



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Thursday, 16th July, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA**THE SENATE****THE HANSARD****Thursday, 16th July, 2026**

*The House met at the Senate Chamber,
Parliament Buildings, at 2.35 p.m.*

[The Speaker (Hon. Kingi) in the Chair]

PRAYER**DETERMINATION OF QUORUM AT
COMMENCEMENT OF SITTING**

The Speaker (Hon. Kingi): Serjeant-at-Arms, kindly ring the quorum bell for 10 minutes.

(The Quorum Bell was rung)

Hon. Senators, we do have quorum. So we will proceed with the afternoon business. Senate Majority Leader, proceed to lay the Paper.

(The Senate Majority Leader (Sen. Cheruiyot) was not in the Chamber)

Senator of Tharaka-Nithi, I thought you would take this opportunity to express your prowess.

PAPERS LAID**THE NATIONAL TREASURY REVISED MTDS
FOR 2025/2026- 2027/2028**

Sen. Gatya Mo Fire: Thank you, Mr. Speaker, Sir. On behalf of the Senate Majority Leader, I beg to lay the following Papers on the Table of the Senate today, Thursday, 16th July, 2026-

The National Treasury revised Medium-Term Rate Management Strategy, (MTDS) for 2025/2026- 2027/2028.

REPORT ON PERFORMANCE AUDIT ON THE PROVISION OF
BURSARIES BY THE COUNTY GOVERNMENT OF KISII

Report of the Auditor-General on the Performance Audit on the Provision of
Bursaries by the County Government of Kisii.

I lay.

(Sen. Gataya Mo Fire laid the documents on the Table)

The Speaker (Hon. Kingi): Next Order.

NOTICES OF MOTIONS

Chairperson, Standing Committee on Devolution and Intergovernmental
Relations.

Proceed, Sen. Mumma. You have two notices to give.

ADOPTION OF REPORT ON CONFERMENT
OF CITY STATUS TO THIKA MUNICIPALITY

Sen. Mumma: Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT, the Senate adopts the Report of the Standing Committee on Devolution
and Intergovernmental Relations on the conferment of City status to Thika Municipality,
laid on the Table of the Senate on Wednesday, 15th July, 2026 and pursuant to Section 8
(6) of the Urban Areas and Cities Act, approves the conferment of City status to Thika
Municipality.

I have a second notice.

ADOPTION OF REPORT ON COOPERATION AGREEMENT BETWEEN THE NATIONAL
GOVERNMENT AND THE NAIROBI CITY COUNTY GOVERNMENT

Mr. Speaker, Sir, I beg to give notice of the following Motion-
THAT, the Senate adopts the Report of the Standing Committee on Devolution
and Intergovernmental Relations on the Cooperation Agreement between the national
Government and the Nairobi City County Government laid on the Table of the Senate on
Wednesday 15th July, 2026.

The Speaker (Hon. Kingi): Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

Statements pursuant to Standing Order No. 52 (1). The hon. Sen. Veronica Maina.

ESTABLISHING OF WOMEN NATIONAL FOOTBALL TEAM

That Statement is dropped.

(Statement dropped)

Proceed, Senator for Taita-Taveta County, Sen. Mwaruma.

INVESTIGATION INTO THE DEATH OF
MR. JOHN KALAGHE JOSHUA

Sen. Mwaruma: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.52 (1) to make a Statement on a matter of national concern, namely the failure by police officers to intervene in a mob justice incident in Mombasa that resulted to the death of Mr. John Kalaghe Joshua.

On 22nd June, 2026, at around 1300 hours, Mr. John Kalaghe Joshua, a 24 year old male from Marungu Ward, Voi Subcounty in Taita-Taveta County, was subjected to mob justice at the Marikiti Area of Mombasa County. He was later taken to the Coast General Hospital where he was pronounced dead by medics. The tragic incident took place in full view of police officers who were present at the scene but failed to intervene. The police officers made no effort to save the life of Mr. Kalaghe. They waited until his lifeless body was left on the road by his assailants and only came in to transport his body to the hospital.

Article 26 of the Constitution guarantees that every person has the right to life. It stipulates that a person shall not be deprived of life intentionally except to the extent authorised by the Constitution or any other written law.

Further, Article 50 assures every person the right to a fair hearing in the event of a dispute, including the right to be heard and be presumed innocent until proven guilty.

It is, therefore, disappointing that police officers who are mandated by the Constitution and statute to uphold these rights and who serve under the clarion call of *utumishi kwa wote*, would stand idly and watch as an innocent life was taken.

Mob justice has taken so many lives in this country, including that of Mr. Kalaghe, who was accused of being Tanzanian and robbing a man of his manhood through witchcraft. Had the police acted promptly, his life would have been saved.

Mr. Speaker, Sir, the negligence exhibited by police officers in this instance is deeply troubling and must be condemned. Mob justice is a disgrace to the society and must be checked, with police officers taking the front line in curbing this inhuman behaviour. The public should be sensitised and advised against taking the law into their own hands.

Finally, I call upon the Inspector-General (IG) of Police to conduct thorough investigation into this matter and ensure that all those found culpable in the death of Mr. John Kalaghe Joshua, including the negligent police officers, are brought to book.

The Speaker (Hon. Kingi): Statements pursuant to Standing Order No. 53 (1). Proceed, Senator for Nandi County, Sen. Cherarkey.

OPERATIONALISATION OF COUNTY REVENUE AUTOMATION
SYSTEMS ON OWN SOURCE REVENUE COLLECTION

That Statement is dropped.

(Statement dropped)

Proceed Sen. Crystal Asige.

ARREST OF MR. JOHN JAMES THUKU IN NAKURU

That Statement is dropped.

(Statement dropped)

Proceed, Sen. Hezena.

