandum reveals that 90 per cent of the KPC's top shareholders are shielded by nominee accounts, with only two of the top 20 publicly identified; raising concerns regarding transparency in a critical national asset. This lack of transparency potentially violates constitutional requirements for accountability and public oversight, specifically Articles 10, 201 and 232 regarding the ownership of vital infrastructure.

Mr. Temporary Speaker, Sir, given the strategic importance of KPC in the country's energy sector, the opacity surrounding the beneficial ownership of a significant portion of its shareholding raises legitimate public interest concerns regarding potential concentration of influence, foreign control and conflict of interest and adequacy of safeguards protecting critical national infrastructure.

In this statement, the committee should address the following-

(1) A detailed breakdown of the current shareholding structure of the KPC, including the shareholding percentages held by the Government of Kenya, state corporations, foreign entities, institutional investors.

(2) Disclosure of beneficial owners behind nominee accounts that collectively hold a substantial portion of the shares of the KPC and the legal framework governing such transparency.

(3) The involvement of public officers, past or present, in holding beneficial interests directly or indirectly.

(4) Measures by the Government and regulators, such as the Capital Markets Authority (CMA), to ensure accountability and protect strategic national assets from undisclosed ownership or undue influence.

(5) Assessment of risks posed by the current ownership structure to national energy security, public interest and effective governance.

(6) Proposed reforms in legislation, policy, or regulation to strengthen beneficial ownership transparency in companies managing strategic infrastructure.

It is signed by Sen. Omtatah Okoiti, MP, Senator for Busia County, 9th June, 2026.

Mr. Temporary Speaker, Sir, I have two other Statements. With your permission, I request to read them.

The Temporary Speaker (Sen. Wakili Sigei): You are allowed to read the other two Statements, Sen. Omtatah.

PERSISTENT INTERNAL GOVERNANCE WRANGLES AT CRICKET KENYA

Sen. Okiya Omtatah: My second request for a Statement is on the persistent internal governance wrangles at Cricket Kenya.

I rise pursuant to Standing Order No. 53 (1) to seek a Statement from the Standing Committee on Labour and Social Welfare on a matter of national concern, regarding the persistent internal governance wrangles at Cricket Kenya, which has resulted in a decline in the performance of cricket sport in Kenya.

Kenya was once a respected global cricketing nation, having participated in five Cricket World Cups and attaining peak performance by reaching the semi-final stage in the 2003 ICC, Cricket World Cup.

In 2007, Kenya was ranked among the top cricket playing nations globally. However, the cricket sport in Kenya has since suffered a steep decline. This has largely been attributed to persistent internal governance wrangles at Cricket Kenya.

Several members of the Association have complained that recent elections of officials of the association held on 19th April, 2026, were conducted unprocedurally. Some members have been deliberately excluded from Annual General Meetings (AGMs) and that those in attendance are denied an opportunity to discuss the financial statements of the Association, as well as other governance matters.

This matter, if left unaddressed, threatens the future of cricket development in Kenya and risks international sanctions, withdrawal of funding and further damage to the country's sporting reputation.

In this Statement, the committee should address the following-

(1) The legal standing and legitimacy of the current executive board of Cricket Kenya, which was elected on 19th April, 2026, based on an assessment of whether the independent panel that oversaw the election was constituted procedurally and whether the requisite threshold for electing officials was met.

(2) The reasons for the exclusion of some members from AGM's of the Association held between 2022 to date.

(3) The circumstances under which delegates were denied the opportunity to discuss the financial statements of the Association and other governance matters during the specified annual general meetings.

(4) Whether there has been a forensic audit, investigation, or review of the Association's financial management practises, including utilisation of International Cricket Council grants, sponsorship funds, player welfare allocations and other funds of the Association and if so, obtain the findings.

(5) The actions taken by the Ministry of Youth Affairs, Creative Economy, and Sports to address the persistent internal governance wrangles at Cricket Kenya and the concerns regarding financial mismanagement, non-compliance with the Sports Act, disregard of regulations of the Registrar of Sports and violation of the Cricket Kenya Constitution by the Association.

(6) Whether there are other measures in place to protect Cricket players' welfare, strengthen county cricket structures and revive the sports in Kenya.

It is signed by Sen. Omtatah Okoiti, MP, Senator for Busia County

The Temporary Speaker (Sen. Wakili Sigei): I believe that is the last Statement?

EFFECTIVENESS OF THE EACC IN ADDRESSING RECURRING AUDIT QUERIES

Sen. Okiya Omtatah: Yes. My third and final request for Statement is on the effectiveness of the Ethics and Anti-Corruption Commission (EACC) in addressing recurring audit queries and public finance management irregularities.

I rise pursuant to Standing Order No. 53 (1) to seek a Statement from the Standing Committee on Finance and Budget on a matter of national concern regarding the effectiveness of the EACC.

(Loud consultations)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, there is a lot of unnecessary interruptions and consultations in high tones.

Sen. Okiya Omtatah: Mr. Temporary Speaker, Sir, I will take it again.

I rise pursuant to Standing Order No. 53 (1) to seek a Statement from the Standing Committee on Finance and Budget on a matter of national concern regarding the effectiveness of the EACC in addressing recurring audit queries, budgetary irregularities and systemic corruption in public finance management at both the national and county government levels.

Article 79 of the Constitution and the Ethics and Anti-Corruption Commission Act, 2011 mandated the EACC to prevent and investigate corruption, promote integrity, recover public assets and strengthen accountability in public institutions. However, for several financial years, reports of the Auditor-General have continued to reveal recurring cases of unsupported expenditure, irregular procurement, unaccounted public funds, stalled projects, payroll anomalies and breaches of public finance laws across Ministries, Departments, Agencies, State corporations, and county governments.

The recurrence of similar audit queries year after year points to a despair problem regarding the extent to which such matters are investigated.

(Sen. Tabitha Keroche walked into the Chamber)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Keroche, take your seat. Welcome back to the House and do not make noise on your first day after a very long time.

(Laughter)

Allow Sen. Omtatah to be heard in silence.

Sen. Okiya Omtatah: The recurrence of similar audit queries year after year points to a deeper problem regarding the extent to which such matters are investigated, culpable persons held accountable, loss of public resources recovered and preventive measures put in place to stop further loss of public funds.

In the Statement, the committee should address the following-

(1) The number of adverse audit findings reported by the Auditor-General over the past 10 financial years that have been referred to the EACC for investigation indicating the national Government entities, State corporations and county governments involved;

(2) The number and status of investigations initiated by the EACC arising from audit queries and adverse audit findings by the Auditor-General, including the number of cases forwarded to the Office of the Director of Public Prosecutions (ODPP) and their prosecution outcomes;

(3) The total value of public funds and assets recovered by the EACC arising from investigations based on audit queries and adverse audit findings during the same period;

(4) the measures taken by the EACC to identify and investigate recurring patterns of financial irregularities appearing in successive audit reports, particularly where the same institutions or public officers are involved;

(5) Whether the EACC has conducted comprehensive systemic investigations into public institutions that have repeatedly received adverse audit findings over multiple financial years and if so, the findings and action taken;

(6) The measures undertaken by the Ethics and Corruption Commission in collaboration with other accountability institutions to ensure that recurring audit queries are conclusively addressed and do not reappear in subsequent financial years.

Thank you Mr. Temporary Speaker, Sir.

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

STALLED CONSTRUCTION OF TANA
RIVER COUNTY HEADQUARTERS

Sen. (Dr.) Mungatana, MGH: Thank you, Mr. Temporary Speaker, Sir.

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Roads, Transportation and Housing on a matter of countrywide concern regarding the prolonged and unexplained stalling of construction of the Tana River County Headquarters.

The county headquarters to be located in Dayate, Tana River was conceived as a key public infrastructure investment to strengthen governance, decentralise administrative services and improve access to government services in Tana River County. However, despite receiving budgetary allocations over several financial years, the project remains stalled at approximately 20 per cent completion.

This prolonged delay has deprived residents of the intended benefits, raised concerns over the utilisation of public funds and undermined confidence in the implementation of county development projects. Given its strategic importance to the county's administrative and socio-economic developments, there is an urgent need to establish the reasons for the project's stagnation, account for resources expended and provide clear timelines for its completion and operationalisation.

In this Statement, the committee should address the following-

(1) The reasons why the construction of the Tana River County Headquarters project remains at approximately 20 per cent completion despite having received budgetary allocations and implementation support over a period exceeding seven years;

(2) the total amount of public funds allocated and disbursed to the project since its inception, including a breakdown of annual budgetary allocations, expenditures incurred and the status of works completed;

(3) the factors that have contributed to the prolonged delay in completion of the project, including any administrative, financial, technical, contractual or legal challenges;

(4) the details of the contractor currently undertaking the project, including the terms of engagement, the contractor's technical and financial capacity to complete the outstanding works and any actions taken by the responsible ministry to ensure accountability and timely delivery; and,

(5) the Ministry's project implementation plan and timelines for completion, equipping and operationalisation of the County Headquarters, including measures put in place to prevent further delays and safeguard public funds.

Thank you.

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

Sen. Edwin Sifuna, proceed.

Any delegation of the statement by Sen. Sifuna? If there is none, that Statement is dropped.

ELEVATION OF JOOTRH TO LEVEL 6 NATIONAL
TEACHING AND REFERRAL HOSPITAL

(Statement dropped)

Sen. Joe Nyutu, proceed.

EXPIRED DRUGS AND MEDICAL
SUPPLIES AT KEMSA

Sen. Joe Nyutu: Thank you, Mr. Temporary Speaker, Sir.

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Health on a matter of national concern, regarding the expiry of drugs and medical supplies worth approximately Kshs1 billion at the Kenya Medical Supplies Authority (KEMSA).

The expiry of essential medicines and medical supplies including drugs used in the treatment of cancer Human Immunodeficiency Virus (HIV), malaria and other critical illnesses raises serious concerns regarding procurement planning, inventory management, stock monitoring, distribution systems and accountability within KEMSA and the Ministry of Health.

In the Statement the committee should address the following-

(1) The total value, type, quantity and expiry dates of the drugs and medical supplies that expired while in the custody of KEMSA including the facilities or warehouses where the affected stock was held;

(2) the circumstances that led to the accumulation and expiry of the medicine and supplies including failures even in procurement planning, demand forecasting, stock monitoring, stock rotation, distribution and interagency coordination;

(3) whether any public health facilities reported shortages of the same medicine or supplies during the period when the expired stock remained undistributed or unused and the action taken by KEMSA and the Ministry of Health upon receipt of such reports;

(4) the officers, offices or institutions responsible for the procurement, storage, management and distribution of the affected medicines and supplies including the administrative, disciplinary or legal action being taken and measures to recover any losses arising from negligence, mismanagement or misconduct; and,

(5) the long-term reforms being implemented by KEMSA and the Ministry of Health to strengthen inventory management, enhance timely distribution of medical commodities, improve accountability and prevent recurrence of wastage of essential medicines and medical supplies.

Thank you, Mr. Temporary Speaker, Sir.

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

REPORTS OF FOREIGN NATIONALS ILLEGALLY
ACQUIRING KENYAN CITIZENSHIP DOCUMENTS

Sen. Kibwana: Thank you, Mr. Temporary Speaker, Sir. My Statement is on illegal acquisition of Kenyan identity documents by foreign nationals.

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations on a matter of national concern regarding reports of foreign nationals illegally acquiring Kenyan identity cards, passports, birth certificates and other citizenship documents.

A case involving the deportation in February 2023 of a Bosnian aid worker, Zarko Knezevic, who was declared a prohibited immigrant following a dispute regarding the irregular issuance of a Kenyan identity card, has heightened public concern about the integrity of Kenya's immigration, civil registration and national identification systems.

In a recent ruling on the matter, the High Court determined that his deportation violated his constitution right to a fair administrative hearing as provided for in Article 47 of the Constitution with immigration authorities alleging that he fraudulently procured a Kenyan ID number and was seeking to obtain a Kenyan passport.

In the Statement, the committee should address the following-

(1) Circumstances surrounding the case for which the High Court delivered its ruling on 26th May, 2026 that exposed the irregular accusation of Kenyan identity documents by foreign nationals;

(2) The number of reported cases investigated or prosecuted in the last ten years in involving fraudulent possession of Kenyan identity or citizenship documents;

(3) Safeguards in registration systems across relevant agencies such as the National Registration Bureau (NRB), Civil Registration Services and the Migration Department to prevent illegal accusation of documents;

(4) Role of criminal networks, brokers or syndicates in facilitating such fraud and the actions taken against them;

(5) Government measures to audit, verify and secure the national database, including the use of biometric and digital identification technologies, highlighting the number of identity cards, passports and citizenship certificates that have been revoked or cancelled over the last five years due to fraud, misrepresentation or unlawful acquisition; and

(6) The challenges faced by registration authorities in verifying citizenship claims, particularly in border regions and areas with high migration flows, outlining measures being taken to ensure the genuine Kenyan citizens are not unfairly denied registration services while safeguarding the integrity of citizenship document.

Thank you, Mr. Temporary Speaker, Sir.

(Sen. Tabitha Keroche and Sen. Cheruiyot held loud consultations)

Mr. Temporary Speaker, Sir, I have the second one, but kindly protect me from this other side.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Tabitha Keroche and the Senate Majority Leader, please.

IMPLEMENTATION STATUS OF LEGAL AND POLICY REFORMS
PROPOSED IN THE TECHNICAL WORKING GROUP ON GBV

Sen. Kibwana: Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Justice, Legal Affairs and Human Rights on a matter of national concern regarding the implementation status of legal policy reforms proposed in the November 2025 Report of the Technical Working Group on Gender-Based Violence, including femicide.

In response to the rising cases of gender-based violence and femicide in the country and following sustained public concern over the safety and protection of women and girls, His Excellency the President, via Gazette Notice No.109 of 10th January, 2025, established the Technical Working Group (TWG) on Gender-Based Violence (GBV), including femicide.

The TWG, under the chairmanship of Hon. Lady Justice (Rtd) Dr. Nancy Baraza, was mandated to examine trends and causes of GBV and femicide, assess the adequacy of existing legal and policy frameworks, evaluate institutional capacity, resource allocation, training levels and operational effectiveness and propose actionable recommendations to strengthen prevention, response, support, investigations and accountability mechanisms. The report highlighted serious gaps in enforcement, coordination, survivor protection and accountability despite Kenya's progressive legal framework.

In the statement, the committee should address the following-

(1) The progress of legislative amendments prepared by the Office of the Attorney General, the Kenya Law Reform Commission and relevant ministries.

(2) The status of amendments on the penal code to define and codify femicide as a distinct offense from murder, including the proposed penalties and timelines for submission of the proposed amendments to Parliament.

(3) Reforms to the Sexual Offenses Act to ensure timely hearing and determination of GBV and femicide related cases, strengthen penalties and prevent withdrawal or interference in prosecutions.

(4) The proposed amendments to the Protection Against Domestic Violence Act to establish a comprehensive framework for prevention, response, referral, protection and accountability in GBV, including femicide cases.

(5) Measures to criminalise interference with GBV and femicide cases, including family clan, community-led settlements, coercion, concealment and obstruction of justice.

(6) The status of any proposed legal framework on citizen responsibility to report GBV incidents, including the scope of mandatory reporting obligations, safeguards against misuse and penalties for non-reporting.

I thank you, but kindly and seriously, Mr. Temporary Speaker, Sir, Sen. Cherarkey and the rest, we hardly---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Hamida, take your seat.
Sen. (Dr.) Lelegwe Ltumbesi, you have the Floor.

(Sen. Cherarkey held loud consultations)

Sen. Cherarkey, why are you tempting the Chair to throw you out?

Sen. (Dr.) Lelegwe you have two statements. Please, proceed.

Sen. (Dr.) Lelegwe Ltumbesi: Thank you, Mr. Temporary Speaker, Sir.

I choose to read one statement today, because there is an error in one of the statements. I am reading this statement on the welfare and working conditions of National Police Reservists (NPR) in Samburu County.

WELFARE OF NATIONAL POLICE RESERVISTS
(NPR) IN SAMBURU COUNTY

Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on National Security, Defense, and Foreign Relations on a matter of national concern regarding the welfare, remuneration, medical cover and general working conditions of National Police Reservists serving in Samburu County and other pastoral counties of Kenya.

The National Police Reservists remain a critical pillar of security in Kenya's arid and semi-arid lands, where they support security agencies in combating banditry, livestock theft, inter-community conflict and other forms of insecurity. Despite the vital role they play, NPRs continue to serve under difficult conditions characterised by inadequate welfare support, delayed stipends, limited medical protection and insufficient operational facilitation.