ONGOING SECURITY OPERATIONS IN BARINGO COUNTY

Sen. Lemaletian: Thank you, Mr. Speaker, Sir. 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 countywide concern regarding the ongoing security and disarmament operation in Tiati Constituency, Baringo County.

In this statement, the committee should address the following-

(1) The legal basis, objectives, and scope of the ongoing security disarmament operation in Tiati in Baringo County, including details of the specific areas of operation within the constituency as well as the criteria used in identifying those areas;

(2) The measures in place to ensure that the security and disarmament operation is conducted in strict conformity with the constitutional and statutory provisions and in a manner that ensures innocent civilians are shielded from harassment and intimidation by security personnel and actual culprits targeted;

(3) The mechanisms available for members of the public to report misconduct by security personnel along with the attendant procedures for addressing such complaints; and,

(4) The long-term measures being instituted to sustain the gains of the security and disarmament operation, including details of any planned peace building and community engagement programs, socio-economic development initiatives or upward review of the contingent of security personnel required to be deployed to the concerned areas at any given time.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator for Nairobi City County, the hon. Edwin Sifuna.

ELEVATION OF JARAMOGI OGINGA ODINGA TEACHING
AND REFERRAL HOSPITAL (JOOTRH) TO LEVEL SIX

Sen. Sifuna: Mr. Speaker, Sir, I rise pursuant to Standing Orders No.53(1) to seek a statement from the Standing Committee on Health on a matter of county-wide concern regarding the elevation of Jaramogi Oginga Odinga Teaching and Referral Hospital in Kisumu County to a Level 6 National Teaching and Referral Hospital.

The Jaramogi Oginga Odinga Teaching and Referral Hospital (JOOTRH) in Kisumu was officially gazetted as a Level 6 Teaching and Referral Hospital on 18th June, 2025. This transition elevated the facility from county management to a national parastatal under the Ministry of Health, unlocking direct national funding, expanded service delivery and specialized care. However, county and contracted staff who were expected to be absorbed as parastatal employees with proper job group placement have not yet been confirmed, leaving them disadvantaged in comparison to their counterparts in other Level 6 hospitals.

In the statement, the Committee should address the following-

(1) The reasons why the JOOTRH staff have not been confirmed officially as parastatal employees with full rights accruing similar benefits to other Level 6 national hospitals in the country;

(2) Whether upon placement of staff in the proper job groups, their salaries will be backdated to the date JOOTRH was gazetted as a Level 6 National Teaching and Referral Hospital and the timelines for effecting this; and

(3) Whether the facility has a pension scheme for staff, and if not, outline the plans underway to establish one.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator for Kisii County, the hon. Richard Onyonka.

DELAYED PAYMENT OF SALARIES BY
COUNTY GOVERNMENT OF KISII

Sen. Onyonka: Thank you, Mr. Speaker, Sir, for giving me this opportunity.

I rise, pursuant, to Standing Orders No.53(1) to seek a statement from the Standing Committee on Labour and Social Welfare on a matter of county-wide concern regarding persistent delays by the County Government of Kisii to pay salaries and address the employees' concern.

In the statement, the committee should address the following-

(1) Look at the biometric report of the audited registered employees of Kisii County and the designated roles and responsibilities within the county organographic structure and the amount of the wage bill from 2023 to 2026;

(2) Give a breakdown of the salary arrears by the County Government of Kisii to its employees, including details of the months of which the arrears relate to and the reasons for the continued failure by the county government to settle the arrears owed to these workers;

(3) Address whether the county Government has remitted the monthly statutory deductions and other mandatory deductions such as pension contributions, Social Health

Authority (SHA) and any other affected statutory deductions for employees, despite these salary delays;

(4) Interrogate the status of payment of service gratuities for lapsed employment contracts, particularly the employees of the Kisii Teaching and Referral Hospital (KTRH) and the workers under the SHOWMAP programme which is a World Bank project;

(5) Give the steps that have been taken by the county Government to resolve the delays in the payment of salaries, the payment of unsettled and outstanding salary arrears and ensure timely payment of these salaries and these gratuities in the future;

(6) When the county government will issue contract extension letters to the employees of KTRH and workers who are working under the SHOWMAP programme whose contracts lapsed but who continue to be engaged in the county government working without formal notification of the terms of their continued service delivery; and,

(7) Whether the county government could consider transitioning some of the employees from short-term contracts to permanent and pensionable terms, particularly the healthcare workers in order to enhance job security and improve staff morale within the county health facilities of Kisii.

The Speaker (Hon. Kingi): Senator for Kisumu County, the hon. Prof. Tom Ojenda.

NON-FUNCTIONAL STREET LIGHTS IN KISUMU COUNTY

That statement is dropped.

(Statement dropped)

Senator for Mombasa County, the hon. Mohamed Faki.

HATUA ZA KUDHIBITI JANGA LA MOTO KATIKA OFISI ZA MOWASSCO

Sen. Faki: Asante, Bw. Spika. Nasimama kwa mujibu wa Kanuni ya Kudumu ya 53(1) ya Kanuni za Kudumu za Seneti kuomba kauli kutoka kwa Kamati ya Usalama wa Taifa, Ulinzi na Uhusiano wa Kimataifa kuhusu kutokea mara kwa mara kwa janga la moto katika ofisi za Shirika la Usambazaji wa Maji na Usafi wa Mazingira ya Mombasa (MOWASSCO).

Kutoka mwaka jana, kumetokea visa viwili vya moto katika ofisi za MOWASSCO. Mnamo tarehe 10 Mei, 2025, moto mkubwa uliteketeza ofisi za MOWASSCO. Hivi majuzi tena, mnamo tarehe 26 June, 2026, kulitokea kisa kingine katika ofisi hizo hizo.

Katika kauli hiyo, kamati izingatie yafuatayo-

(1) Chanzo cha visa vya mara kwa mara vya moto katika ofisi za Shirika la Usambazaji wa Maji na Usafi wa Mazingira ya Mombasa (MOWASSCO);

(2) Stakabadhi na mali zilizoteketea katika moto iliyotokea tarehe 26 June, 2026, ikiambatanishwa na taarifa kuhusu jinsi ambavyo kuteketea huko kwa stakabadhi na mali hizo zitaathiri utekelezaji kazi katika shirika hilo;

(3) Sababu za kuchelewa kwa huduma za dharura za kudhibiti moto katika kisa cha

hivi karibuni cha tarehe 26 June, 2026, pamoja na maelezo ya hatua ambazo Serikali ya Kaunti ya Mombasa inachukua kusuluhisha changamoto zilizochangia kuchelewa huko ili kuboresha huduma za kudhibiti moto kwa ujumla katika siku zijazo;

(4) Hatua ambazo MOWASSCO inachukua ili kuzuia kujirudia tena kwa mikasa ya moto katika ofisi zao.

Bw. Spika, niko na Taarifa nyingine ya pili.

The Speaker (Hon. Kingi): Has it been approved?

Sen. Faki: It was approved, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Okay, proceed.

UAJIRI WA WANAJAMII KATIKA CHUO CHA KITAIFA
CHA UFUNDI ANUWAI CHA PWANI

Sen. Faki: Nasimama kwa mujibu wa Kanuni ya Kudumu ya 53(1) ya Kanuni za Kudumu za Seneti kuomba kauli kutoka kwa Kamati ya Elimu kuhusu uajiri wa wanajamii wa eneo husika katika Chuo cha Kitaifa cha Ufundi Anuwai cha Pwani kiliyoko Kaunti ya Mombasa.

Katika kauli hiyo, kamati izingatie yafuatayo-

(1) Hatua zilizochukuliwa na Wizara ya Elimu kuhakikisha ya kwamba ajira katika vyuo vya ufundi anuwai vinawajumuisha wanajamii wa jamii husika;

(2) Mikakati iliyowekwa kuwawezesha wanajamii wa maeneo husika kupewa kipaumbele katika ajira, hususan nafasi za uongozi wa vyuo vya anuwai;

(3) Orodha ya wafanyikazi wa chuo cha Kitaifa cha Ufundi Anuwai cha Pwani ikiambatana na kaunti wanazotoka na vyeo wanavyoshikilia.

Asante, Bw. Spika, kwa kunipa fursa hii.

BUSINESS FOR THE WEEK COMMENCING
TUESDAY 21ST JULY, 2026

The Speaker (Hon. Kingi): The statement pursuant to Standing Order No.57(1) is deferred.

(Statement deferred)

Senator for Nandi, you may proceed to read your request for statement.

EFFECTIVE MANAGEMENT OF COUNTY REVENUE
AUTOMATION SYSTEMS

Sen. Cherarkey: Mr. Speaker, Sir, thank you for your indulgence.

I rise pursuant to Standing Orders No.53(1) to seek a statement from the Standing Committee on Finance and Budget on a matter of nation-wide concern regarding the management and effectiveness of county revenue automation systems and their impact on county governments' own-source revenue collection.

County governments have invested substantially public resources in automated revenue collection systems to improve efficiency, accountability, and own-source

revenue. However, reports by the Office of the Auditor General (OAG) and the Commission on Revenue Allocation (CRA) indicate persistent revenue leakages, incomplete implementation of systems automation, limited revenue growth and concerns over value for money in the procurement of goods and services. These findings raise serious concerns about the prudent financial management accountability and effectiveness of county revenue mobilization.

In the Statement, the committee should address the following-

(1) The current status of county revenue automation systems across all counties, including integration of all revenue streams and linkages with the Integrated Financial and Management Information System known as IFMIS;

(2) The total public funds spent on procuring, implementing and maintaining revenue automation systems since devolution, including commissioning payments to private providers or vendors and the impact on own-source revenue, value for money and reduction of revenue collection systems;

(3) The continued concurrent operation of manual and automated revenue collection systems in counties, the effectiveness of measures to curb revenue leakages and the contractual arrangements governing private service providers, including payment of commissions, data ownership and security;

(4) Whether the procurement and management of county revenue automation systems complied with applicable procurement and finance laws, the implementation of recommendation by oversight institutions and any action taken when noncompliance was identified; and,

(5) The policy, legal reforms and administrative measures being undertaken by the National Treasury, CRA, the Council of Governors (CoG) and other relevant agencies to establish minimum standards for county revenue automation systems and strengthen accountability, efficiency and value for money in county-owned source revenue collection.

The Speaker (Hon. Kingi): Senator for Kisumu County.

NON-FUNCTIONAL STREET LIGHTS IN KISUMU COUNTY

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Thank you, Mr. Speaker, Sir.

I rise pursuant to Standing Order No.53(1), to seek a statement from the Standing Committee on National Security, Défense and Foreign Relations on a matter of county-wide concern regarding rising security concerns associated with non-functional public street lighting within Kisumu County. While the national Government is responsible for internal security, county government plays a complementary role by maintaining public infrastructure that supports public safety.

In Kisumu City and in other urban centres, prolonged failure to repair street lights along roads, walkways, markets and bus termini has heightened insecurity, disrupted evening economic activities and hindered effective policing and emergency response. It is, therefore, necessary to establish the measures being undertaken to restore and maintain public street lighting as part of efforts to enhance public safety and protect lives and property.