In the Statement, the committee should address the following-

(1) The current policy legal administrative framework governing the recruitment, deployment, remuneration and welfare of the National Police Reservists, including the total number serving in Samburu County and the pastoralist counties and measures to strengthen and professionalise the programme.

(2) The status of employment of monthly, the status of payment of monthly stipends, including the amount payable to each officer, any existing arrears, reasons for any delayed payments and steps being taken by the Government to ensure timely, regular and sustainable payments.

(3) The medical insurance and compensation arrangements available to NPRs and their dependents, including cover under government-sponsored medical schemes, the mechanisms for compensating officers for injuries, disability, or death in line of duty, as well as support extended to their families.

(4) The adequacy of operational facilitation and working conditions, including the provision of training, uniforms, firearms, ammunition, communication equipment, protective gear, transport and other logistical resources and the government's plan to improve their terms and conditions of service through enhanced welfare programmes, medical cover, risk allowances, insurance, benefits and career progression.

I thank you, Mr. Temporary Speaker, Sir.

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

CONGESTION IN PUBLIC HEALTH
FACILITIES IN KITUI COUNTY

Sen. Wambua: Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Health on a matter of county-wide concern regarding the congestion of patients and bed-sharing in public health facilities in Kitui County.

Access to quality health care is a constitutional right. However, public health facilities in Kitui County continue to experience severe congestion, resulting in overcrowded wards and instances where patients are forced to share beds due to inadequate infrastructure, limited bed capacity and strained health services.

In the Statement, the committee should address the following-

(1) Occupancy levels and patient to bed ratio in public health facilities across Kitui County and the measures being taken to address overcrowding in the said facilities;

(2) The causes of persistent congestion and cases of bed sharing in public health facilities in Kitui County and the interventions being undertaken by the Ministry of Health and the County Government of Kitui to address the situation.

(3) The measures in place to strengthen infection prevention and control systems in public health facilities in Kitui County, particularly in the event of outbreaks of early infections and communicable diseases.

(4) The plans by the Ministry of Health and the County Government of Kitui to expand health infrastructure, increase bed capacity and improve staffing levels in order to enhance the quality and safety of health care services.

(5) The amount of resources allocated towards upgrading of public health facilities in Kitui County, including the status and timelines for implementation of projects aimed at reducing congestion and improving patient care.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Order, Sen. Lelegwe, Sen. Dullo and Sen. Madzayo. Please, take your seats. Hon. Senators, before I allow further statements, pursuant to Standing Order No. 56(1)(a), I have got communication on visiting delegation of teachers and students from Maikona Girls' Senior School in Marsabit County.

(Interruption of Statements)

COMMUNICATIONS FROM THE CHAIR

VISITING DELEGATION FROM MAIKONA GIRLS SENIOR SCHOOL, MARSABIT COUNTY

Hon. Senators, I would like to acknowledge the presence in the public gallery this afternoon of a visiting delegation of six teachers and 69 students from Maikona Girls' Senior School in Marsabit County. The delegation is visiting the Senate for an academic exposition.

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

VISITING DELEGATION FROM MASHUURU BOYS HIGH SCHOOL, KAJIADO COUNTY

Secondly, I also have got a visiting delegation of students and teachers from Mashuuru Boys' High School, Kajiado County.

Hon. Senators, I would like to acknowledge the presence in the public gallery this afternoon of a visiting delegation of two teachers and 55 students from Mashuuru Boys' High School in Kajiado County. The delegation is visiting the Senate for an academic exposition.

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

In under one minute, I will ask Sen. Tobiko to welcome the students from Mashuuru Boys' High School and on behalf of Sen. Chute, I will ask Sen. Dullo, who is busy engaging the Leader of Majority. Leader of Majority, today, you are very naughty.

(Laughter)

You have tempted the Speaker almost enough times to take action against you. Sen. Dullo, you will welcome the students from Maikona Girls' Senior School on behalf of Sen. Chute. Sen. Tobiko, please proceed.

Sen. Tobiko: Thank you, Mr. Temporary Speaker, Sir. I take this opportunity to welcome all the students from the two counties, particularly the Mashuuru Boys' High School from Kajiado County.

Let me use this opportunity to say two things about the students who have come here. Mashuuru is my home. For these students to reach here, it is a nightmare because the road to Mashuuru is very bad. It is in terrible condition. However, I wanted them to go with the comfort that through the Committee on Roads, Transportation and Housing, I made sure that in the budget that will be read today, the road is included for recarpeting as the President had promised and he has met his word.

The second thing I want to mention is that these are very disciplined students and one day they will be in this House as Senators and members of the National Assembly.

They are going far. I just want to encourage them to remain disciplined and any issues that they want sorted out, they must have an engagement with the administration so that they get out of school with good grades. It is a very important thing that I thought I should mention. Thank you.

Sen. Dullo: Mr. Temporary Speaker, Sir, on behalf of Sen. Chute, myself and the people of Marsabit, I wish to take this opportunity to welcome the teachers and students from Maikona Girls Senior High School.

This is a very serious step because we have never seen girls coming all the way from Maikona because that place is very far. As my sister Peris has mentioned about the challenges facing Mashuuru, Maikona to Marsabit is a very long distance on a rough road and it is like those parts of the country are forgotten. However, let me tell the girls, you need to learn a lot. If some of us are here, you should be here also because you have capacity and nothing will stop you from actually becoming leaders in future.

I would also like to encourage our girls to take their education seriously because that is something that will take you far. The current challenges that schools are facing, I think you, girls, are lucky because during our time, some of the people walked barefoot to school.

I remember one time I sat with my kids and I told them today they have more than 10 pairs of shoes but during our time, we used to walk even barefoot. I think you need to use the little opportunities you have very seriously, especially those who are coming from pastoral areas, those far distance areas, take your education very seriously and for those of us who are in leadership today, we will fight for your right and make sure you have used your opportunity and learn from here.

This is because for the period I have been here, I have never seen any school from Marsabit having visited the Senate. Congratulations and I wish even your teachers good luck. You have done a good job. Make sure that our girls shine in those hardship areas, in those far distance areas and make sure that they have succeeded in their education. I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Dullo, for those encouraging words to the girls who are visiting the Senate today.

Now, we will proceed to have statements pursuant to Standing Order No.56 (1)(a) and I am calling upon the Chairperson of the Committee on Finance and Budget---

(Sen. Shakila Abdalla spoke off record)

Sen. Shakila, why are you intervening?

Sen. Shakila Abdalla: Asante Bw. Spika wa Muda. Kuna *Statement* nilileta last week ya watu wa Siyu walipigwa na majeshi. Waliingia kwa kijiji, watu wakapigwa, wakaumizwa na nyumba zao zikabomolewa. Hiyo *Statement* mpaka sasa haijaletwa kwa hii *Floor*. Ni nini inaendelea? Sheria ni kuwa baada ya masaa 24, *Statement* inafaa iletwe kwa *Floor*. Nashangaa.

The Temporary Speaker (Sen. Wakili Sigei): I have just been informed that your Statement is being processed. It is before the Speaker's Desk. Your intervention is noted. Just take your seat. Chairperson Committee on Finance and Budget, proceed.

(Resumption of Statements)

**STATEMENT BY THE CHAIRPERSON
UNDER STANDING ORDER No.56**

DELAY IN CLEARING PENDING BILLS
BY COUNTY GOVERNMENTS

Sen. Ali Roba: Thank you, Mr. Temporary Speaker, Sir. This is a statement pursuant to Standing Order No.56(1)(a) of the Senate Standing Orders. As you may be aware, in April 2026, the Committee on Finance and Budget---

(Loud consultations)

The Temporary Speaker (Sen. Wakili Sigei): Order, Hon. Senators. Sen. Khalwale and Sen. Abdul Haji, I am giving a general warning to all the Members today. If you do not feel like being in the House, do not tempt the Chair to throw you out. If you must consult, consult in low tones. Allow those who are keen on doing what they are supposed to do, to do it in peace and silence.

Sen. Ali Roba, proceed.

Sen. Ali Roba: Thank you, Mr. Temporary Speaker, Sir. I will start the statement hoping that our colleagues are listening.

Statement under Standing Order No.56(1)(a) of the Senate Standing Orders. As you may be aware, in April 2026, the Committee on Finance and Budget inquired into the exercise of powers of the Cabinet Secretary for Finance to stop the transfer of funds under Article 225 of the Constitution.

The basis upon which the Cabinet Secretary for National Treasury had exercised the power to stop the transfer of funds to the County Government of Meru was a long outstanding payment of an arbitral award and applicable interest. It is instructive to note that this was the second instance since the inception of the devolved system of government that the Cabinet Secretary had exercised this power.

The first instance was in 2019 when the Cabinet Secretary at the time had exercised the power under Article 225 to stop the transfer of funds to 15 county governments on the basis that these county governments had failed to demonstrate tangible efforts to clear eligible pending bills.

In both these instances, the Cabinet Secretary was of the opinion that failure to meet outstanding financial obligations was a serious and persistent material breach of the provisions of the Public Finance Management (PFM) Act, 2012. It is instructive that in both these instances, the premise of the exercise of the power under Article 225 of the Constitution was the same. The failure by county governments to meet outstanding financial commitment and persistent unaddressed issue of pending bills.

Therefore, while the Senate did not approve the stoppage of funds in these two instances, the duty of the House did not end there. The overarching role of the Senate

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under Article 96 (1) and (3) of the Constitution as the protector of counties and the apex body that oversees national revenue allocated to county governments behooves the House to address its mind to finding a final solution to the issue of pending bills.

It is alarming that in the County Government's Budget Implementation and Review Report of Financial Year 2025/2026, the Controller of Budget (COB) reported that the county government's cumulative outstanding pending bills stood at Kshs163.74 billion as of 31st December, 2025.

This astronomical figure does not simply pose a risk to the effective discharge of functions by the county governments, but a stark reminder to the many Kenyans in hundreds of thousands who have supplied goods and services or done contracts with the county government but are yet to be compensated.

The problem of pending bills, therefore, goes beyond the question of good governance and prudent financial management and raises a moral question. Could the Senate in good conscience stand idly by, when the supplies of goods and services and other contracts to county governments endure inordinate delays in payment? That the duty of the Senate under Article 96 (1) and (3) of the Constitution also contemplate protecting counties from themselves? The answer is in the affirmative.

The Committee on Finance and Budget is of the opinion that the piecemeal and *ad hoc* approach to the issue of pending bills will further exacerbate the issue as opposed to a final permanent solution. A more appropriate approach involving dealing with systemic issues that have led to persistent pending bills in county government is required.

In this respect, the committee proposes to-

(a) engage the CoB to avail information relating to each county government's pending bills, the project to which the pending bills relate and any remedial action that have been taken by counties to discharge their outstanding financial obligations;

(b) engage the National Treasury on collective approach for intervention of the matter of pending bills in the county government;

(c) engage with the Council of Governors (CoG) to identify the systemic issues that led to and exacerbate pending bills and the possible holistic interventions that can be made to mitigate incurring of future pending bills;

Thank you.

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

Statements pursuant to Standing Order No.57(1). The Senate Majority Leader.

BUSINESS FOR THE WEEK COMMENCING

TUESDAY, 16TH JUNE, 2026

The Senate Majority Leader (Sen. Cheruiyot): I am very calm today.

Mr. Temporary Speaker, Sir, pursuant to Standing Order No.57 (1), I hereby present the business for the week that commences Tuesday, 16th June, 2026. During the afternoon sitting of the Senate held yesterday, Wednesday, 10th June, 2026, the Senate considered and passed the following Bills at the Second Reading Stage-

(1) The Statutory Instruments (Amendment) Bill (National Assembly Bills No.3 of 2024).

(2) The Environment Management and Coordination (Amendment) Bill (National Assembly Bill No.66 of 2023).

I wish to pause and remind the House that at the Senate Business Committee this week, we reminded our Speaker that a few weeks ago the Senate raised concern over the speed with which we process bills from our counterpart, the National Assembly, without similar urgency for Bills originating from this House.

The Speaker committed to make the walk from his office to that of his colleague, Speaker of the National Assembly, Hon. Moses Wetangula, to insist that this delay is a threat to good law and order.

Mr. Temporary Speaker, Sir, as I prepared this statement, I counted close to 10 National Assembly Bills we have considered and passed, including some already concluded. However, it takes inordinately long for Senate bills to be considered by the National Assembly, including far-reaching ones such as the Tea (Amendment) Bill, which you sponsored yourself. This Bill has been in the National Assembly for close to three years. It would alleviate poverty for millions of farmers who rely on tea trade. It is my expectation that Hon. Moses Wetangula, the Speaker of the National Assembly, will help unlock this situation. This matter concerns and deeply troubles Members of the Senate.

During the same sitting, we considered and passed the mediated version of the Division of Revenue Bill (National Assembly Bills No.2 of 2026). This is Bill from the National Assembly.

I have seen questions from journalists today asking whether the Senate is a poor negotiator or gives away too easily. I wish the country understands that sometimes wisdom demands making the right decision under very difficult circumstances.

We went for mediation. The Senate had passed Kshs454 billion as the shareable revenue. During mediation, I believe our colleagues were convinced by the reasoning. People are yet to appreciate the precarious economic position we face as a country, particularly regarding debt. More importantly, we are in a difficult global economic situation due to the war in the Middle East.

This morning, it was announced that the Strait of Hormuz has been closed, and you know the ripple effect. You know how much as a government because Kenya is almost going fully a social welfare society. You know how much we are spending month on month to stabilise petrol prices and so many other things.

We have to be mindful about that conversation and think what will be in the best interest of the country. A figure of Kshs428 billion is what we succeeded to achieve. Of course, there will be additional conditional grants and other allocations which Sen. Roba, the Chairperson of the Committee on Finance and Budget, has promised that as a committee they shall lead us next week to consider. I believe we will get good funds.

Sen. (Dr.) Khalwale: On a point of order, Mr. Temporary Speaker, Sir.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, there is somebody trying to get your attention.

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

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, I rise under Standing Order No.57 which gives the Majority Leader an opportunity to table the business of the following week. Instead of reading to us that Statement, is he in order to start debating the economy of Kenya and attempt to justify why Kenyans are suffering under this Government?

Mr. Temporary Speaker, Sir, I urge that the Chair brings him back to order. If you are so kind, you should ask him to apologise to Kenyans by saying that Kenyans should accept to suffer because of the war between the United States (US) and Iran.

The Temporary Speaker (Sen. Wakili Sigei): You have made your point. Senate Majority Leader, restrict yourself to tabling of the Statement pursuant to strict provisions of Standing Order No.57(1) and (2).

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, Standing Order No.57(1) gives me permission to state business that has been transacted and what will be transacted the following week. I am extremely relevant because I was talking about division of revenue and what happened. I do not know what my colleague consumed over lunchtime.

The Temporary Speaker (Sen. Wakili Sigei): Senate Majority Leader, you are not expected to debate or run more other than just issuing the Statement.

The Senate Majority Leader (Sen. Cheruiyot): There was no debate, Mr. Temporary Speaker, Sir. However, I will continue to read the Statement.

(ii) The Food and Feed Safety Control Coordination Bill (National Assembly Bills No.21 of 2023).

I, therefore, take this opportunity to commend Hon. Senators for availing themselves yesterday during the voting process. There still remains substantive business pending conclusion before the Senate this afternoon. It goes without saying that we should prioritise attendance of plenary sittings, concentrate and be relevant with our points of order.

The status of business before the Senate is as follows-

(i) As of today, there are 61 Bills that are pending conclusion, of which 38 are at Second Reading, 22 are at Committee of the Whole and one is awaiting First Reading;

(ii) A total of 9 Motions are pending conclusion;

(iii) We have 19 Petitions pending conclusion by respective standing committees. Of these Petitions, 16 are due for reporting; and

(iv) A total of 512 Statements pursuant to Standing Order No.53(1) are under consideration by respective committees.

At the next sitting of the Senate on Tuesday, 16th June, 2026, the tentative business for the day will include business not concluded from today's Order Paper, as well as the business indicated in the Notice Paper. The tentative business for the Morning Sitting on Wednesday, 17th June, 2026, will include questions to Cabinet Secretaries as approved by the Senate Business Committee (SBC), as well as Motions.

The questions that have been scheduled for next week include those to the following Cabinet Secretaries –

(i) National Treasury and Economic Planning;

(ii) Ministry of Water, Sanitation and Irrigation; and

(iii) Ministry of Education.

The tentative business for the Afternoon Sitting on Wednesday, 17th June, 2026, will include business not concluded from Tuesday's Order Paper and the following:

We have Bills at the Second Reading Stage which include the following-

- (i) The County Governments (Amendment) Bill (Senate Bills No.39 of 2024);
- (ii) The Street Naming and Property Addressing System Bill (Senate Bills No.43 of 2024); and
- (iii) The County Governments Laws (Amendment) Bill (Senate Bills No.14 of 2025).