In the statement, the committee should address the following-

(1) The extent to which non-functional street lighting has contributed to insecurity in Kisumu County, particularly in identified crime-prone areas and whether the county government and relevant security agencies have undertaken any assessment of the link between inadequate public lighting and criminal activity;

(2) The measures being undertaken by the county government to restore and maintain street lighting along county roads, public markets, bus parks, recreational areas and other public spaces affected by insecurity;

(3) Whether the county government maintains an inventory of non-functional street lights; indicating how long they have remained inoperative, reasons for delaying their replacement and timelines for restoring functionality;

(4) The collaborative measures being undertaken by the county government, the National Police Service (NPS) and other relevant agencies to enhance security in areas affected by inadequate street lighting, including increased patrols and other crime prevention initiatives; and,

(5) The long-term measures being implemented to ensure that public lighting infrastructure remains functional, sustainable and responsive to the security needs of residents and businesses across Kisumu County.

The Speaker (Hon. Kingi): Hon. Senators, I will allow comments on the request for statements for a period of not more than 15 minutes. If you have an opportunity to speak, kindly do so for not more than three minutes. However, before I allow comments, I have this communication to make.

COMMUNICATION FROM THE CHAIR

REMOVAL OF SEN. EDWIN SIFUNA FROM LEADERSHIP OF THE MINORITY PARTY

The Speaker (Hon. Kingi): Hon. Senators, I have a communication to make related to changes in the Senate's Minority Leadership.

By the letter dated 16th July, 2026, I received correspondence from the Senate Minority Leader, Sen. Justice (Rtd) Stewart Madzayo, EGH, MP, regarding changes in the Minority Party Leadership affecting the office of the Deputy Senate Minority Whip.

As you are aware, Standing Orders No.23(4) provides as follows:

“A Senator elected under Paragraph (1) may be removed by a majority of the votes of all Senators belonging to the minority party.

Further, Standing Orders No. 23(6) states as follows-

“Upon a decision being made by the minority party under this Standing Order, the decision of the party shall be communicated to the Speaker in writing together with the minutes of the meeting at which the decision was made –

(a) in the case of the removal of the Senate Minority Leader or the Deputy Senate Minority Leader, by the Senate Minority Whip; and

(b) in the case of the removal of the Senate Minority Whip or the Deputy Senate Minority Whip, by the Senate Minority Leader.

Hon. Senators, pursuant to Standing Orders No.23(6), the said letter from the Senate Minority Leader was accompanied by the following documents.

(1) The minutes of the Minority Party meeting dated the 15th July, 2026 which is a record of the proceedings of the meeting together with the resolution.

(2) Duly signed lists of Senators in support of the resolution.

From the correspondence, the minutes indicate that a resolution was passed to remove the Deputy Senate Minority Whip, Sen. Edwin Sifuna, CBS, MP, in accordance with Standing Orders No.23(4). The minutes further indicate the Minority Party elected Sen. Eddy Gicheru Oketch, MP to serve as the Deputy Senate Minority Whip in his place pursuant to Standing Orders No.23(5).

Hon. Senators, Standing Orders No.23(7) provides as follows-

“The Speaker, upon receipt of the decision under Paragraph (6) shall verify the correspondence received and deliver a communication to the Senate within three sitting days.”

In this regard, I have verified the correspondence received and hereby communicate that the Minority Party has effected a change in the office of the Deputy Senate Minority Whip. The new office holder with immediate effect is Sen. Eddy Gicheru Oketch, MP.

I thank you.

(Applause)

The Speaker (Hon. Kingi): We are on the comments on the statements that have been made.

Senator Maanzo?

Sen. Maanzo: Thank you, Mr. Speaker, Sir, for giving me an opportunity to comment on the Statements. I would like to comment on the Statement by Sen. Faki on Mombasa Technical Institute.

I sit in the Committee on National Cohesion, Equal Opportunity and Regional Integration. We have been inspecting government institutions to make sure that there is a balance of the gazetted ethnic communities in the country. We do that to ensure that an institution does not just take the locals. The unfortunate situation with this institution in Mombasa is that the locals have not had an opportunity to serve in their own institution.

What happens is that when someone heads an institution and they are from a different part of the country, they tend to bring their people who then end up occupying positions in that institution. The locals are then left with no chance to make use or enjoy their own institution.

I believe this Statement will go a long way and serve as an example to other institutions. The ethnicity of the country should be reflected in Government institutions in a balanced way. There has been failure to comply with the law. People with disabilities have not had an opportunity to serve equally in the republic as the rest of the people.

We should have five per cent of every Government institution in this republic accommodating people with disabilities. There are always all manner of excuses on why people living with disabilities have not been accommodated. The council dealing with the people with disability is never consulted yet they have a proper database. There are many Kenyans who are abled differently who can serve in different positions in the Republic of Kenya.

I support this and when it will come to the Committee, we will make sure that justice is done.

Sen. Munyi Mundigi: Asante sana, Bw. Spika, kwa kunipa nafasi niweze kuchangia Kauli ya Seneta wa Kaunti ya Kisii, Sen. Onyonka. Kauli hiyo inahusiana na ile ya Seneta wa Kaunti ya Nandi kwa sababu zote zinazungumzia mambo ya kaunti. Zinazungumzia shida ambayo wafanyikazi wa kaunti wanapitia. Wafanyikazi katika kaunti zetu na wanakandarasi huwa hawalipwi. Mali ya wanakandarasi yamechukuliwa ilhali tunapea kaunti pesa.

Ninaomba tutengeneze kamati ambayo itafanya uchunguzi ndiposa tuweze kujua sababu ya watu wengi kutolipwa na kaunti hizo. Tutaweza kujua pia sababu ya hizo kaunti kutokupeleka pesa ya kustaafu pahali inapofaa. Hiyo shida haithiri kaunti ya Kisii na Nandi peke yake. Kaunti ya Embu pia iko na shida kama hizo.