There are also Bills at the Committee of the Whole Stage and they include the following-

- (i) The Health (Amendment) Bill (Senate Bills No.12 of 2025);
- (ii) The Agriculture Produce (Minimum Guaranteed Returns) Bill (Senate Bills No.17 of 2025); and
- (iii) The National Construction Authority (Amendment) Bill (Senate Bills No. 15 of 2025).

The projected business for Thursday, 18th June, 2026, will include business not concluded in the Order Paper for Wednesday, 17th June, 2026, and any other business scheduled by the SBC.

In conclusion, as Hon. Senators will recall, the Senate is scheduled to proceed on recess at the rise of the Senate on Thursday, 18th June, 2026, in accordance with the Senate Calendar. I therefore once again, urge Hon. Senators with business scheduled in the Order Paper and the programme of Senate Business for next week to be available in the Senate to prosecute the same.

Mr. Temporary Speaker, Sir, I thank you and do hereby lay the Statement on the Table of the Senate.

(Sen. Cheruiyot laid the document on the Table)

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Senate Majority Leader.

The Chair is reminded to remind Hon. Senators, particularly Sen. Mumma, Sen. (Dr.) Murango and the team that has kept on consulting about the provisions of Standing Order No.121 on disorderly conduct which states as follows-

“(1) A Senator is disorderly if the Senator-

- (a) creates disorder;
- (b) knowingly raises a false point of order;
- (c) unnecessarily interrupts proceedings or consults in a disruptive manner;
- (d) fails to record abstention in a division;
- (e) makes allegations without, in the Speaker's opinion, adequate substantiation; or
- (f) commits any other breach of these Standing Orders that, in the opinion of the Speaker, constitutes disorderly conduct.”

That is exactly what has been going on for a better part of this afternoon. You are also reminded that there is a consultation room behind. If you must consult, Hon. Senators, do so in low tones in the consultation room. Allow business of the House to be transacted in a manner that befits this House. In the event that you are unable to comply with those provisions, you are cautioned or you may be asked to withdraw from the Chamber. That is for the benefit of all the Members here this afternoon.

I will now allow Members to comment on the various Statements that have been read for 20 minutes cumulatively. That includes Statements that have been read under Standing Order Nos. 53 and 56.

Let us begin with Sen. Joe Nyutu.

Sen. Joe Nyutu: Mr. Temporary Speaker, Sir, I would like to comment on two Statements made by Sen. Okiya Omtatah, who likes saying that he is a Senator of Kenya from Busia, relating to shareholders of KPC.

Recently, the KPC sold shares and there was a lot of information coming from the media and elsewhere. Since we may want to arrest any speculation, negative or otherwise, relating to that particular sale, it is important that the relevant committee sheds light on the shareholding of KPC. I am saying that because there were accusations that there are people highly placed in the Government that acquired KPC shares through proxies. That is why the committee must provide information to this House and the country at large on who exactly owns how many shares in KPC and if there are any proxies in the Government. That is because privatisation of public assets should not be something that makes assets to go to individuals well placed in the Government. Therefore, I support that Statement.

Mr. Temporary Speaker, Sir, Sen. Omtatah also wanted to---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Joe Nyutu, be mindful of your colleagues who want to comment.

Sen. Joe Nyutu: I thought I am still within my time?

The Temporary Speaker (Sen. Wakili Sigei): We did not agree on the limitation of time. Be mindful of your colleagues.

Sen. Joe Nyutu: I am just concluding. Thank you very much.

The statement by Sen. Okiya Omtatah on audit queries by the Auditor-General should be tied to reports we received yesterday that the State had overspent. In the first nine months, the State overspent the budgeted expenditure contrary to Article 223 of the Constitution. The article guides expenditure for purposes of emergencies. For the government not to spend money as stipulated in Article 223, we must find a way to restrict ourselves to fiscal discipline. I support the two statements by Sen. Okiya Omtatah.

Sen. Osotsi: Thank you, Mr. Temporary Speaker. Let me comment on the statement by Sen. Okiya Omtatah on Cricket Kenya. The governance issues at Cricket Kenya are a concern to this country. We are aware that Kenya was doing extremely well in cricket, not just in the region, but in Africa and globally. Kenya was among the few African countries that could compete with the world in cricket. In fact, this country has represented the continent in the Cricket World Cup on a number of occasions. However,

lately, the sport has deteriorated, largely due to governance challenges at Cricket Kenya. Something must be done about the leadership of sports organisations in this country.

When we thought we had resolved the challenges in football, we were recently surprised to hear of disputes in the Football Kenya Federation (FKF) between the executive and Mr. Hussein Mohamed. We have also had challenges in rugby and other sports. This leaves us wondering why many sports organisations in this country face governance issues despite having a ministry mandated to ensure minimal governance challenges. Many of these organisations are not following the Sports Act or the law.

This statement is important and the relevant committee needs to delve deeper into the matter. It should also expand its scope to other national associations such as FKF, rugby and others facing similar problems.

I support.

Sen. Kinyua: Bw. Spika, asante kwa kunipa fursa hii. Nataka kuchangia kauli iliyoletwa na Seneta wa Kitui kuhusu hospitali. Jambo tunalopaswa kuzingatia sana ni afya. Afya imepelekwa katika gatuji zetu, lakini ukitembelea hospitali nyingi za gatuji, kama alivyotaja, unapata wagonjwa watatu hadi wanne wamelazwa katika kitanda kimoja, ilhali wana magonjwa tofauti. Hii inaendeleza maambukizi.

Si hivyo tu, ukitembelea makafani zetu, unapata miili imewekwa pamoja ilhali inapaswa tuwe na utu. Ni jambo la kusikitisha kwa sababu tumegawa pesa nyingi kwa kaunti zetu. Ukichukua mfano wa Hospitali ya Nyahururu, unapata hakuna dawa. Si Nyahururu peke yake, hata Rumuruti na Nanyuki hali ni ile ile. Wagonjwa wakifika hospitalini wanaandikiwa dawa lakini wanaambiwa wazinunue nje. Kwa hivyo Kamati ya Afya inapaswa kushughulikia jambo hili na kulichunguza kwa kina.

Kauli ingine iliyoletwa na Sen. Roba, Mwenyekiti, ni kuhusu madeni ya kaunti zetu. Kuna Mswada ulioletwa na Sen. Olekina kuhusu madeni. Madeni haya yamefanya mali ya watu kunadiwa. Mtu amefanya kazi, lakini kaunti haijamlika. Mali inaponadiwa, watu wanajinyonga, ilhali wamefanyia kaunti kazi.

Isiwe jambo la kawaida watu kupewa majukumu na gavana kuwapa kandarasi, lakini mwishowe wasilipwe. Kwa hivyo, naunga mkono. Asante.

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

Hon. Senators, the request list from my dashboard is high and we have 20 minutes left. I ask that whoever gets the opportunity to speak limits their contribution to a maximum of three minutes. If that is agreeable, that will be the timeline.

Proceed, Sen. Maanzo.

Sen. Maanzo: Thank you, Mr. Temporary Speaker, Sir. I rise to support the statement by Sen. Omtatah regarding the Kenya Pipeline Corporation (KPC). When KPC was operating, it used to make about Kshs12 billion every year, averaging Kshs1 billion a month for the country. It was 100 per cent owned by the National Treasury and has now been sold.

The committee should establish when the transfer of assets took place. There were court cases by the people of Thange in Makueni County who were injured by oil spillage and went to court. An award of Kshs3.9 billion had already been made and another suit was pending where the total related to suits was Kshs5.7 billion.

I would like to know how many more suits other than the two from Makueni that KPC is facing, so that we know how much will be paid. When did the transfer of assets take place? That is at the point the company was sold. Otherwise, there was no information to the public.

Very little is known about who now owns KPC, what percentage is Kenyan and whether more shares will be floated. The people who bought this company purchased a very important strategic asset of the Republic of Kenya, which is a security installation. At all material times, even if it has been sold to private entrepreneurs, the Republic should retain majority control.

Further, what law was used and what laws apply to the sale of this publicly owned company that is now largely privately owned? If it was making Kshs12 billion a year, has it not been sold at a loss? That money was coming to our budget, but now it will go to shareholders.

I am also keen, on behalf of the people of Thange, to know the finer details when the committee sits, so that we can explain to them what has happened and the chances of them finally being compensated by the now sold out KPC.

Thank you. I support.

Sen. Tabitha Mutinda: Thank you so much, Mr. Temporary Speaker, Sir.

I will start with the statement by Sen. Mungatana. As the Vice-Chairperson of the Senate Standing Committee on Finance and Budget, it caught my attention because it is in regards to the funds allocation for the headquarters of the five counties. To be more specific, Tana River County is one of the five counties where a budget was set aside for the headquarters.

I would like to mention that this is a matter that, as a committee, we have really pushed. I am happy that there is follow-up and that there is no problem. However, Kshs449 million has already been disbursed.

In this current budget which that the Hon. John Mbadi has presented before the National Assembly, the balance of Kshs523 million is what has been budgeted for in this Financial Year 2026/2027, so that it brings the issue of all the five headquarters to a closure. It will be our legacy as the Senate Standing Committee on Finance and Budget to ensure that this matter comes to a close.

Mr. Temporary Speaker, Sir, I would like to comment on the statement by the Senator for Kitui County regarding the Kitui County Referral Hospital. I am a Member of the Senate Standing Committee on Health. I attest that I witnessed six Kenyans on one bed; three children and three mothers on one bed. Those are sleepless nights because any mother having given birth or in hospital with their children can never even take a nap. It is extremely sad. We emphasise that we need to see change from the Kshs428 billion that this House passed yesterday, an increment of Kshs13 billion to the county governors. We are going to take matters seriously when they come to the committee.

In conclusion, I would like to comment on the statement by Sen. Hamida regarding the issue of Gender Based Violence (GBV). I wonder, where is this company that is selling women body parts in this country. We find women having been dissected and their body parts removed. Who is buying these organs? Which company is this that is

existing in this country that a girl child has to live in fear because someone is in the business of body parts? Shame on them!

With those remarks, I support.

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

Sen. Okenyuri: Thank you, Mr. Temporary Speaker, Sir. I wish to support the statement by Sen. Joe Nyutu on the expired drugs by the Kenya Medical Supplies Authority (KEMSA). Why do we have patients dying and expired drugs at the same time? If patients are dying, that means they are not getting the drugs. It is such a sad picture that we have expired drugs in large warehouses, yet patients continue to die in public health facilities where they are seeking treatment and they are not able to get it.

Mr. Temporary Speaker, Sir, the KEMSA and the Ministry of Health have to tell the country why we are having this consistently. Where is the lapse? Why should we have more people dying because of administrative issues? Whatever is happening paints a very sad scenario, especially for the health sector. For instance, look at cancer patients. The pain that they are going through and they are not able to get treatment, yet they are reading in the news about huge packs of expired drugs that were meant to ease their pain. It is a very sad scenario. I wish that the committee that is going to look into this matter takes it seriously because it affects the general public.

I would like to also comment on the statement by Sen. Omtatah on the EACC.

Let the EACC follow corruption cases to completion because most of the time, these cases come up, make sensation in the eyes of the public and then go cold. So, the stories will keep recurring and within no time, there is nothing to talk about. We keep lamenting about corruption. If the EACC is to be taken seriously, let it bite as Kenyans expect it to.

Thank you, Mr. Temporary Speaker, Sir.

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

Sen. Mariam Omar: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity. I would like to comment on the statements raised by Sen. Joe Nyutu about expired drugs and the one raised by the Senator for Kitui County.

Mr. Temporary Speaker, Sir, as the Senate Committee on Health, while doing oversight in many facilities in most of the counties, we realised that the major problem counties have is expired drugs and bed sharing by patients. I cannot identify and say which county it is but, expired drugs were on a patient's tray. They were being dispensed for a five-year old child to be injected. It is so pathetic that all our counties have expired drugs on their shelves and they are dispensing them.

Specifically, those who are dispensing the expired drugs are from northern Kenya. This is caused by poor inventory management, which is currently happening in the counties. They accept the drugs which have been delivered by KEMSA. The KEMSA issues drugs whose shelf time is six months. This means, after six months, the drugs expire. So, we have to be very strict on procurement control. Counties must not accept drugs which have a period of six months to expiry. When they are dispensing these drugs, they should dispense those with the earliest expiry dates first. Most of them normally dispense the ones which are in the store, and they are not attentive to the expiry dates of the drugs.

Mr. Temporary Speaker, Sir, regarding the issue of bed sharing, most hospitals have such kind of scenario. However, the Ministry has come up with a policy that strictly, they will not allow any claim which is above the bed capacity. If they can perhaps follow that---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Mariam, your time is up. Sen. Olekina, please, proceed.

Sen. Olekina: Thank you, Mr. Temporary Speaker, Sir. Briefly, I would like to comment on two statements. I will begin with the statement on expired drugs and dilapidated health facilities.

Mr. Temporary Speaker, Sir, the problem of KEMSA is inborn. There is absolutely no reason why we should be dealing with expired products. I have attempted to assist the Ministry of Health. Before the former Cabinet Secretary was changed, I went and sat with her. I told her that it is about time that we changed the procurement mechanism at KEMSA. Let us convert KEMSA into a supermarket of drugs. Instead of taxpayers' money being used, let us invite the manufacturers to list their drugs there and then develop an Enterprise Resource Planning (ERP) system such that when you are in Mandera or Narok, all you need to do in the hospital is to check in the ERP. If you do not have the drug, you can request and say this drug is available in Mombasa and it is delivered to you. What is the point of behaving as if we do not understand technology?

Mr. Temporary Speaker, Sir, the day people will stop wanting to get a kickback in everything is the day this country will develop. In developed nations, that burden of expired drugs is moved back to the manufacturers. I am also a processor of milk. Whenever I place milk in a shelf and it expires, I am told to take my milk back. Go to all these supermarkets. Nakumatt Supermarket taught us a lesson. When Nakumatt came into this country, business changed. Business became that you lease a building, after which, in the supermarket, the shelves are owned by someone else, the products are owned by someone else who is responsible for their product. The day the Ministry will agree to be guided, so that we stop this nonsense of every single day having to say we have lost this and that, there are these or those scandals, is the day we will be able to move this country forward.

Finally, on a second statement that has been read by Sen. Omtatah, the issue of nominee account is a common practice used worldwide by markets, even in the Nairobi Stock Exchange (NSE). This issue of nominees of KPC is something which is not illegal in itself. However, when it comes to a strategic asset the Kenyan Government owns a 35 per cent stake, such matters ought to be made a bit neater.

My request to the committee that will look at this statement by Sen. Omtatah is to develop a mechanism that any public asset which is sold--- although we know that at the point of paying dividends, the nominees' accounts will not be paid---

The Temporary Speaker (Sen. Wakili Sigei): Give Olekina 30 seconds to wind up on his contribution.

Sen. Olekina: On this issue of KPC and traded in the stock exchange, we already know the owners – the Kenya Government, 35 per cent; Uganda, 20.15 per cent and then other people own in nominees. Nominees in itself, I said is a common practice used by all stock exchanges. Dividends is not paid into the nominee account, but to individual

owners. That is the point when the individual owners will be identified because there are tax obligations and requirements.

I request the committee that will be dealing with this matter to see how we can amend the Acts regulating the stock exchange, so that when it is a nominee on a strategic asset, let them list next to the nominee who those nominees are.

The Temporary Speaker (Sen. Wakili Sigei): Senator Olekina, you are very lucky. The system did not actually detect that you were beyond the additional 30 seconds that the Chair gave you. You would have been able to continue contributing because of that default.

Sen. Kisang: Thank you, Mr. Temporary Speaker, Sir. With technology now, we know who is going to speak next.

As Sen. Olekina said, KEMSA, that is the national supplier of medical drugs should have a serious system. I think the biggest problem that we have is that, basically, KEMSA is like a cash cow of corruption for some people. They do not want it to work because if the Ministry of Health is really serious that they want to automate KEMSA, they should have done it a long time ago. I thought recently there was a system of Kshs104 billion that is supposed to digitise all health facilities.

The issue of KEMSA is very serious. Matters of medicine are not to be taken lightly. Recently, the Senate Committee on Health moved across the country. There are some facilities in the country that do not have Tuberculosis (TB) drugs, yet KEMSA is reporting that the TB drugs are expiring. How? We cannot understand that we have medicine, it expires, there are hospitals, our children are being born daily and we cannot get the TB drugs. The Committee on Health needs to move to KEMSA and conduct a thorough inquiry and audit on that organization, because they believe in wanting to “eat” and continue with the corruption.

On the statement by Senator for Samburu, the National Police Reservists (NPR) have done a lot of work for this country, especially in the North Rift, Northern Kenya and Tana River, because the country is now fairly very stable. We have peace across because of the NPR and the Ministry of Interior and National Administration doing some serious work.