Kaunti ya Embu imekuwa na *pending bills* na *wage bill*. Hizo deni zimesimamisha kazi zote. Sisi kama Seneti tumekuwa tukipea kaunti pesa ilhali kazi haiendelei vile inavyofaa. Naomba tutengeneze kamati ichunguze kile ambacho kinasababisha shida hii. Tunapaswa kujua kama shida iko katika kaunti ama *National Treasury*.

Mimi kama Seneta wa Kaunti ya Embu, ninaunga kauli hii mkono.

Sen. Oketch Gicheru: Thank you, Mr. Speaker, Sir, for the opportunity.

I want to comment on the Statement by Sen. Sifuna on the status of staff in Jaramogi Oginga Odinga Teaching and Referral Hospital (JOOTRH).

This is a serious crisis. When you go to that hospital, you will experience the problem of the staffers. Time without number, we have discussed how the Universal Health Coverage (UHC) staffers suffer serious financial instability. This is also happening at JOOTRH. Without financial stability, we cannot guarantee the services and the stability of the services that the staffers in that hospital give to the people.

The status of the hospital was conferred in June, 2025. I do not know how the audit of JOOTRH will be done because a year has gone. The staffers in this hospital experience stringent rules and audit with the Public Service Commission as well and the Salaries and Remuneration Commission. It will be good for this Committee to look at how the year in question is being audited with regards to the benefits of the staff.

The committee should also help us understand the terms of service. If the terms of service were based on Level V hospital, we need to know how the new terms of service will take care of the staffers having in mind the stalemate with the SRC that---

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. We want to be fair to the communities of Nyanza and western on two accounts. The Moi Teaching and Referral Hospital and the Kenyatta National Hospital are run by sons and daughters from western and Nyanza. That is a fact and I am one such a son.

The communities of those two areas, running into an excess of eight million people, have no access to Level 5 and Level 6 services. I want to remind the decision-makers, especially the Cabinet Secretary, Hon. Duale, to go and ask the Principal Secretary or the Director of Medical Services to define to him the meaning and the difference between a Level 5 hospital and a Level 6 hospital. The services rendered in Kakamega, Nakuru, Embu, Kisumu and Mombasa are not Level 5 services. They are Level 6. The former provincial hospitals ought to automatically transit to Level 6 hospitals and the Government is supposed to give the necessary budgetary back-up.

My last comment is on the Statement by the Senator for Kisii County on the issues of salary arrears. The issue of salary arrears in counties cuts across very many counties. The Committee should now make a list of shame showing governors who are comfortably enjoying super payments from the county governments yet, they do not want nurses, doctors and Early Childhood Development and Education (ECDE) teachers to also enjoy their perks.

Why would a man who dreamt of becoming a governor ever think of running a county using the so-called contract staff? Employment of contract staff cannot apply in professional cases such education and medicine. Contractual staff are usually casual laborers.

This Senate must---

(Senators held loud consultations)

The Speaker (Hon. Kingi): Just one minute---

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, this Senate must compel these lazy governors to transit all doctors, nurses, paramedical staff and ECDE teachers in all counties to Permanent and Pensionable (PnP) employment terms.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Osotsi, proceed.

Sen. Osotsi: Thank you, Mr. Speaker, Sir. I wish to make a comment on the Statement by Sen. Sifuna on elevation of Jaramogi Oginga Odinga Teaching and Referral Hospital (JOOTRH) to Level 6. When this announcement was made, there was a huge celebration in the region. I remember some people saying that this is the first benefit of being in the Broad-Based Government. However, you can see that nothing much has changed apart from just the level, which is not clear.

Most referral hospitals are not compliant to the Ministry of Health's quality model that looks at issues of Human Resource (HR) and equipment. Most of the hospitals are non-compliant, including this particular hospital. According to the last audit report by the office of the Auditor General, this hospital had not complied with the level 5 requirements but still, it was elevated to level 6. I think there is need for the Committee to analyse and see exactly what prompted the Government to promote this hospital to a level 6 yet, they have not done what is supposed to be done to make it a proper level 6 hospital.

Mr. Speaker, Sir, these are things that we keep on pointing out that some things are done for political reasons without looking at the deeper issues. As I conclude, since this Statement was made by Sen. Sifuna, I ask him to remain firm. It is unfortunate for whatever changes that have been made; we will soldier on. Sen. (Dr.) Khalwale was removed, now, it is Sen. Sifuna's turn. Most of us are going to be removed; it is fine. We will move on because we have a bright future coming very soon.

The Speaker (Hon. Kingi): Sen. Kisang---

Now, Sen. Osotsi, if you look at the Standing Orders, there is a Standing Order on relevance.

(Sen. Sifuna spoke off record)

Who has died? I do not remember losing a Senator. I could have made the announcement. My Senators are intact. I still have them, so nobody is allowed to mourn. We are all healthy.

Sen. Kisang, proceed.

Sen. Kisang: Thank you, Mr. Speaker, Sir. My comment is on the Statement raised by Senior Counsel, Professor Tom Ojienda, on street lighting.

This was a very noble idea of ensuring that we have street lights in our estates and streets to enhance security. However, it looks like when the idea was mooted initially, the national Government and county governments did not agree on who was going to pay the bills. That is why after a while, if a bulb breaks or bills are not paid, they get disconnected by the Kenya Power and Lighting Company (KPLC). That is why you saw the mess between the Nairobi City County Government and KPLC last year. They did not know who was supposed to pay the bills.

The Council of Governors (CoG) and the national Government, through the Ministry of Interior and National Administration need to sit down and have a Memorandum of Understanding on who is supposed to pay what bill. Everywhere the President goes, the governors ask for street lighting yet, they are not budgeting for payment of bills. This was a good thing; it enhances security in our cities, towns and estates across the country but most of them are no longer working.

I also want to comment on salary arrears. In the County Public Investments and Special Funds Committee (CPISFC) where I sit with Sen. Osotsi - I do not know if he is scared that he might be removed soon.

The Speaker (Hon. Kingi): Sen. Kisang, stick to the statements you are commenting on.

Sen. Kisang: Thank you, Mr. Speaker, Sir. Governments are not remitting deductions such as Pay As You Earn (PAYE), pension funds and even loans. An employee's deductions such as Savings and Credit Cooperative Organization (SACCO) savings and loans are not remitted. After a while, if an employee seeks for an additional loan, they are told that they are listed with Credit Revenue Bureau (CRB). This is something that we need to relook at.

If an employer has not remitted a deduction such as a bank loan, who is supposed to be listed? Is it this particular employee who has already been deducted or do we need to find a way of punishing the employer? It is unfair for the employees because they have worked and earned it. It is employers who are messing them up.

Thank you.

The Speaker (Hon. Kingi): Sen. Sifuna, proceed.

Sen. Sifuna: Mr. Speaker, Sir, it is a Statement such as the one requested by Sen. Hezema that puts me in problems. You can imagine, ever since I was born, I have been hearing about disarmament in Baringo specifically, Tiaty Constituency. I remember when the current Deputy President was the Cabinet Secretary for Interior and National Administration, he told us that this menace of bandits in Baringo was over. You can see that up to today, the people of Baringo still have to suffer under this scourge.

Listen to the concerns that the Senator is raising; that there is harassment, intimidation, misconduct of the police officers and the Army personnel involved in this particular disarmament. Why is this happening? When we speak about it, they come for the things that my late father left for me. This is the reason Sifuna is in trouble in case

anybody is wondering. The country has a software problem and we will continue pointing it out.

The beauty with life is that for as long as you are alive, whatever it is that is taken, you can get it back. We will continue to speak truth to power. The misconduct in the police forces is not just limited to these disarmament processes.

You saw us in Keumbu; the police were so shameless. I would rather you even send police in plainclothes to throw stones but these days, they come in uniform, there is no shame at all. They ride along with the goons and throw stones. Thereafter, they claim they have a country because they have built a stadium and named it after Raila. We will say no, *bana*, this is not the country we want to live in. We have to rescue our country; we have a software problem in this country. We cannot continue to live like this.

Mr. Speaker, Sir, when will those children in Tiaty ever see a bright future? If I have grown up all these years hearing about disarmament in the Tiaty Constituency and it continues to happen to this day, I do not know what else these people can take. I think there is a Bible verse. It is Jesus who said, when somebody takes your coat, give them even the shirt. I want them to come for my shirt. I am prepared.

I take this opportunity to very humbly thank the leadership and the Members of the Minority Side and the Majority Side for the cooperation that they have shown me in the time that I have been Deputy Minority Whip. I congratulate my young brother, the Senator from Migori, on his new role.

You remember, Sen. Eddy, how many times I have called you as a Whip so that you can give us quorum. I am happy that that is now going to be your job to look for quorum in this House so that we can transact business.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Cherarkey, you have the Floor.

Sen. Cherarkey: Mr. Speaker, Sir, let me make a comment on the statement by the former Secretary General (SG) of the Orange Democratic Movement (ODM) and immediate former Deputy Minority Whip of the House. I am happy disloyalty has been punished shrewdly and heavily.

Let me make the following comments---

The Speaker (Hon. Kingi): Senator for Nandi! Senator for Nandi,

Sen. Cherarkey: Yes, please.

The Speaker (Hon. Kingi): You are out of order, and I am giving you the first caution. If you proceed with that line, I will throw you out.

(Several Senators consulted loudly)

Sen. Cherarkey: Mr. Speaker, Sir, you know, we are used to such noise.

Mr. Speaker, Sir, we must congratulate the government for elevating Jaramogi Oginga Odinga Hospital. The Senator of Kisumu expressed happiness. I also congratulate Sen. Eddy. This is the first fruit of Broad-Based government.

The Moi Teaching and Referral Hospital (MTRH) was overwhelmed. The Kenyatta National Hospital (KNH) was overwhelmed. I am happy that in the Financial Year 2026/2027, Kshs3.93 billion has been allocated to the elevation of the Jaramogi Oginga Odinga Hospital, which was formerly known as Russia Hospital.

It is not rocket science that President William Ruto is the one elevating the hospital. We have had four Presidents. Where were they? Since these gentlemen want to play politics, we will play when the time comes. I am happy the maker of the statement is now a proper backbencher. These are the questions that you should ask the government, and it is welcome.

So, I agree there could be challenges in the health sector. Even here in Nairobi, most of the facilities run by the county government are doing badly, but the Nairobi Senator oversees the national Government in his primary role of oversighting county government.

If you go to Mbagathi, it is not a going concern. Go to City Mortuary; the bodies are stinking. We must tell the truth not only to power, but to people who should do oversight. Therefore, regarding the matter of Jaramogi Oginga Odinga Hospital, I want to ask my law lecturer, Sen. (Prof) Tom Ojienda, through you, that they have the opportunity to continue lobbying and ensure this hospital is properly elevated because, from Nandi County, the border of Nandi County to Kisumu is less than 30 to 40 minutes. So, it is also in our interest as Nandi County to ensure that we have access to and limited access to the Jaramogi Oginga Odinga Hospital.

I am embarrassed today that one of us is suggesting that since the Jaramogi Oginga Odinga Hospital is in Luo Nyanza, somebody from that region should run it. That is a shame. These are the same people who are calling out tribalism, yet they come to the Floor of the House and tell us that since MTRH, JOOTRH or KNH, they should run from those regions. They should be embarrassed.

(Several Senators held loud consultations)

The Speaker (Hon. Kingi): Order! Order! Sen. Onyonka. Sen. Onyonka. Very well, Senator. Proceed, Sen. Korir.