There is basically peace in the country, but we want the National Police Service (NPS) to see how we can reward our NPRs. Maybe they need to be put now on a regular pay, so that they can help their families. They should be enlisted on the Social Health Authority (SHA), so that if anybody or their families fall sick, they can access medical services through SHA.

For those that lost their lives because of banditry resulting in loss of lives or getting injured in the course of duty, the National Police Service needs to find a way of compensating these families who have sacrificed to serve the nation, so that their children can go to school. There should even be educated---

The Temporary Speaker (Sen. Wakili Sigei): Your time is up, Sen. Kisang. Just to remind you, Sen. Kisang, when you were starting your contribution, you indicated that because of technology, you are able to know who is speaking next. For your benefit, the system just guides the Speaker in terms of a pool of those who are asking to be given the opportunity to speak. Otherwise, it is the discretion of the Chair, in the formula or order

that he so wishes, to allow you to speak, The system will only guide in terms of the pool of those who are asking to be granted the opportunity.

With that discretion, I will allow Sen. Mungatana to contribute to the statement.

Sen. Mungatana, MGH: Asante, Bwana Spika wa Muda. Ninasimama kuongea kuhusu NPR ambao kule kwetu tunawaita ma-homeguards. Hawa ma-homeguards ama walinzi wa vijijini, hufanya kazi muhimu sana katika kaunti yetu ya Tana River lakini wanateswa.

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

[The Temporary Speaker (Sen. Abdul Haji) in the Chair]

Wameajiriwa na hii Serikali na wetu kwanza walipelekwa training December mwaka uliopita wakati wa Krisimasi na wakakaa huko mpaka mwezi wa Januari. Hata hivyo, hiyo training walienda na viatu vya zamani. Nguo za training walipewa matambara.

Wakati wakitoka walipimwa na wakaambiwa wataletewa nguo mpya. Tuko karibu kumaliza mwaka na hakuna nguo wameletewa. Waliambiwa wangewekewa hela. Hakuna hela wamewekewa. Tangu waanze, waliwekewa mwezi wa Februari Shilingi 15,000 halafu wakawekewa Shilingi 5,000 baadaye katika Equity Bank. Mpaka leo hawajalipwa.

Wewe unapewa bunduki aina ya G3, unapewa NP halafu unaambiwa utunze kijiji lakini huku hauna pesa au namna. Watu wetu wanateseka sana kwa hii kazi ya u-homeguard.

Ningependa sana hii Kamati ya Usalama wa Taifa, Ulinzi na Uhusiano wa Kimataifa katika Seneti waangalie jambo hili. Hawa watu huwa wanashika na kuleta usalama katika vijiji kabla polisi hawajafika kwa sababu polisi ni wachache.

Umeshika mhalifu pale kijijini, wewe utoe pesa umweke kwenya boda boda umpeleke kituo cha polisi. Kama mnachelewa kwenda polisi, wewe tena utoe pesa yako umnunulie chakula kabla haujamweka kwa boda boda.

Huko polisi ni kama hawa NPR hawajulikani sawa sawa. Tunataka ukweli utokee. Tunatakaa Waziri anayehusika atuambie hawa ma-homeguard wetu---

(Interruption of Statements)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM KIAMBOO
SENIOR SCHOOL, KITUI COUNTY

The Temporary Speaker (Sen. Abul Haji): Honourable Senators, I would like to acknowledge the presence in the public gallery this afternoon of a visiting delegation of three teachers and 49 students from Kiamboo Senior School in Kitui County. The delegation is visiting the Senate for an academic exposition.

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On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit. I request Sen. Mungatana to welcome them because they are his neighbour. You share a border with them.

Sen. Mungatana: Mr. Temporary Speaker, Sir, I welcome the students to this Senate. Many years ago, we were also students like you and we went through what you have gone through. Your parents, just like us, are putting a lot of effort, so that you can succeed in life.

For us, we want to wish you well. When you obey your teachers, they will listen to you and the problems we have been having lately will come to an end. Focus on your studies, so that you can one day be seated here as Senators and serve this Republic of Kenya.

We wish you well and thank you very much for making a visit here.
You are welcome.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Sen. Mungatana.
Proceed, Sen. Cherarkey.

(Resumption of Statements)

Sen. Cherarkey: Thank you, Mr. Temporary Speaker, Sir. I will just tie up. Health is devolved. So, when I see statements by the Senators of Murang'a and Kitui counties, I feel sad. You are aware that yesterday, we fought so much to increase Kshs13 billion to counties from Kshs415 billion, last year to Kshs428 billion, this year.

I saw the report of the Office of the Auditor-General that flagged that over Kshs1 billion value of drugs that are in KEMSA are expired. The sad reality is that most of the expired drugs are killing our people. In the report of the office of Auditor-General it was cancer, malaria and HIV/AIDS drugs that have expired. It is not only in KEMSA. I want to inform the country that it is the same case in facilities that we visited as the Committee on Health.

I am happy that the Senator for Baringo County was there in Nandi, Maraba Sub-county, Nandi Hills Sub-county and Kapsabet County Referral Hospital and across the nation. The yardstick that we will use to evaluate the success or failure of devolution in this country will only be based on the health sector. I call upon the Committee on Health to look into this issue. I am happy the Vice-Chairperson and a number of colleagues are in the House.

As I speak, I feel sad for the people of Lalamak Location, Diif Ward, Wajir County. I saw elders in Wajir South complaining that there are no drugs in Wajir yet, the Chairperson of the Council of Governors (CoG) comes from Wajir County. They receive more than Kshs12 billion. However, when you go to Diif Ward in Wajir South Constituency, there are no drugs. This is very unfortunate. We must come out and ensure facilities have sufficient---

On the issue of mortuaries, I was told that in Kiambu, the mortuaries are smelling. When colleagues went there, they could feel the foul smell that comes from a number of mortuaries in Kiambu County from five kilometres away. So, the issue of health will fall or succeed based on the commitment of our colleagues.

With those many remarks, I hope the health function in our country will improve for the betterment of our people.

I yield back.

The Temporary Speaker (Sen. Abdul Haji): What is your point of clarification?

Sen. Veronica Maina: Mr. Temporary Speaker, Sir, it should be a point of clarification. I am concerned that in my system, it is set to show that it is Sen. Chimera seated on my machine. Is that in order that right now, when I am seated here waiting to submit on the Floor of this House, the system does not show me as present, but shows that it is Sen. Chimera on my desk? Could the people who are handling this computer system do a much better job? Could you instruct them to do a better job? I take offence.

The Temporary Speaker (Sen. Abdul Haji): Did you log-in, Sen. Veronica?

Sen. Veronica Maina: I tried logging-in, it did not work. They brought me the card.

The Temporary Speaker (Sen. Abdul Haji): So, you have not logged in?

Sen. Veronica Maina: I tried logging in even with the card. It still shows that it is Sen. Chimera seated on my desk. What is this game now? Come and make this system.

The Temporary Speaker (Sen. Abdul Haji): Searjeant-at-Arms, please, look into that issue.

Sen. Veronica Maina: I am offended by that.

The Temporary Speaker (Sen. Abdul Haji): Proceed, Sen. Oketch-Gicheru.

Sen. Oketch-Gicheru: Can I get the microphone?

Mr. Temporary Speaker, Sir, I also rise to comment on the statement by Sen. Joe Nyutu on the expiry of drugs. KEMSA is becoming one of the most inefficient drug suppliers in the country. The problem is becoming an issue of inaccurate assessments by KEMSA. This is because KEMSA, the supplier of the most bulk and specialised medicine, is constantly not using the right data to look at this medicine.

The problem of overstocking, whether it is deliberate for procurement people to overstock these drugs and make money or just an issue of lack of data that is driving this, must be assessed by this committee.

The second issue, before the advent of devolution, we used to have ministerial basis for drug supplies. The healthcare system that we used to have was more of a pool based system. Right now, it is a push based system where it is heavily dependent on counties to push some of these requirements. Our counties have been very notorious on two levels. One, is that most of them still have serious issues of pending bills to KEMSA as a centralised system. They do not want to explore other systems that can supply drugs because KEMSA is a supplier, just as any other person. It has bigger problems on low ordering rates by counties based on the fact that some of the counties are selling drugs from the hospitals. Let us call a spade, a spade.

The KEMSA sends drugs to the counties. However, I know for a fact that Migori County has people working for the county government that own chemists. So, drugs are taken out from hospitals and they are put in chemists by the governor's friends. When a diagnosis is done, a patient is told to go and buy drugs from the governor's friends. So, they do not want to buy through a KEMSA's system. This is the menace that must be audited. I hope that this committee will visit the county governments. Start with Migori

County Government. Go and audit the inventory for drugs and the governors, so that they can tell us who owns the chemists in Migori County and Nandi, where Sen. Cherarkey comes from, and Bungoma County

The Temporary Speaker (Sen. Abdul Haji): Summarise in one minute.

Sen. Oketch-Gicheru: Mr. Temporary Speaker, Sir, there are logistical inefficiencies of drugs in our counties. We want to know who owns all the chemists in our counties. This is because governors are making so much money and they are making KEMSA inefficient. They must stop taking drugs from our hospitals and giving their friends opportunities to run chemists.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator. Proceed, Sen. (Dr.) Khalwale.

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, the Statement by the Senator for Busia County on EACC is about the fight against corruption that I am afraid we are starting to lose. When I reflect on this, I ask myself, what is it that we can do to strengthen the institution of the EACC. Failure to which, we disband it completely, so that we look for a different way of combating corruption.

How can it be, Mheshimiwa Mungatana, that parliamentarians are informed by the Auditor-General, they call auditees, get evidence, confirm the concerns of the Auditor-General and when you forward this information to the EACC, nothing happens? It is because they are corrupt. The EACC people are selling parliamentary reports to the very people they are supposed to prosecute. Parliament must help Kenyans by addressing EACC. What is more, we must also question the office of the President. Why is it that we have members in the current Cabinet with active cases forwarded by the EACC for prosecution?

We are all aware of the outcry about the Social Health Authority (SHA). It is because of corruption that for the last four days, there is a country-wide collapse and or downtime of the network of the so-called pre-authorisation that is supposed to be done before a patient accesses SHA services. It is a deliberate effort by corrupt people in the hospitals to ensure that the services of SHA are not accessed, so that members of the public who have been contributing to SHA can be asked to pay in cash.

Mr. Temporary Speaker, Sir, you are aware that as of yesterday, 204 schools have closed down due to unrest, owing to corruption. Why is capitation money either delayed or not sent to schools, forcing headmasters not to give---

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator.

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

Give him one minute.

Sen. (Dr.) Khalwale: Thank you, Mr. Temporary Speaker, Sir. We are all quiet on the issue of the 204 schools; the Ministry is quiet; the appointing authority of the Cabinet Secretary is quiet; Parliament is quiet while our children are dying in schools. It is because of corruption. In some of the cases, corruption is responsible for the active cases against criminal students arraigned before court. They are to be dragged on and on

for years until they are eventually released with members of the public's knowledge. We must fight corruption.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Thank you. Sen. Dullo, proceed.

Sen. Dullo: Thank you, Mr. Temporary Speaker, Sir. I wish to support two statements; one by Sen. Roba on pending bills. I wish to congratulate this House for rejecting the passing of pending bills for Meru County. It is because of personal interests that the House was forced to actually ensure the pending bills are paid.

We are not doing very well as far as pending bills are concerned. Many of our businessmen are languishing in poverty. Counties are paying fake pending bills. I know that this budget, that we struggled to pass yesterday, will go into campaigns and yet, the institutions mandated to oversight the accountability of those budgets are in slumber land or in bed with those corrupt county governments.

Instead of us always lamenting, I wish this House, especially the Committee on Finance and Budget takes serious measures as far as pending bills are concerned because they keep on accumulating. You can imagine a county having pending bills of over Kshs100 million for legal services. What are they doing? They are pending bills that are not even going down from Kshs1.5 billion or Kshs1.2 billion such as those in my own county. The only people who are paid their pending bills are those who are politically-correct. I think as a country, we need to stop lamenting and take serious action.

Finally, on the NPRs, we need to actually see how we can formally engage them because they complement the work of Administrative Police (AP) officers. Whenever we have challenges, those people are the ones in the forefront.

Secondly, there is so much corruption going on in the manner in which NPRs are recruited in those counties. Those who are politically-correct are the ones who are recruited while the rest are left out. Some of the NPRs are given firearms, but they sit in town to chew *miraa* instead of being in the bush to defend communities. Certain things need to be done. Yes, there is a lot that the government is doing as far as NPRs in those affected areas is concerned, but it should be done in a transparent manner.

I thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Thank you. Sen. Murango, proceed.

Sen. (Dr.) Murango: Asante Bw. Spika wa Muda. Ningependa kuchangia kauli iliyoombwa na Seneta wa Kaunti ya Kitui, Sen. Wambua.

Matatizo ya afya katika gatuji zetu yamekuwa mengi sana hadi imekuwa changamoto sana sana, kwa upande wa wale ambao wanahakikisha kila kitu kinafanyika kwa njia iliyo sawa. Msongamano katika hospitali zetu ni jambo la dharura kwa sababu watu wakiwa wengi, wengine wanalala kitanda kimoja na kwa sababu ni wagonjwa, wanaweza kuambukizana magonjwa. Jambo la pili ni kwamba, mgonjwa anafaa kupata mahali dhabiti ili apone.

Katika Kaunti ya Kirinyaga kule nimetoka, tumekuwa na changamoto kubwa ya ukosefu wa madawa. Juzi, kulikuwa na *lift* ambayo imeharibika kwa takriban ya miezi tatu. Tumekuwa na changamoto ya kutolipwa kwa mishahara ya wahudumu kwa miezi mitatu au minne. Wale wahudumu ambao wanaosha wagonjwa na wanahakikisha hospitali zetu ziko safi, wale wanasafisha malazi na kuhakikisha ya kwamba wagonjwa

wamekula, wale ambao wanashikilia wagonjwa ambao hawawezi kutembea na kuwapeleka kuota jua, wasipolipwa kwa takriban ya miezi tatu, inakuwa ni changamoto kubwa sana.

Kama Maseneta, wakati tunapoongea kuhusu matatizo yanayowakumba wafanyikazi wa hospitali zetu kama wale wa Kaunti ya Kirinyaga, wale ambao wameajiriwa wanauziwa uoga ya kwamba watafutwa kazi wakiongea. Hilo linafanya waendeleo kuteseka. Tunasahau ya kwamba wale ni watoto wa watu, wana nyumba wamekodisha, wanastahili kulipa kodi, wanafaa kununua chakula na wako na watoto wanaoenda shule ambao wanafaa kukimu haja zao. Utapata gavana anaita mkutano wa watu wawili au watatu na anawapiga pambaja kisha wanakubaliana kwamba kila kitu kiko sawa ilhali wananchi na wale wahudumu ambao hawalipwi mishahara yao wanaendelea kuteseka.

Bw. Spika wa Muda, nasimama leo kwa sababu tutahitajika kupitsha pesa ambazo zitaenda kwa magavana. Wacha wachukue majukumu na waache kuzibia panya shimo kwa mikate wakitarajia watakufa. Wachukue majukumu yao. Hata wakiendela kutukashifu tunapoongea, haitaokoa maisha ya wale watu kwa sababu Waswahili husema, ukikashifu mwenye akili, huwezi ondoa ujinga wao. Tunataka ujinga huo uondolewe katika kaunti zetu ili watu wetu waweze kupata matibabu.

The Temporary Speaker (Sen. Abdul Haji): Thank you. Sen. Wakoli, proceed.

Sen. Wafula: Thank you, Mr. Temporary Speaker, Sir, for this opportunity to ventilate on statements raised by Hon. Members.

I will begin with the statement from Sen. Omtatah with regards to cricket. When we were growing up, Kenya was leading in Africa and globally. It is quite disheartening that we have degenerated to a point where we are discussing sports in Parliament, yet, we have a Ministry of Youth Affairs, Creative Economy and Sports in this country.

In the same wavelength, knowing very well---

(Loud consultations)

Mr. Temporary Speaker, Sir, can you rein in on Sen. Maanzo?

Mr. Temporary Speaker, Sir, you are not also listening. I request that you listen to us than our good friend who is whispering loudly.

I am saying that the sports docket is devolved and when you look at the counties in this country, they are doing less or nothing with regard to sports. The President is building stadiums across the country, but if you ask the county governments how much they are putting into sports growth and search in this country, it is zero. Therefore, it is time for this House to put the Council of Governors (CoG) and governors to task.