(Sen. Korir was not in the Chamber)

Sen. Ali Roba, you may proceed.

Sen. Ali Roba: Thank you, Mr. Speaker. Sir, since the time is limited, I will take the opportunity to comment on the Mombasa Water and Sewerage Company. These service providers, as you are aware, because you have been there, were formed under devolution to enhance service provision and protection of the public and public interest and the safety of the public, both in terms of provision of clean water as well as protecting the resources allocated to them by way of putting the right measures in place.

The viability of these water companies needs to be tested, both in terms of their entire existence, which is to provide clean water for use by households.

Hon. Speaker, their own viability need to be tested, need to be evaluated from the perspective of the fact that if a water company exists in Mombasa or Mandera, we need to look at how many households every quarter are getting connected to reliable, safe water so that we can really determine that they exist just because it is an exercise, an entity that needs to be there into making sure that they can provide the services for which they exist to give clean drinking water.

As I conclude, I would also like to congratulate our brother, Sen. Eddy, for this new appointment as Minority Whip. His predecessor has done a fantastic job in the House. As a member of this House, he contributed immensely to the debates in this House as well as the coordination of issues that affect the Senate of the Republic of Kenya, impartially, not as minority or majority, but objectively, wherever it was so required.

We all hold positions that are transient and it is just nothing but a process. He has earned our respect and my brother, Sen. Eddy, you have a big shoe to fill and hopefully, the role of Minority Whip or Majority Whip is a role that is extremely demanding for the functioning of the Senate.

I hope and pray that you understand what it calls for, and you will do the best that is required for the House to function.

Mr. Speaker, Sir, I thank you.

The Speaker (Hon. Kingi): Sen. Mwinyihaji Faki, you have the Floor.

Sen. Faki: Asante, Bw. Spika kwa kunipa fursa hii kuchangia maombi ya Taarifa iliyoletwa Bungeni na Mheshimiwa Seneta wa Taita Taveta, Sen. Mwaruma.

Ni masikitiko kwamba Mwenda zake Bw. John Kilakhe Joshua mwenye umri wa miaka 24 alipoteza maisha yake kupitia kwa mob justice baada ya kutuhumiwa kuwa amepoteza sehemu nyeti za mtu mwingine.

Mambo haya ya kupoteza sehemu nyeti ni mambo ambayo yalikuwa yamekithiri katika Kaunti ya Mombasa, Kwale na Kilifi. Mambo hayo yote ni kwa sababu ya ushirikina na ni mambo ambayo hayawezi kuelezwa kihalisia.

Polisi walisimama mtu akishambuliwa na mpaka akafa. Ni jambo la kisikitisha. Ijapokuwa watu kadhaa waliokolewa katika hali kama hizo, ipo haja kubwa ya hawa polisi ambao walihusika katika kisa hicho kushitakiwa kwa makosa ya kutozuia uhalifu.

Mtu kupigwa mpaka kufa ni makosa makubwa katika sheria. Wale waliompiga na wakamuua wanapaswa kushtakiwa na mashtaka ya mauaji na wale polisi ambao walikuwa wanaangalia kisa hiki wanafaa kushtakiwa kwa makosa ili iwe funzo kwa polisi wengine.

Bw. Spika, kupitia kwa elimu na baraza zilizofanywa na machifu pamoja na serikali za mitaa masuala haya yameweza kupungua. Wengi walikuwa wakiamini kuwa ni kweli visa vya ushirikina kama hivi vipo, wameona kwamba hivyo sio visa nya ukweli. Watu sasa wameelimika kwamba hauwezi kupoteza sehemu nyeti kwa sababu mtu amekushika bega.

Bw, Spika, ninaunga mkono kauli hii ya Sen. Mwaruma.

Asante.

The Speaker (Hon. Kingi): Hon. Senators, before I give the Floor to Sen. Wambua, allow me to make this communication because this school is just about to leave the Senate.

(Sen. Gataya Mo Fire stood at the door)

Senator for Tharaka-Nithi, please, take your seat.

(Sen. Gataya Mo Fire entered the Chamber without bowing)

The Speaker (Hon. Kingi): Senator for Tharaka Nithi, kindly take your seat. You are out of order. Go back to the bar, bow and take your seat.

(Interruption of Statements)

COMMUNICATIONS FROM THE CHAIR

VISITING DELEGATION FROM ISLAMIA COMPREHENSIVE SCHOOL IN NAIROBI CITY COUNTY

The Speaker (Hon. Kingi): Honourable Senators, I would like to acknowledge the presence of a visiting delegation of six teachers and 51 students from Islamia Comprehensive School in Nairobi County, who are seated in the public gallery. 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.

VISITING DELEGATION OF MEMBERS OF THE NATIONAL PRAYER BREAKFAST COMMITTEE FROM PARLIAMENT OF UGANDA

Also, I wish to acknowledge the presence in the Speaker's Gallery this afternoon, a visiting delegation of members of the National Prayer Breakfast Committee from the Parliament of Uganda. The delegation is in the Senate to gain insights into the functioning of the parliamentary prayer breakfast movement in Kenya, while also strengthening fellowship and continued engagement through sharing of experiences and lessons learned over the years.

Honourable Senators, these are the Members of Parliament from Uganda, comprising of this delegation are-

The Honourable Tom Bright Amoti, MP

The Honourable Algon Silas, MP.

On behalf of the Senate and on my own behalf, I extend a warm welcome to them and wish them a fruitful and enriching visit. I ask the Senator for Makueni to welcome both delegations.

Sen. Maanzo: Thank you, Mr. Speaker, Sir, for giving me this opportunity to welcome the school and welcome the two Members of Parliament. Honourable Silas is now serving his 20th year in the Parliament of Uganda and his colleague, her 15th year. There are two other members who are not with them. They came four of them, yesterday. There is the Honourable Endakasi, who is the current chair of the National Prayer Breakfast in Uganda.