Mr. Temporary Speaker, Sir, I want to finalise on the issue of the health sector. It is now emerging that county governments and the executives in the county governments are using this department to make money. Some of them are keen to get tenders for cleaning services and detergents. Some of them are keen to secure tenders from land firms. Others are keen on supplying food. They call it food rations in the facilities at the expense of buying drugs that the people need to use. It is also emerging that the county

executives in charge of health will send administrators and accountants who are either tribally, politically or commercially aligned, to smoothen the operations of fleecing and looting monies from these facilities.

As we speak today, if the EACC were to up its game--- As resources of the Social Health Authority (SHA) land in these health facilities, they already have instructions on what percentage of the monies should be channeled to specific people, to benefit them at the expense of the patients and---

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator.

Sen. Wafula: Mr. Speaker, Sir, one minute, please.

The Temporary Speaker (Sen. Abdul Haji): Give him one minute, but, please, conclude.

Sen. Wafula: Thank you, Mr. Temporary Speaker, Sir, for being gracious against these marauding Senators behind me.

I want to communicate with the great people of Bungoma County. What I have clearly said here is happening on the ground. I will work and walk with you and ensure the cartels that are fleecing the resources in the health sector are brought to book. I will not let you down. I will run with you and speak for you.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Senator Cheburet, you have the Floor.

Sen. Chemitei Kiprono: Thank you, Mr. Temporary Speaker, Sir, for the opportunity to also contribute and make a positive comment about the statement that has been read by Sen. (Dr.) Lelegwe Ltumbesi of Samburu County.

I would also like to appreciate the distinguished Senator from Samburu for submitting this issue before the Floor of the House. The issue of the National Police Reservists (NPR) is a sensitive matter, which needs to be attended to properly by the House and leadership. These police reservists are going through a lot. They are not paid by the government, their monthly salary is not defined, and they are failing to pay school fees for their children. They are unable to settle their medical bills because SHA is not working.

Sen. (Dr.) Lelegwe Ltumbesi has only mentioned Samburu, but I want to tell you that these national police reservists in several counties, including Baringo, where I come from, Elgeyo Marakwet, Samburu, Turkana, West Pokot and several other counties, are the people behind the successful peace restoration in our counties. Therefore, we want the Ministry of Interior and National Administration to take serious note of the matter of NPRs and ensure that their payment is defined. They need to be treated in a dignified way just like any other civil servant in our country.

I want to plead with the Ministry of Interior and National Administrator to consider the NPRs just like any other civil servant in our country and their salary needs to be defined. It is very dangerous to mishandle the people who are behind our security. I want to congratulate the Senator for Samburu for bringing this matter before the Floor of the House. I want the Committee on National Security, Defence and Foreign Relations to address this matter and ensure that the dignity is restored within NPRs.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator. Sen. Wakili Sigei, you may proceed.

Sen. Wakili Sigei: Thank you, Mr. Temporary Speaker, Sir. I would like to comment on two statements. One is by Sen. Okiya Omtatah regarding the effectiveness of the EACC in combating corruption.

Every day, every morning in this House, we talk matters devolution, service delivery to the people, statement requiring the EACC to give us a status report, and also effectiveness in terms of investigations and action against audit concerns and queries, both from the Office of the Auditor-General as well as those from the committees of this House. This has been put to question.

I expect that the committee, which this particular statement has been committed, will establish the extent of all reported matters of counties across the divide, where both the Auditor-General and the various committees of this House have raised concerns. They should give us a status report of what they have done. I say so because we, as the Justice, Legal Affairs and Human Rights Committee are aware that not once, not twice, have we summoned the CEO of the EACC to appear before the committee to give us a status report on inquiries that have been made by almost all the county representatives in this House, on investigations, on the status of matters which have either been litigated upon or have been filed and also in action that either they have taken or are planning to take with regard to corruption.

I am aware that the Auditor-General in the Financial Years 2022/2023, 2023/2024 and 2024/2025 raised several matters regarding Bomet County where the EACC was undertaking various investigations. We are yet to receive the status of those investigations. We call for their effectiveness. I call upon the CEO of the EACC, Mr. Abdi Mohamud, to make sure that he turns up whenever this House or the various committees call upon him to give us a status report of those investigations.

Secondly, Mr. Temporary Speaker, Sir, the expiry of drugs in our various dispensaries, hospitals, or even at KEMSA is quite unfortunate. This is one of those things that in the course of our oversight roles, where the Standing Committee on Health has done visits to a number of our dispensaries or institutions within the counties---

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator. Sen. Veronica Maina, you may proceed.

Sen. Veronica Maina: Thank you, Mr. Temporary Speaker, Sir, for the opportunity to comment on the statement by Sen. Hamida Kibwana on Gender-based Violence (GBV). I will also comment on the statement on the health status of the Kitui County Referral Hospital together with the hospitals in different counties. I am also grateful that after a long wait you have given me the chance. The system locked me out and I was pushed to the last person in the queue.

It is very sad to note that in the Republic of Kenya right now, we have had an increasing number of GBV cases, which are now rampant across counties, with some of the urban counties being affected very negatively.

Just a few minutes ago, I saw a case in Nyeri County where a woman's body was dismembered, put in a sack and positioned near a certain village, at a place where it is clear that whoever dismembered that lady intended to take some of the organs from her

body. It is very sad that in this day and time, when we have technology that could assist in curbing crime, we have had more women suffering GBV case. We have also had cases of femicide, which remain unresolved.

We must take an approach now as the committee looks into these issues. The whole community and society must take an approach that helps women to be emancipated from this kind of violence that we are seeing becoming rampant. It is important that we criminalise any form of violence against any gender and specifically against women. We have seen most of the people who are victims of GBV, some of the aggressors are coming from a relationship that they have with the victim. So, you will find within our homes, there is very high level of GBV. Women are not only being beaten, they are bearing the brunt of broken relationships because most of these people who are aggressing against women and girls are either partners, friends, spouses or people within a setup where they have a relationship with the woman who is aggrieved.

It is very sad and we are looking up to the Cabinet Secretary for Interior and National Administration to come up with very serious measures---

(Sen. Veronica Maina's microphone was switched off)

The Temporary Speaker (Sen. Abdul Haji): Sen. Chute, please proceed. We are out of time for the Statements. Give her half a minute to conclude.

Sen. Veronica Maina: Thank you, Hon. Speaker. We are calling upon the Cabinet Secretary for Interior and National Administration to ensure that these cases are resolved. I have looked at one of those cases where a woman was murdered in Kilimani and the case was in Nakuru. These cases remain unresolved.

We look up to the Cabinet Secretary for Interior and National Administration to ensure that we have speedy conclusion of all these investigations and the culprits brought to book. Thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. Chute.

Sen. Chute: Thank you, Hon. Speaker. I will be very brief. Allow me to contribute to the statement by Sen. Enoch Wambua. This statement is heavy and weighty. About two or three weeks ago, the Community Health Promoters (CHPs) from Marsabit County sent me a letter. The letter says they have not been paid for the last seven months.

As you are aware, the government is paying Kshs2,500 per person and the county government is supposed to also, similarly, pay another Kshs2,500. The national Government has paid the dues, but up to today, for the last seven months, the CHPs have not been paid in Marsabit. This House and Kenyans know what these people are going through. The kind of work they are doing at the hospitals and the problems they go through. Imagine somebody earning Kshs2,500. That is your transport, house allowance, food, water and all those things. I think the Committee on Health should visit as many hospitals as possible so that they look at how these people are surviving with a mere Kshs2,500 per month, and they are not even getting that money.

The issue raised by Sen. Wambua on the issue of patient-to-bed ratio is also something very important, and it needs discussion. This House needs to discuss how we have two or three patients on a single bed. If you visit some hospitals, people are sleeping

on the floor, and we are saying we want to go to Singapore. How do we go to Singapore if we cannot even take care of our patients and community health providers? We have heard complaints everywhere in most of the hospitals. The issue raised by Sen. Wambua touches on infection prevention. That is very important. If you prevent, the cost of treatment will be cheaper, but if you do not prevent, you end up paying a lot of costs.

Finally, on the issue of cancer screening, early detection is the most important thing. Do we have those things in the hospitals? No. So what we need---

(Sen. Chute's microphone was switched off)

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, we shall resume with the Order Paper, and I shall rearrange it to go to Order No.4. Clerk?

PETITIONS

FREEZING OF SALARIES AND THE EXCLUSION OF 313 SECONDED ECDE PROGRAMME OFFICERS FROM STATUTORY PENSION RIGHTS

The Temporary Speaker (Sen. Abdul Haji): Sen. Veronica Maina, please proceed.

Sen. Veronica Maina: Hon. Speaker, this is a petition on the illegal freezing of salaries and the exclusion of 313 seconded Early Childhood Development Education (ECDE) programme officers from statutory pension rights under Cap 189.

I take this opportunity to present this petition on behalf of Peter Makara Ngure, Alice Muthoni Ng'ang'a, Winfred Wambui K. Karanja, Edith Wairimu Gatimu Kariamburi, Agnes Njoki Kuria, and other petitioners regarding the illegal freezing of salaries and exclusion of 313 seconded ECDE programme officers from statutory pension rights under Cap 189.

We, the undersigned citizens of Kenya and seconded ECDE programme officers active and retired from the Teacher Service Commission to various county governments, draw the attention of the Senate to the following-

THAT, following the devolution of pre-primary education, 313 ECDE programme officers were released by the Teachers Service Commission to county governments with effect from 1st July, 2015 as permanent and pensionable officers.

THAT, upon the transfer of these officers, the National Treasury and the Integrated Personnel and Payroll Database (IPPD) department recategorized their payroll status from pay group AA being the national non-contributory pension category to pay group AB being a local contributory category.

THAT, this recategorization was irregular and has had the effect of subjecting the officers to unlawful contributory pension deductions, including deductions to provident fund arrangements such as Laptrust in some counties, despite the officers being entitled to non-contributory pension terms under the Pension Act, Cap 189.

THAT, the placement of the officers under pay group AB created a technical barrier that disconnected them from salary reviews applicable to their cadre under the

Teachers Service Commission, the Public Service Commission and the county public service salaries adjustment and collective bargaining agreement benefits.

THAT, as a result, the affected officers' salaries have effectively remained frozen at 2015 levels, causing them to miss salary increments under the 2017 to 2021 collective bargaining agreements, subsequent salary reviews in 2023 and the 2025 to 2029 increments.

THAT, the salary stagnation has in turn depressed the officers' pensionable earnings, thereby exposing both serving and retired officers to reduced pension benefits that do not reflect their lawful entitlement or their years of service.

THAT, recognising this grave error and the irreparable prejudice likely to be suffered by the officers, the National Treasury issued a directive dated 22nd March, 2022, reference TNT/PENS/15/4/20, expressly requiring that the officers be restored to their rightful status under the Pension Act CAP 189.

THAT, despite the same directive, the Teachers Service Commission (TSC) and IPPD department have failed to effect the required re-categorisation, thereby leaving the officers in prolonged administrative limbo for over a decade.

THAT, the affected officers now face double exclusion in that they are denied TSC-related salary progression because of the AB coding, while at the same time they are not fully integrated into county or public service payroll structures because they remain substantively officers of the TSC.

THAT, retired officers in this category are already suffering prejudice because their pension awards are being computed on outdated and frozen salary scales instead of reconciled salary levels, resulting in unfairly low pension payments.

THAT, the officers who have retired and those due for retirement stand to suffer irreparable financial loss unless urgent corrective measures are taken, including restoration of the proper payroll category and reconciliation of their service records, including GP-69 cards, where applicable.

WHEREFORE, your petitioners pray that the Senate investigates the matter with a view to-

(1) Recommending that the directive of the National Treasury is implemented and that all historical data migrated from the legacy system is corrected to reflect a non-contributory status and to simultaneously update the officer's manual GP-69 service records to reflect continuous service with zero service gaps from 1st July, 2015 to date.

(2) Recommending that a comprehensive salary audit and reconciliation for the 313 officers effective 1st July, 2015 be done to include all annual increments and Collective Bargaining Agreements (CBA) salary awards of 2017 to 2021, 2021 to 2025, and 2025 to 2029 that were missed during the period of suspended status.

(3) Recommending that the National Treasury releases arrears arising from the corrected salary scales and allowances; house, medical and leave allowance, to all active and retired petitioners.

(4) Recommending that the revision of pension awards for retired officers in this category be done using their newly reconciled final basic salary as the base for calculating their monthly pension and lumpsum gratuity under Cap 189.

(5) Recommending that any contributory provident fund amounts, LapTrust or County Pension Fund (CPF), deducted in error from the petitioners' salaries be stopped and refunded with interest without affecting the officers' non-contributory rights under the Pension Act.

(6) Recommending that the 313 seconded ECDE programme officers be recognised as having served continuously and without interruption under the TSC from the date of their first appointment and that any exit or non-claim clause in the 2017 to 2021 or subsequent CBAs shall not apply to them since their transfer to county governments was an authorised secondment in the public interest and not a voluntary or professional exit from the Teaching Service.

That is the petition from the petitioners. I beg the Senate to consider this and award as requested by the petitioners.

(Applause)

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, pursuant to Standing Order No.238(1), I commit the Petition to the Standing Committee on Education for consideration. Pursuant to Standing Order No. 238(2)(a), the Committee is required, in not more than 60 calendar days from the time of reading the prayer, to table its reports in the Senate for consideration. The Senate shall thereafter consider the report of the committee.

I thank you.

*(The Petition was committed to the Standing
Committee on Education)*

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

We shall rearrange the Order Paper. We defer Orders No. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22.

BILL

Second Reading

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO. 8 OF 2026)

(Bill deferred)

BILL

Second Reading

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THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO.10 OF 2026)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO. 3 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL
(SENATE BILLS NO.4 OF 2025)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE ELECTRONIC EQUIPMENT DISPOSAL RECYCLING AND
REUSE BILL (SENATE BILLS NO.5 OF 2025)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

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

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE NUTS AND OIL CROPS DEVELOPMENT BILL
(SENATE BILLS NO.47 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE HERITAGE AND MUSEUMS BILL
(SENATE BILLS NO.8 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(SENATE BILLS NO.10 OF 2024)

((Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE ENVIRONMENT LAWS (AMENDMENT) BILL
(SENATE BILLS NO.23 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE SPORTS (AMENDMENT) (NO.2) BILL
(SENATE BILLS NO.45 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE PUBLIC AUDIT (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.4 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE COUNTY HALL OF FAME BILL
(SENATE BILLS NO.18 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO.36 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLETHE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL
(SENATE BILLS NO.3 OF 2024)*(Committee of the Whole deferred)*

The Temporary Speaker (Sen. Abdul Haji): I will rearrange the Order Paper, so that we consider Order No.25 followed by Order No.24 and then Order No.23.
Clerk, read the Order.

BILL*Second Reading*THE COMMUNITY HEALTH PROMOTERS BILL
(NATIONAL ASSEMBLY BILL NO.53 OF 2022)

The Temporary Speaker (Sen. Abdul Haji): Senate Majority Leader, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I beg to move that the Community Health Promoters Bill (National Assembly Bills No.53 of 2022) be now read a Second Time.

The Community Health Promotes Bill (National Assembly Bills No.53 of 2025) proposes to amend the title of the Community Health Promoters Bill. It was published in the Kenya Gazette Supplement No.183 of 2024, dated 10th November, 2022. This Bill passed the National Assembly on the 2nd December, 2024 and was referred to the Senate for consideration.

The principal object of the Bill is to regulate the practice of the Community Health Promoters (CHPs), which many of us have come to love, and to establish the Community Health Promoters Council. Community Health Promoters serve as a bridge between communities and healthcare systems. They are trusted members of their communities, possessing a deep understanding of local cultures and dealing with language barriers to health access. This enables them to provide culturally appropriate health education, promote preventive care practices and facilitate access to essential medical services.

Their unique position allows them to build strong relationships with individuals and families, nurturing trust and encouraging active participation in managing own health. The CHPs impact and are of great importance to our society. Their contribution to the health ecosystem in this republic cannot be gainsaid. They increase access to healthcare, promote healthy behaviours and cultural practices, discourage communities from engaging in retrogressive cultural practices that injure the health of members of the society, as they are members of that community and they engage and participate in it.

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By empowering communities to take control of their health and connecting them with the necessary resources, CHPs contribute to more equitable and sustainable healthcare systems, ultimately leading to healthier societies. They also reduce burden on hospitals and clinics, providing essential care at the community level. Even though the First Schedule of the Health Act, Cap 241, designates community health services as a Level 1 service, delivered by community health extension workers, the majority of community health workers now called CHPs are volunteers.

Yesterday, I heard Sen. Cherarkey mention that the stipend of Kshs5,000 they are paid is against the law. However, I believe that what they get is not compensation for the work that they do. To me, it looks like an appreciation more than a salary because there is no way you can pay anybody a salary of Kshs5,000.

This week, I was somewhere with some governors where we discussed the issue of division of revenue. We had requested that when it comes to division of revenue, we take the Kshs2,500 share of the national Government and make it part of sharable revenue to the counties. Why does the national Government insist on holding on to Kshs2,500 for Community Health Promoters (CHPs) as opposed to sending it directly to the counties? That is something that needs to be discussed.

They said that Kshs2,500 could be nothing to me. However, Kshs5,000 means a lot to many of those people. It is over and above what they earn on a daily basis. It helped me appreciate something that I was once told, that, as a leader, never lose sight of perspective.

There are many times that you say things just as you see them as a leader. However, sometimes a good leader sees things from the constituents' or the people they represent perspective. While Kshs5,000 may be nothing to a wealthy don called Abdul from Garissa---

(The Temporary Speaker spoke off record)

Mr. Temporary Speaker, Sir, it is not you. I am talking about another Abdul, who is my friend. To the ordinary Abdi deep down in the place we went to called Masalani, it means a lot. Of course, this is not to make the case that we should not remunerate them better. Actually, this Bill seeks to set up the structure with which we can appreciate CHPs. I know that all of them, including those that voted for me in Kericho, watch their Senator on the Floor this afternoon. They are extremely proud and happy because I know that upon the passage of this Bill, we will duly recognise them, give them certification and make their pay even better.

We have just rolled out the Universal Health Coverage (UHC). You cannot expect that everything will be perfect from the start. However, three, four, five or six years from now, UHC will have settled properly and compensation to public hospitals, including dispensaries deep in the village where Sen. Catherine Mumma comes from in my neighbourhood down in Kisumu will be done. The minute we perfect the system and ensure that they get compensated directly and that a hospital can manage its affairs, order medicine and have some CHPs on call, so that if the doctor is away, CHPs can help locate the next facility, call for medical help and make the right determination, we will

have celebrated these people. Therefore, this is for CHPs across the Republic of Kenya and there are so many. There are over 100,000, if I can recall.

Why I am particularly proud about this Bill is that CHPs were launched in Kericho in 2023 during Mashujaa Day. Kericho will always remain their home because that is where they began their work. I remember them matching during Mashujaa Day that particular morning at Kiprugut Chumo Stadium.

I know that as we work, by the time of drawing of the curtains of the session of this Parliament, we will have succeeded in concluding this Bill and ensured that CHPs are properly compensated, captured in the public health systems and given more training. While they might not be doctors, they have some basic training on matters public health and it will be extremely important to engage and interact with them.

Even though the First Schedule of the Health Act, Cap 241, designated community health service as Level 1 service is delivered by community health extension workers, majority of CHPs are volunteers who sometimes receive allowances that are often delayed or never paid at all. It is embarrassing that there are certain counties that delay even the little Kshs5,000 we are talking about as compensation to these volunteers. We are proposing a legal framework to enhance their recognition and regulation so as to allow them to be entrenched in the Government health delivery system. It seeks to establish the Community Health Promoters Council and Community Health Promoters Disciplinary Committee to regulate the conduct of CHPs.

I have a challenge with that proposal because as much as health is a special and unique service, we will have to find a way. Sen. Maanzo, when county employees misbehave, generally all of them, it is the County Public Service Board (CPSB) that punishes them the same way it handles their promotion and discipline them in case of misbehaviour.

Remember one thing we have not successfully done as legislators is to establish a nexus between CPSBs and professional bodies that many of these staffers belong to. If it is accountants, how do you link a CPSB with the Institute of Certified Public Accountants of Kenya (ICPAK) and even recommend sanctions against, say, an accounting officer who participates in fraud?

Last week I was the Chief Guest at the Kenya Institute of Supplies Management (KISM) in Naivasha and we interacted with supply chain managers from our 47 counties. There were people from Makueni, Siaya and basically across the country.

Something we need to agree on is that we, as Parliament, and particularly as Senators, must create the nexus between regulatory bodies that regulate professional practice. We have ICPAK for accountants and KISM for those in supply chain. We also have the Kenya Medical Practitioners Pharmacists Dentists Union (KMPDU) and the Nursing Council of Kenya (NCK) for those in the health space.

We will have to locate for these particular CHPs because there are elements that have to be handled. They include issues of transfer, promotion and scale at which they enter the workforce. Those need to be handled by CPSBs. However, we will have to set the agreement with the regulating bodies in the health practitioners space to see where CHPs will fall under. The committee will find time to look into that and guide us on how to conclude.

Part 1 comprises Clauses 1 and 2. Part 2 comprises Clauses 3 to 16 and so on and so forth. Therefore, this is a straightforward Bill which I believe Senators should give the priority it deserves.

Sen. Mungatana, you know well that there are thousands of CHPs deep down in Tana River. If there is a favour that you can do to them and those they attend to or those who draw services from them, you should ensure that you motivate them. Set up the regulatory framework like we are proposing in this particular Bill, so that when they go to vote during the next elections in Tana River, they will have a reason to say they sent a man to the Senate who represented their interests and made sure they are properly considered. The same should pass for all of us.

I am sure colleagues have various thoughts on how they think certain matters need to be handled. I know, for example, one of the challenges we will experience is how to transfer them from being on voluntary basis into the cycle of public service given that they were not necessarily competitively recruited. We normally have a big challenge with that.

When I served in the Parliamentary Service Commission, there were staffers we had requested from other Government entities like the National Youth Service (NYS) and the rest to do various duties within Parliament. They had served for long until one time we said we need to have them as part and parcel of the parliamentary staffers. However, it became a huge challenge because the constitution dictates that all public service appointments be competitively recruited, yet we knew that these people provide us with specialised services. Therefore, there are certain things we will have to find a neater way of clearing and sorting out.

It is my utmost hope that Members will share their thoughts on how we can shape the space of Community Health Promoters (CHPs), to ensure that they serve effectively in the villages. Some of them provide services that even doctors would struggle with. They perform certain tasks that even modern hospitals would struggle with.

Do not underestimate the value of traditional medicine and people who have local knowledge on localised health challenges. Many of us here have the distinct privilege of coming from serene villages. I say this because I recently saw a clip of someone, I think it was the Senator for Nairobi, making it appear as if there is something to celebrate about coming from the city.

It is by nature that you choose what you represent. However, if I had a choice, I would pick the village any day over the city, with all its clogged-up city with all their challenges. I know many of you would do the same. There are unique challenges that come with working in villages that CHPs can handle better than even other health practitioners.

Therefore, I want to listen to colleagues share their thoughts and ideas on this topic, so that we progress and move with it to help achieve universal health care.

With those remarks, I beg to move and request the Senator for Nandi, Sen. Samson Cherargei, to second.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, it is with distinction and honour that I rise to second this very critical Bill.

We have agreed that the success or failure of devolution in this country will be based on how we manage the health sector. It is an honour that the Majority Leader, the distinguished Senator for Kericho and my neighbour, Sen. Aaron Cheruiyot Kipkirui, also known as Telua in some circles in the village, has moved the Bill. I was in Kiprugut Stadium in Kericho when we launched the CHPs. I felt the pride.

Even today, in Wajir County in Salmalmal Location, Diif Ward, Wajir South Constituency, the elders called me complaining about the lack of drugs despite receiving Kshs12 billion. We have spent many hours here discussing Kshs1 billion worth of expired drugs, including cancer, malaria and HIV/AIDS drugs. These are drugs that should assist Kenyans. For us, village Senators, we attend many funerals over the weekend and most of our people are dying because of cancer.

When you hear that Kshs1 billion worth of drugs, including cancer drugs, have expired, some of us feel like crying. I am disappointed because this is the Office of the Auditor-General's report. For the past 15 years, Kshs4 trillion has gone to our counties, but we are yet to see the value of that money.

I am aware that the budget was read today by the Cabinet Secretary of National Treasury and Economic Planning. We will give counties Kshs428 billion, an additional Kshs13 billion from Kshs415 billion. We want this money to give value. Yesterday, we moved The County Governments Additional Allocation Bill.

The CHPs received Kshs3.2 billion in terms of stipend. I am happy that the Majority Leader, while moving, indicated that this is a stipend, because the minimum wage in this country is Kshs18,000. If the national Government is paying Kshs2,500 and the counties are paying Kshs2,500, which is normally late because of delayed exchequer releases, and Cabinet Secretaries of the National Treasury have since 2013 violated Article 219 by delaying disbursement of cash to our counties, then we must look at the issue of remuneration.

I agree that this could be a stipend. The Kshs5,000 means a lot for somebody who has nothing. However, that should not allow us to violate Article 41 and the Labour Relations Act. I am happy the Majority Leader, who is the Mover of the Motion, has indicated that this is just the framework, the baseline, the foundation from which we will come up with proper remuneration for our CHPs. We do not want them to suffer like Early Childhood Development Education (ECDE) teachers. Even from Nandi, my ECDE teachers are scheduled to go on strike.

We should not subject county employees to the mercy of governors who do not see their value, yet we still find ghost workers in a number of counties. Uasin Gishu County has around 765 ghost workers in Financial Year 2024/2025, which are used for political expediency.

Under this Financial Year 2025/2026, Nandi County will receive Kshs96.60 million towards CHPs under the County Governments Additional Allocation Bill as provided for under Article 202 of the Constitution. Out of Kshs3.2 billion, Kshs96.6 million will go to Nandi to support them. My only request is that we ensure timely disbursement, so that as the national Government gives Kshs2,500, the counties also give Kshs2,500 in good time.

I highly doubt the Kshs5000. I know that the Don, Abdi of Garissa, cannot eat Kshs5,000 for lunch. The Kshs5,000 is what you spend when you go to Serena or Kempinski Villa Rosa. I know my brother, Sen. Ledama, was in France. I do not know whether Kshs5,000 would be enough for the King of Maa to even have salad in a high-end restaurant in France or on the streets of Paris after visiting the Eiffel Tower.

I agree with the Majority Leader. When we pass this, we must ensure they are well remunerated. I know Sen. Chute, who is my very good friend, has similar concerns. I appreciate and I will only make three points.

My second point is that I am happy these CHPs have been provided for under the Second Schedule. Their work is community health, psychology and counseling. I request the Majority Leader, who is the ears and eyes of the President, to also ensure CHPs visit our schools to provide psychology and counseling to children, who continue to burn schools and cause unrest and strikes. It is important, especially for women who have just delivered and sometimes suffer postpartum depression, that CHPs help on psychology, counseling and community health.

Many of our people suffer from preventable diseases. By ensuring water is well treated and cleanliness is maintained, many diseases can be avoided. Did you notice that when we fully implemented cleanliness, wearing masks and sanitization, a number of diseases in Kenya just disappeared? Even cough and sicknesses from poor handling of food came to an end.

The CHPs will also handle social work. I am happy that social work will be ensured. On community HIV counseling and testing, with the United States Agency for International Development (USAID) and the issue of supply of anti-HIV drugs, which has been a problem, will be handled. It is unfortunate that Kshs1 billion worth of drugs expired at KEMSA while we were complaining about inefficient supply of HIV/AIDS drugs in the country.

On immunization for our children, you have to appreciate that some of us were born at home. We thank God we survived because we had midwives in the village who dealt with our matters properly.

Some of us were *kichwa ngumu* even during our birth. So, you can imagine the midwife had a lot of work to do. For us, village Senators, most of our mothers still give birth in the village set up, where there are midwives. I know in Marsabit County, it is similar. Most of our children are not immunised in the village. So, this will assist. You can imagine somewhere in Emurua Dikirr, a mother has to travel to Emurua Dikirr Town or all the way to Narok Town to get immunisation. You can imagine the transport while carrying the young baby. However, if you send the CHPs to do immunisation, that would make it easier.

I do not know whether it is different in Makueni County. Even in Siaya County, the distinguished king of the Orange Democratic Movement (ODM) and ODM Party Leader agrees with me that we must send Community Health Promoters to handle immunisation. They could even weigh and advise our new mothers on nutrition. I know Sen. Mumma will be in a better position to explain such, because having undergone motherhood, she understands better.

Mr. Temporary Speaker, Sir, community development and health education are very critical, as well as any other relevant training as prescribed by the Cabinet Secretary. So, colleagues, this is what the Community Health Promoters will be all about. There is an aspect to establish a council that will assess the qualifications of the Community Health Promoters, maintain improvement, and ensure there is professional code.

We are aware most of these CHPs will work around our houses. We also have a professional code. We must have discipline, because we do not want people who might not have good habits to go to people's homes and maybe steal or misbehave. So, I am happy that this council, through the Mover of the Motion, the Senate Majority Leader has indicated, will ensure that there is a code of profession, because every profession must have a code. There should also be qualifications, disciplinary measures, professional code, registers and kept record of all the CHPs.

I am happy that there is collaboration between the Kenya Medical Practitioners and Dentists Council (KMPDC) and the Central Board of Health in Kenya. The Kenya Union of Clinical Officers (KUCO) will also be part of it, as well as the Nursing Council of Kenya, to ensure standardisation and professionalism. I do not know whether the Senate Majority Leader will allow us in the Third Reading, in Clause 5, to include also the assessment and setting of salaries and remuneration for Community Health Promoters.

Mr. Temporary Speaker, Sir, with regard to the establishment of the council, I know Members know that one must be a person of integrity, among other qualities. So, I do not want to bedevil, because it is *mutatis mutandis* in a number of laws that we have. Even the powers of the council are the same, the tenure of office, the issue of allowances is set by the Salaries and Remuneration Commission (SRC), which is a norm as advised. The issue of registrar will ensure that all records and particulars on the Community Health Promoters are well kept.

With regard to disciplinary and courses that will be prescribed, that will be done as indicated in the second schedule. Allow me to say that, even in this budget, I have seen almost 290 constituencies in our counties, which are going to have Kenya Medical Training College (KMTCs). I am happy that even in Nandi County, I think we have two or three KMTCs. This will ensure that our sons and daughters are trained in the KMTCs for these courses in their villages.

Mr. Temporary Speaker, Sir, I am happy with the budget that was read by Hon. Mbadi because it is a pro-*mwananchi* budget. I know it is the highest; Kshs4.8 trillion. We hope to see KMTCs being constructed, so that courses can be affordable. I appeal to the Higher Education Loans Board (HELB), now that have got Kshs3.7 billion, to ensure our children in KMTCs also get loans, like Maanzo and I. We were able to get higher education loans when we went to the university. Why is it that KMTC students do not get loans? They should get loans.

Mr. Temporary Speaker, Sir, are you aware that our students in the Teachers Training Colleges (TTCs) are not getting loans like their university counterparts? In my opinion, that is violation of Article 27 of the Constitution on discrimination.

With those many remarks---

(Sen. Chute spoke off record)

Yes. Mr. Temporary Speaker, Sir, I do not know whether Sen. Chute is holding brief for the Senate Majority Leader. However, to also ensure that we are protected in terms of those KMTCs, if they read, our girls will also get opportunity to study. There is what we call female power. We want the female power to be felt in the boardroom, in villages, and of course, in the bedrooms, as usual.

Mr. Temporary Speaker, Sir, with those many remarks, let me stop there as I second and say, this is a very important Bill that we must support as a House. In fact, this is the only Bill that has made me proud of the National Assembly. Others, are getting 99.9 per cent, but on this Bill, I agree for the sake of Community Health Promoters, which are over hundred thousand across our country.

I thank the President for that wisdom. Our President is always ensuring that there is development. I think this was his idea, that we have CHPs in our counties. I would also want to listen to my colleagues, including the King of Maa, Sen. Ledama Olekina, spitting some wisdom.

I beg to second and yield the microphone.

I thank you.

(Question proposed)

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, I shall allow Members to debate, and just to get concurrence from the House, we should put a limit to the time. Is it five minutes for each?

Hon. Members: Five minutes!

The Temporary Speaker (Sen. Abdul Haji): Very well. The Senate Majority Leader, Sen. Oburu needs to contribute. He is the first on the list. Sen. Oburu, please proceed.

Hon. Senators: Power! Power!

Sen. (Dr.) Oburu: Thank you. Mr. Temporary Speaker, Sir, thank you for the opportunity to contribute to this important Bill. Some of us who were born and stayed in the rural areas know the importance of these primary healthcare workers. The primary health workers are the workers who take care of the ordinary person when they get any disease, which is inexplicable, which they cannot use traditional medicine to treat. They fall in the hands of these CHPs. The concept of CHPs came from the Bamako Concept, when medics sat and agreed that there needed to be a formalisation of community health workers who take care of primary diseases at the primary or low level.

[The Temporary Speaker (Sen. Abdul Haji) left the Chair]

[The Temporary Speaker (Sen. Veronica Maina) in the Chair]

Madam Temporary Speaker, this concept was meant to recruit and train some villagers within the community on basic healthcare and medicine, which they could use,

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and give them free kits which they would then dispense of in the village, and charge some minimal fee, so that that money becomes a revolving fund and they keep on buying the medicine for their kit and sustain themselves. So, there was no intention of that Bamako Concept to pay anything. However, later, the Government thought of giving some stipend or small supplement to that concept. People were being paid Kshs2,500. Later on, it increased to Kshs5,000 when the national Government came in and supplemented the counties who were paying Kshs2,500.

Mr. Speaker, Sir, this is now an improvement, even a further improvement on that concept.

The Temporary Speaker (Sen. Veronica Maina): Sen. Oburu, there is no 'Speaker, Sir,' on the Chair now. There is 'Madam Speaker.'

Sen. (Dr.) Oburu: Yes, there is a change of Chair.

Madam Temporary Speaker, I am so sorry. I did not notice the change and I am deeply apologetic for that.

The Temporary Speaker (Sen. Veronica Maina): Apology accepted.

Sen. (Dr.) Oburu: Madam Temporary Speaker, this concept has now further been improved and it is now being formalised. These primary health workers, at the community level, are now going to be formally employed and they are going to have some little qualification to take care of our mothers, fathers and children at that primary level. This is a very great feat, great achievement for our country. It is a big step forward. I hope that our people will embrace it and now improve provision of services to our people at that level.

Some of us who grew up in the village, were recognizing even just the traditional birth attendants, who attended to mothers' right in the village, and they knew what to do.

The Temporary Speaker (Sen. Veronica Maina): I can see your time is up. I appreciate that those who were raised in the village tend to have a very deep sense of pride in their way of life, food and culture. I will give you one minute because I also grew up in the village so we can hear that story.

Sen. (Dr.) Oburu: We used to recognise clinical officers or just dressers who are dressing wounds in the village as doctors, as we used to call them. Now, we are having people who have, at least, some primary training in healthcare to care for our mothers and children at that primary level. This is a very good improvement.

With those many or few words, I beg to support.

Sen. Wafula: Asante sana, Bi. Spika wa Muda, kwa nafasi hii. Majira ya asubuhi kiongozi wangu wa chama alikuwa na kikao na madaktari-mashinani katika Wadi ya Tuti Marakaru. Niliwahakikishia kwamba katika Seneti sitasinzia, sitalala na nitazungumza kwa niaba yao, kuwatetea.

Nina furaha ghaya mpwitompwito jioni ya leo kuwaambia Wakenya kwamba Serikali ya Kenya Kwanza ambayo mimi ni Kiranja wa Walio Wengi katika Seneti, katika bajeti imewawekea Shilingi bilioni 3.23 kwa hao madaktari-mashinani na hizi ni fedha ambazo tuna uhakika nazo.

Tutashinikiza magavana wanapopitisha bajeti zao muda mchache kutoka sasa, wahikikishe pia wao wanatangaza wazi fedha za madakatari-mashinani hawa kwa sababu

katika kaunti yangu, miezi mitano sasa hawajalipwa. Mheshimiwa Rais akienda vijijini, wao ndio wa kwanza kunyosha vidole viwili kumtukuza lakini wanaumia.

Kule Bungoma, madaktari-mashinani ni 3,590 na wao wanahudumia boma 100 kila mmoja. Hii inaashiria kwamba wao pia wana uwezo wa kueneza amani na mstakabali mwema katika jamii.

Hapa katika bajeti hii ya Shilingi bilioni 3.23, Bungoma inaenda kupata Shilingi milioni 107.400. Hizi ni fedha ambazo madaktari mashinani wa Bungoma lazima wajivunie kwamba sisi kama Serikali ama Viongozi wa Walio Wengi na viongozi katika Kenya Kwanza, tumeweka kwenye bajeti pesa zenu ambazo zitakuja bila kupitia *ma-broker*, katika lugha asili kule mashinani.

Sasa mimi nakushukuru Serikali na madaktari mashinani katika kazi nzuri ambayo wanafanya kutibu watu, kuwapa mawaidha na kuhakikisha kwamba wanawapa matumaini wagonjwa na vile vile kuhakikisha kwamba mashinani afya inaendelea kudumu.

Changamoto tu ni magavana kuhakikisha kwamba bajeti wanazopitisha zina fedha za madaktari hawa. Isiwe sisi Seneti na Serikali ya Kitaifa tunalipa pesa lakini magavana ni kuwayumbisha tu; kuwachezea karata na kuwatishatisha tu wanapoitisha mishahara yao na kuwaambia watawafunga.

Kwa kuungana na hoja ya Sen. Cheruiyot, tunataka kusonga mbele ili wawe pia na stakabadhi ambazo watakuwa wanajua wameandikwa kazi na mishahara ni pesa fulani na kama kuna shida kati yao na muajiri watatumia mbinu zipi kutatua. Isiwe tu kwamba wanafanya kazi kwa huruma ya mtu fulani kwa sababu yeye ni gavana au waziri. Kuwe na mfumo mahsusi ambao watasajiliwa, watafunzwa na kupata utaalumu wa kutosha, ili waendeleze ajenda hii.

Kwa niaba ya watu wa Bungoma, madaktari-mashinani wa Bungoma hapa nimewasomea shilingi milioni 107.400 takribani ambazo ziko katika bajeti ya Serikali ya Kenya. Nitakapokuja nyumbani, nitapambana na Gavana kuhakikisha kwamba pesa zenu zinaonekana na mnalipwa wakati unaostahili.

Nawatakia kila la heri Wakenya katika wikendi ambayo tunajitoza ndani kutoka leo.

Sen. Olekina: Madam Temporary Speaker, thank you for giving me an opportunity to make some brief, albeit insightful, comments on this Bill.

The Community Health workers have blamed the Senate for delaying this, Bill. I am looking at the committee report and it is quite baffling that the committee, which I sit in, unfortunately, I did not participate on that particular day, recommended that this Bill should not proceed.

There is some controversy, which I hope we can clear, so that we move with this Bill. With that in mind, as a disclaimer for my contribution, I want to be very objective in noting the controversy in this Bill. Sometimes it is important to be bold enough and say there is a controversy, but nothing stops us from working around it.

If you look at what this Bill is meant to provide, those who do not want it to proceed have indicated clearly that other pieces of legislation, such as the Community Health Bill of 2020, provide exactly what we want. There is also the Kenya Community

Health Strategy, which is 2020 to 2025, that already establishes the community health units.

I guess the difference between this Bill, and it is important that we look at it from a community and a humanitarian perspective, is that for once, those people who have been in the frontline of providing health to Kenyans are going to be recognized. To demystify my many words, is that they are now going to be added into the payroll of Kenya.

I know we have about 107,000 community health workers. Many of them have not been paid for 29 months. Each community health worker is owed a minimum of Kshs72,500. In Embu alone, they are owed Kshs7.8 million. In fact, that led to recent street protests, where the community health workers were protesting, wanting to be paid.

In the neighbouring County of Kajiado, there are so many community health workers who have not been paid. So, the biggest question for us to deal with today is, is this Bill necessary? Absolutely. Is it important? Yes, it is because we will now formally recognise these unsung heroes who have been there to protect our health care. It is a way of extending the Universal Health Coverage (UHC) in the country.

How are we going to deal with the issues that have been raised in terms of our recurrent expenditure? This is when all of us have to be alive to the fact that our current budget in county governments, as well as the national Government, is going to be bloated. We will have 107,000 more Kenyans who will now be employed on permanent and pensionable basis. So, those are questions that we must ask ourselves. Are we able to deal with that? I think it will be important for the Majority Leader to sit with the Committee on Health and request that the recommendation given by the Committee that this Bill should not proceed, be removed. I am happy to support that.

So, because of time, I just want to reiterate that the importance of this Bill is nothing but the formal recognition and employment of these very critical health workers. When we now finally pass it, we should be ready for the unintended consequences, where there will be minimum wage requirements. This is because you cannot employ somebody and pay them Kshs2,500, yet here in Nairobi, your domestic workers will have to be paid a minimum of Kshs18,000. So, those are things that we must really deal with but is it important? Yes. It means that all those workers who have been working voluntarily will now be formally employed. That is a step in the right direction and it is going to help this country. However, we also have to think about where to get more taxes.

The Temporary Speaker (Sen. Veronica Maina): Time is up.

Proceed, Sen. Chute.

Sen. Chute: Thank you very much, Madam Temporary Speaker. When I spoke earlier, I talked about Community Health Promoters (CHPs) and the delay of their stipend. Now, looking at the budget that is being read, I want to thank the Kenya Kwanza Government.

Before I talk about the Bill, allow me to talk about the monies in this budget, which is Kshs3.2 billion for CHPs. On top of the Kshs3.2 billion, Kshs396 million extra amount money is medical insurance for the CHPs.

Madam Temporary Speaker, this budget has touched on the issue of Community Health Promoters (CHP). That is what we were discussing this morning when we were talking about delays in payment.

Let me now go to medical training colleges. In the budget, I think almost 296 constituencies are going to get medical training colleges. Why is this very important? I thank our Government, the Kenya Kwanzaa Government and even the President, for allowing to have, at least, one or even two medical training colleges in every constituency.

Why is it very important? We have girls who are locally based in places like Marsabit. They have never gone past Isiolo, they went to the local village primary and secondary schools. Our nearest medical training college is in Isiolo. Thanks to this, we now have one in Marsabit, Saku Constituency. It is something new to them to go to Meru and Isiolo and you know, is not a good practise for a girl to leave their family in our culture. So, let me thank the Government for that.

Coming back to the Bill, this Community Health Promoters Bill 2022, is a Bill that came from the National Assembly. It is Bill No.53 of 2022. The establishment of functions and powers of Community Health Promoters Council as proposed in this Bill is very important for this country. They will be managing issues of community health, which we have been lacking for many years.

With reference to something very important, the Community Health Promoters Council will have a director general for health or its representative and one person from Non-Governmental Organisation (NGO). This is very important because NGOs have a pool of organisations coming together and appointing one person. There will also be one person nominated by the public health officers and technicians' council. These are the people who will be bringing brains and experience to this Board. There will be other two people with knowledge and experience in matters of community health appointed by the Cabinet Secretary; a county chief officer of health with knowledge and experience in matters of community health. This one will be nominated by the governors. Of course, that one is---

The Temporary Speaker (Sen. Veronica Maina): Thank you. I think there are no more Senators willing to contribute to this Motion, so we are done with that part. We will stand down that order pending the Mover to reply to be listed in the next session, which could be next week.

Clerk, you may call the next Order, please.

MOTION

ADOPTION OF REPORTS OF THE COMMITTEE ON DELEGATED LEGISLATION ON TRAFFIC RULES AND NTSA REGULATIONS

The Temporary Speaker (Veronica Maina): Sen. Danson Mungatana, you have the Floor.

Sen. (Dr.) Mungatana, MGH: Madam Temporary Speaker, I want to thank you very much, for giving me the Floor. I wish to move: –

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THAT, the Senate adopts the Reports of the Select Committee on Delegated Legislation on its consideration of the -

i) The Traffic (School Transport) Rules, 2026 (Legal Notice No.11 of 2026);
ii) The Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No.13 of 2026); and

iii) The National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No.14 of 2026); laid on the Table of the Senate on Wednesday, 10th June, 2026; and that pursuant to Section 18 of the Statutory Instruments Act, the Senate resolves to annul the Traffic (School Transport) Rules, 2026 (Legal Notice No.11 of 2026); the Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No.13 of 2026); and the National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No.14 of 2026).

Madam Temporary Speaker, I do not want to take long. I want Kenyans listening to me to know that the National Transport and Safety Authority (NTSA), brought us several regulations. We passed some, but we rejected these three. We are asking the Senate to reject these particular three regulations. My colleagues will have an opportunity to contribute, so I will be brief.

I will give you one reason we must reject or annul The Traffic (School Transport) Rules, 2026 (Legal Notice No.11 of 2026). I will give you only that one reason. We took up issues with Regulation 13 in particular that all school buses must reflectorise all the signals and they must have standard mechanical signal arms. So, all school vehicles or buses. When we asked the NTSA, how they wanted to do this, they said, it was important to have these mechanical signal arms, so that if a bus is going to pass in one way, there has got to be like a hand, a mechanical hand to signal. So, all the school buses must be fitted with that. Then they said, all the school buses must have telematic systems. They must have cameras facing the systems. That is Regulation 14.

All the schools in Kenya, including the ones in Tana River County, the private schools that are carrying children and the high schools must now have telematic systems. We asked them when they wanted us to have the automation done, they said 1st July, 2026. 1st July, 2026! What is the date today? It is 11th June, 2026. So, we have twelve days for all the schools in Kenya to have telematic systems and every county has at least some schools that have buses.

We see this as a rent-seeking opportunity. If we leave these regulations to pass--- I hope my colleagues who are listening to me online, because I know Senators are paying attention to this, know that all of these schools will have to pay bribes.

This is clearly a way of collecting money from schools. Already, we have regulations under the Ministry of Education that are saying school buses may travel from this time to this time, school buses do this. Now, they are putting in these new regulations a requirement for licenses, again, for all school buses. This Senate must disagree. We must not allow this. We must fight for our people. The National Transport and Safety Authority (NTSA) cannot make regulations that are going to make it impossible for buses to take children to school.

Look at the chaos that is going to be in school from 1st January to July 2026. I told these people, and we talked. The Senate Delegated Legislation Committee colleagues,

spoke to these people, withdraw these regulations, give it time, let people understand, let schools understand. Nothing was done. We cannot allow this. That is why we have come today to say, Senate, reject these things.

Madam Temporary Speaker, apart from that, when did they do the public participation? It was a long time ago. In 2024, that is when they did public participation. The public participation did not comply with the standards that we give. They did not give notice the way it is required. The Senate cannot allow this to happen. We cannot allow this.

We had to call the private operators of schools to come; the stakeholders. They said they did not know about this. That is the one reason, and I know my colleagues will talk about the regulations affecting the schools.

What about the regulations affecting motor vehicle inspection? I will also give only one reason we rejected it. Do you know, right now, unfortunately, it is only when you have a traffic accident that your private vehicle is taken for inspection. However, can you imagine, now they are saying, all of us, even if you are not operating a Government vehicle, a commercial vehicle, you are not operating a bus; if you are operating your own little car, you are now required every year to go for inspection.

As a Senate, we asked, *jameni*, how do you want us to do this? We do not have enough inspection centres in this country, and then you want this to be effective 1st July, just a few days from today? It is not right. The Senate must not agree to pass these regulations.

I have so much to say. I am feeling very bad that NTSA has taken the law-making power that we gave them to just create regulations that are going to be so bad to all Kenyans. Can you imagine, even without going outside Nairobi, all of you who have vehicles, are supposed to go and queue at centres which are not sufficient right now, pay some money to NTSA, pay some money to people they will appoint, and you have your vehicle inspected. How long will that take?

If you do not have that sticker from NTSA, they are going to arrest you or your daughter, wife, mother, father, or whoever has a car, when they are coming from work, and demand that they have that sticker. We cannot and must not allow this. The Senate must put down its foot and protect the people of Kenya by annulling these regulations.

The National Transport and Safety Authority (NTSA) must be told that they are not the Senate of this Republic. They have no power to make laws. They are not the National Assembly (NA) nor a county assembly. They cannot make regulations that are oppressive. When we tell them to withdraw and give transition, they refuse. No.

I urge colleagues that we must unite and pass this matter. We must defeat these regulations. They must bring reasonable regulations. I have much more to say, but I stop here because of time.

Madam Temporary Speaker, I beg to move. Thank you.

The Temporary Speaker (Sen. Veronica Maina): Who is seconding?

Sen. Mungatana, MGH: I ask Hon. Maanzo, a member of our committee, to second because he sat in those meetings and knows what we did.

The Temporary Speaker (Sen. Veronica Maina): Sen. Maanzo, please.

Sen. Maanzo: Madam Temporary Speaker, these regulations did not comply with the law. The NTSA, which has delegated power from Parliament, is asking for further delegated power to appoint inspectors who are not government agents.

We asked them to withdraw and republish the regulations to comply and gave them a timeline. They were not willing. Eventually, they said they would withdraw, but we have seen no sign. They are hoping 1st July will come, time will lapse, and these regulations will become law.

They have not followed the law and failed to conduct proper public participation. All they did was hold a meeting with primary school teachers in Mombasa. Most of them do not have school buses or cars and did not understand NTSA's agenda. Therefore, public participation failed. These three regulations before us must, therefore, be annulled.

Madam Temporary Speaker, I second.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator.

(Question proposed)

Honourable Senators, this Motion is now open for contributions. I call upon Sen. Ole Kina.

Sen. Olekina: Madam Temporary Speaker, thank you. I am very proud of this Senate and particularly the Committee on Delegated Legislation because we are dealing with urgent matters.

In this country, we have a business of cut and paste. We copy and paste. We go on benchmarking visits, travel around the world and see what other Departments of Motor Vehicles (DMV) are doing.

In America, where I also lived, there is Department of Motor Vehicles (DMV) and there are licensed inspection centres authorised by DMV to put annual stickers. That is a culture which is entrenched in the society in America. When you buy a car, you will have to take it for inspection on an annual basis. In fact, when a traffic officer in America stops you, they ask you for two items; your driving license and registration documents. You are required to have both in your car at all times.

Madam Temporary Speaker, if we decide that we want to leapfrog but leave the community behind and force them to also leapfrog, whether they understand or not, are we going to say that we are a developed nation? I see these three legal notices as recipe for chaos in our schools.

I listened to my brother, Sen. Mungatana, whom I really appreciate for taking time to explain to Kenyans what the Senate does. Many times, people do not know the work that the Senate does. Let me demystify it further.

Parliament, which is made up of the National Assembly and the Senate, comes up with laws and it has the power of the purse. The Executive has the power of the sword while the Judiciary has the power of mercy. However, Parliament, through its own wisdom, decided to delegate some of its powers to the Executive, so that they come up with regulations on how to implement our legislation or laws that we pass.

When we pass laws, we go through a vigorous process. It begins with a proposal then pre-publication scrutiny to see whether a piece of legislation that we propose is

constitutionally sound. After that, there is publication, then a Bill is read the First Time on the Floor of the House. After First Reading, it is notified to the public that there will be public participation. Some people who do not believe in democracy detest public participation because it slows down everything but it is important.

This Senate and the National Assembly took time to carry out public participation and developed legislation to govern our traffic sector. When they did that, they listened. Even a person who did not understand the importance of that law was educated. A lot of resources were put into use to make sure that people know. School children know they will get to their bus.

Hon. Matiangi came and changed the colours of all school buses to yellow. He copied that from America. Our roads here in Kenya are different. In America, when a school bus stops, there is a piece of metal that comes out with a stop sign and vehicles from both sides have to stop. Kenyans do not know about that. Someone clever, working at the National Transport and Safety Authority (NTSA), decided that they were going to copy and paste that. They take everything that Americans are doing, copy and develop a beautiful legal notice that will do the following. It will create jobs because it will require inspection centres to be put across the country, where everyone, including you, Madam Temporary Speaker, will be required to take their car for inspection in order to get an annual sticker.

Schools will be required to take their buses to garages. Others will go to *jua kali* to get pieces of metal and put them on vehicles, so that they conform to The Traffic (School Transport) Rules, 2026) Legal Notice No.11 of 2026. This is to be done within two weeks. Come on, why are we being utopian? Why do we not take our time like the time we take in Parliament to pass legislation?

Earlier today, we were discussing the Community Health Bill, which was first read in the National Assembly in 2022 and brought here in November, 2024. Now, we are in June, 2026, debating it at the Second Reading. There is a reason time is important. Kenyans are not the same. Those who live in Nairobi are not the same as those who live outside Nairobi.

Madam Temporary Speaker, we only have nine minutes. I really wish we had more time. This is why I was requesting an extension of time. This is very key. Kenyans, let me tell you, the police will be stopping every motor vehicle. They will be carrying this Legal Notice asking where your telematic is. People will ask, "what is telematics?" It is a speed governor that keeps your speed. You are now required to install it in your vehicles.

Then, guess what? Someone will create a business and you will have to pay a certain amount of money for it to be approved, so that you can use the gadget approved by the NTSA. I wish I had more time to demystify the reason Parliament is annulling these regulations to the public. However, I want Kenyans to know that the Senate of Kenya is working for you. We do not want regulations that will make your life a living hell. We want to ensure that the laws we develop here, and when we delegate powers for certain laws to be made by the Executive, they should be in line with reality. Let us stop being utopian and live in Kenya.

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, exercising the powers of the Speaker under Standing Order 34(1)(a), I extend the time of sitting by not more than 15 minutes so that we can conclude this business.

Sen. Munyi Mundigi: Asante, Bi. Spika wa Muda, kwa kunipa nafasi hii ili niweze kuchangia mjadala wa NTSA.

Mambo mengine yanayofanyika katika idara zingine ni chungu kwa sababu yanafanya watu wakasirike. Mambo mengine tumekuwa tunayaona kila wakati. Kuna wakati tulisema mambo ya *gadget*; kuna wakati walisema mambo ya mishipi, lakini hadi leo, hakuna kitu chochote kinachofanya kazi.

Tukianza kuongea mambo ya mabasi ya shule, wakati huu shule zote zinagoma. Walimu na walimu wakuu wanataka watoto wasafiri, na utekelezwaji wa maagizo haya yamepewa muda mfupi. Ni kitu kitakachotia aibu na kutakuwa na mgomo. Barabara zetu ni mbaya. Magari yetu ambayo tumeyanunua yameharibika kwenye barabara hizi. Kwa hivyo, kuna mambo mengi.

Kabla walete mjadala huu, barabara zitengenezwe. Vitu vinavyowekwa kwa gari viwe vizuri. Mambo mengi yanatakiwa yatengenezwe kwa sababu kila mwaka tukifanya kazi kama hiyo, hakuna vituo vya kutosha vya kukagua magari. Tunajua Kenya ina magari mengi sana. Kwa sababu itapitishwa, italeta aibu. Aibu itaingia, utakuta mambo mengine yatafanya watu wakasirike waseme serikali ni mbaya.

Mambo mengine yalifanywa na wale wengine, na NTSA ni mabaya. Saa hii hakuna gari hata moja ambalo lina mishipi. Tunajua wakati mambo ya mishipi na *gadget* yalikuja, yalileta shida na yakawa biashara. Hiyo ndio ilikuwa baadhi ya vitu vilivyosemekana viwekwa kwa magari. Saa hii matapeli wameviweka kwa *store*, ndio sasa ikifunguliwa waanze kuuza kwa bei ya juu.

Economy imezoroteka. Kuna shida. Hakuna biashara wala pesa. Tungetaka hata wafanyikazi waongezewe mishahara. Isitoshe, wanaongea kuhusu NTSA na *gadgets*. Kama Seneta wa Embu County, napinga hiyo mipango. Najua kwamba, mambo mengine hata kama yanapitishwa ni lazima *public participation* ifanywe. Kwa hivyo, hili ni suala ambalo liko na laana na haina *respect* hata kidogo, na itaibisha. Kwa hivyo, naunga mkono huu Mjadala utemwe na usirudishwe hadi *public participation* ifanywe.

Vile vile, barabara zetu zote zinafaa ziwe sawa kama vile ng'ambo. Zingekuwa barabara kama za United Kingdom (UK), United States of America au Korea, tungejua mambo yatakuwa mazuri. Walakini, unanunua gari na *within* miezi mitatu, hilo gari linaharibika. Isitoshe, *tax* na bei ya mafuta imepanda sana. Kwa hivyo, napinga.

Asante, Bi. Spika wa Muda.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Mundigi of Embu County.

Sen. Murango, please, proceed.

Sen. (Dr.) Murango: Asante Mhe. Spika wa Muda. Kwanza, napinga kwa dhati. Jambo la kwanza, wanapotuambia kwamba watatengeneza vituo mbadala vya kukagua magari, tunajua wazi kuwa kuna watu ambao wanataka kujitafutia kazi kibinafsi. Walakini, kwa sababu serikali ina uwezo na hakuna kitu imezuia kuzijenga, hebu ijenge vituo.

Mhe. Spika wa Muda, jana nililipia kufanyiwa gari ukaguzi, na sikupata matatizo yoyote. Walakini, hatuwezi kuanza tena kuleta sheria zingine ambazo zitafanya maisha ya mwananchi iwe ngumu zaidi. Ukiangalia vitu ambavyo wanaleta wakisema ni vya kisasa, ukikumbuka, kuna wakati tuliletewa vidhibiti mwendo. Saa hii, hata magari mengine hayana, na bado yako barabarani. Kwa hivyo, si kusema kwamba, sheria ambayo inaletwa siku ya leo ndiyo imesababisha kuwe na utovu wa usalama barabarani. Wala, ni utekelezaji wa wale ambao wamepewa majukumu watekeleze na kuhakikisha kuwa njia zetu ziko salama.

Niruhusiwe niseme hivi - Ripoti kama hizi zinapokuja mbele yetu ndizo zinafanya nirudi kuchangia. Ningeomba pia kama ni sheria, Kamati inayohusika ilete ripoti zote, hata zile wamekubaliana. Nasema hivyo kwa sababu juzi nilitoka katika eneo linalokuza majani chai. Walakini, nilipata kuna makubaliano katika kanuni ambazo zimepitishwa katika kamati hiyo na sijahusishwa kamwe. Nakuja tu kupigana na madhara ya ada ambayo imeongezwa, ya 0.8.

Juzi, tulikuwa mahakama kwa sababu ya ongezeko la bei ya maji. Kwa hivyo, ningetaka niseme kwamba wanaohusika ndio maana wananchi wanaenda uchaguzi. Sheria zozote na kanuni zikija, tupewe nafasi sisi wote, sana sana wahusika, kwa sababu hakuna wahusika wakuu na wahusika bandia katika kupitisha sheria ambazo zinahusu wananchi tunaowawakilisha.

Asante, Mhe. Spika wa Muda.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Hon. Senators.

There are no more Senators willing to contribute to this Motion. So, I will call the Mover of this Motion, Sen. Danson Mungatana of Tana River County, to reply.

Sen. (Dr.) Mungatana, MGH: Madam Temporary Speaker, I would like to thank the Hon. Maanzo, Hon. Olekina, Hon. Mundigi and Hon. Murango for their great contribution.

Madam Temporary Speaker, the Senate must stand for the people of Kenya. There is no way we are going to allow these regulations to come in effect, 1st July, 2026. It is going to bring chaos to this country, and we must stand very firm. We must vote to annul those three regulations.

Madam Temporary Speaker, I beg to reply, and pursuant to Standing Order No. 66(3), request that the voting on this Motion be deferred to a later date.

Thank you, Madam Speaker.

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, I now direct that the putting of the question will be deferred to the next sitting of Senate, especially with respect to the Motion that was under discussion.

(Putting of the question on the Motion deferred)

Clerk, can you call the next Order? We have a few minutes.

BILL*Second Reading*THE ASSISTED REPRODUCTIVE TECHNOLOGY BILL
(NATIONAL ASSEMBLY BILLS NO.61 OF 2022)

Sen. Mumma: Madam Temporary Speaker, I was waiting for you to call me.

The Temporary Speaker (Sen. Veronica Maina): Proceed, Sen. Kathy.

Sen. Mumma: Madam Temporary Speaker, first, to thank you most sincerely, for indulging me to be able to move this, Bill.

I beg to move that The Assisted Reproductive Technology Bills 2022, (National Assembly Bills No. 61 of 2022) be now read a Second Time.

I commend my co-sponsor for this very important Bill.

Technology has assisted humanity, at large in very profound ways. What is turning out is that parliaments and scientists seem to be working in silos. Whereas technology is advancing and is able to be applied, whether in the field of health, issues such as smoking, you will recall my Bill on tobacco, whether in the communication and AI, parliaments are dragging behind in developing the necessary regulations, to ensure that even as we gain from these technologies, we also protect against any violations that will be there.

The Bill is Kenya's first comprehensive legal framework for assisted reproductive technology. It is a Bill that seeks to balance access to assisted reproductive technology services, but ensuring that we embed ethical safeguards, protect children, protect surrogates, prohibit commercial exploitation and establish a big and strong regulatory oversight to enable these protections to be able to be carried out.

This Bill seeks to align reproductive rights with constitutional guarantees while addressing medical, social, and moral concerns around surrogacy, gamete donation and embryo use.

I am sure you have heard or you know of one, two or three people who have been beneficiaries of surrogacy. Recently, at the prayer breakfast, I think one of the key speakers spoke to her being a beneficiary of these technologies, and these technologies are good.

I believe God gives us the knowledge, wisdom and the science in order for us to benefit from it. That is how cure for malaria and ARVs for HIV management for instance were found. It is God's providence that he brings a solution to a medical problem that will be there.

Infertility is also an important medical issue within our societies, particularly African societies which value having children. It affects men as well as women. It is an issue that has caused a lot of depression among couples that are unable to have a child because of some fertility issues. Whether it is by the male or female partner, they always have some sadness around them.

Just the way we have found a solution to orthopaedic issues and malaria, it is also important for us to find solutions for infertility. We know we have infertility clinics and

our experts on fertility matters have gone ahead. Now, it is possible to harvest eggs and sperms from two partners and find a third party to incubate the embryo and have a child.

This is happening in Kenya and elsewhere in the world, where parliaments in those places have put in place laws and regulations to ensure that those who need this service are assisted. They should operate in an ethical manner that ensures they will not exploit, particularly vulnerable persons who might look at this service and commercialise it. It is put in place to ensure even those who choose to commercialise, do not take advantage of poor vulnerable people who might find this as an easy way to make money to change their lives. It also ensures that even those who risk their lives, sometimes by being surrogate mothers, are protected by adequate health insurance to ensure that they operate well. It is also the space to regulate against the country's own moral standards whatever you choose, to decide which people should seek surrogacy services in order to get a child.

So, I urge colleagues in the Senate to take this Bill seriously. Look at it and together, we understand that, as a country, these services are going on unregulated. We have commercial teams, some of them based out of the country, who know they can walk into a village in Kenya, where they are vulnerable people and pick a girl to carry a baby for them for small money. The brokers get big monies from those who do these jobs. So, this is a Bill, that I urge Members to read.

I have done very good and simple notes that will enable us to understand it. It has preliminary provisions with clarity on the interpretations of the different terms that deal within this industry. It is setting up an assisted reproductive technology committee, which will be established under the Kenya Medical Practitioners and Dentists Council (KMPDC), with clear functions to ensure that we safeguard children's rights. Also, ensure that children born under ART also have equal rights to children not born under ART.

The other day in Istanbul, I was a panelist on statelessness. This is one area where if we are not careful, a child born out of surrogacy may very well legally be denied the status of a state. So, this particular law helps to ensure we will not make children born out of surrogacy stateless. It prohibits certain activities. For instance, it bans the creation or using of embryos outside permitted conditions. Therefore, it sets conditions under which that should happen. It requires informed consent for use of gametes or embryos.

The ART is only allowed for medical reasons, not for experimentation, medication or modification of human race, or commercialisation purposes. We are ensuring that those who might become curious enough with malicious intent do not use this science for evil purposes. It prohibits cloning; for instance, mixing human gametes with animal gametes and use of gametes from children except under strict medical conditions. It limits gamete donation caps at 10 times and surrogacy is capped at three times per woman, with a two-year gap in between the births. It limits cryobanks and restricts the donors age to be 21 to 35 for men and 23 and 35 for women. In terms of disposal of gametes, that is allowed after 10 years for research under strict conditions.

Madam Temporary Speaker, this Bill talks about the rights of parents under surrogacy, the rights of surrogates, the rights of donors and children. It also addresses issues like posthumous reproduction only being valid with written consent and marriage

at the time of death. Every person has the right to access ART services by licensed experts. The informed consent must be mandatory.

This law also focusses on access to information. It establishes ART registers and databases. It restricts disclosure of donor recipient identities. It provides that minors cannot access certain information. It also brings in a regime for licensing of clinics and cryobanks.

We actually have clinics and cryobanks that are running these services in Kenya today. You may have heard of young people, some of them from universities, whom when they get broke, look for a place where they can go to donate sperms or eggs. This law will help bring some ethics in this practise.

ART is expected to protect confidentiality under this law. Children born through ART have equal rights under the Constitution. Surrogacy is fully regulated with surrogate mothers being of a particular age. Surrogacy agreements must be altruistic, where there should be no commercial payment beyond the medical expenses. It prohibits sex selection and sale of gametes and embryos.

Madam Temporary Speaker, you can see that out of the issues that I have raised, we are actually doing what Parliament ought to have anticipated. The day the world first talked about surrogacy, the responsibility of the Parliament of Kenya was to think ahead and find out what it would mean for Kenya.

It is just the same as when I was arguing about the vapes. We have had children having access to vapes in Kenya for eight years unregulated because we did not anticipate---

The Temporary Speaker (Sen. Veronica Maina): Sen. Mumma, you will have 45 minutes when we next commence debate on this Bill.

ADJOURNMENT

Hon. Senators, it is now 6.45 p.m., being the time up to which I extended the sitting of this House pursuant to Standing Order No.34(2)(a). The Senate, therefore, stands adjourned until Tuesday, 16th June, 2026, at 2.30 p.m.

The Senate rose at 6.45 p.m.