Mr. Speaker, Sir, you may remember, during the last prayer breakfast in Kenya, a huge delegation came and fellowshiped with us. Similarly, Uganda invites us every 8th of October to attend their National Prayer Breakfast.

I also welcome the students and hope that they will learn and also get encouraged and inspired so that one day they could also be representatives of the people and can be in the Senate or National Assembly.

Mr. Speaker, Sir, I thank you.

(Resumption of Statements)

Sen. Wambua: Thank you, Mr. Speaker, Sir. I want to make my comments on two statements. One is the statement by Sen. Sifuna on the upgrading of the Jaramogi Oginga Odinga Teaching and Referral Hospital in Kisumu to Level 6. As Sen. Khalwale has suggested, first things first, let the staff of the facility enjoy the full benefits of the new status of that facility. That way, then, we will be talking about accruing benefits to the people.

Secondly, a consideration should be made that all former provincial hospitals then be elevated to Level 6 facilities so that they serve people from the regions that they established. That would be a policy decision that will help this country now and into the future.

On the statement by Sen. Hezena Lemaletian on insecurity in Tiaty. As a country and as representatives of the people in this country, we must call ourselves to order and begin to speak truth to power irrespective. I say this because we are playing with fire as a country. I see outlaws walking around with police officers. For as long as that is happening for the convenience of a political side, it is okay.

Mr. Speaker, Sir, I want to bring to the attention of this House and I wish the Senator for Tana River was here; a few weeks ago, bandits in Tana River killed an Officer Commanding a Police Station (OCS). If OCSs are not safe in the hands of bandits, who will be safe in this country? That issue of bandits in Tiaty and other regions in this country, should prick our conscience and make us act shifty.

On the matter of my friend, my colleague, my brother, Sen. Sifuna, allow me to say this, the Senate is producing a star in the name and character of Senator Sifuna. I ask my brother not to look back and soldier on. The future ---

Sen. Kavindu Muthama: Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute to the statements.

One, the statement from Sen. Onyonka about delayed salaries for county workers. This is a big problem in almost all the counties, because like in the County Assembly of Machakos staff has not been paid for months now. There are employees of Machakos. They have appointment letters. I have sought for a statement in this Senate about them. It has delayed to be discussed. They were employed in 2023, and to date, they have not received any salary yet they go to work every day. I do not know what is really happening with the counties because they receive money.

We fight for the monies for the counties in this Senate so much and they receive this money. They do other things with them. The staff who are serving in the counties, who are enabling the governors to deliver, are never paid their salaries. These people are living in rented houses, they have children to take to school, they have children to take to hospital and buy food. I do not know what the governors are thinking about this staff. This should stop. As a Senate and a House which defends the counties, we should do something about the staff of the counties.

Two, on the statement from Sen. Hezena about security, I do not know why we should not have security in this country. Some people are living like they are not living in Kenya and as if there is no government in Kenya, and yet they should be protected. The

law is very clear and the Constitution is very clear that every citizen of this country has a right to be protected by the government. So, when we are hearing of these killings and insecurity, we wonder where is the government, what is the government of Kenya doing about its citizens. We need security. Every Kenyan's life counts and we should not hear of Kenyans being killed.

Thank you, Mr. Speaker, Sir.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Thank you, Mr. Speaker, Sir. I wish to comment on the statement by the Senator for Kisii, Sen. Onyonka, on delayed salaries. As has been stated, it is common ground that counties are struggling with two things. Most counties with the ability to raise own-source revenue are not able to live up to the standards expected of them. Number two, as a consequence, we have delayed salaries out of delays of remittances from the Exchequer, but also out of certain frameworks that are not clear to understand.

I relate to the statement raised by the Senator. In Kisumu County, workers have not been paid for two months. It was only after the county workers' union negotiated that one month's salary was released. This exposes workers to suffering and embarrassment because they cannot meet basic needs.

Many counties are also unable to pay crucial staff. In my county, village administrators have not been paid for over two years. They now have a pending court case against the county. Counties must hire only the labour they can afford. That is part of oversight.

Another category of workers who have suffered are Community Health Promoters (CHPs). They earn only an allowance of Kshs2,500. We need to legislate to create an obligation on counties to provide proper remuneration to CHPs. They play a big role in helping communities and upholding primary and preventive health care in our counties.

I thank you.

The Speaker (Hon. Kingi): Sen. Mutinda:

Sen. Tabitha Mutinda: Thank you, Mr. Speaker, Sir. I wish to comment on the statement by the Senator for Nairobi City County regarding the elevation of Jaramogi Oginga Odinga Teaching and Referral Hospital. What catches my attention is that staff have not been confirmed officially as employees. For a hospital to be upgraded to Level 6, it must meet the requirements. The aim is to ensure that people from Kisumu and neighbouring regions can access referral services.

Last month, before recess, through the Committee on Finance and Budget, we allocated Kshs8.9 billion through Semi-Autonomous Government Agencies (SAGAs) for Universal Health Care (UHC) workers. This issue of arrears had also been raised in the Committee on Health. UHC workers have not been absorbed at the county level on permanent and pensionable terms.

These issues keep repeating. I urge all 47 governors to act. The Senate has ensured funds are available through SAGAs. The UHC workers deserve permanent and pensionable employment. They served diligently during the COVID-19 Pandemic. It is time governors addressed this issue quickly.

The staff at the Jaramogi Oginga Odinga Teaching and Referral Hospital should be confirmed immediately. Gazette Notices should be issued so that workers are motivated to continue delivering services.

Thank you.

The Speaker (Hon. Kingi): Sen. Kajwang’.

Sen. M. Kajwang’: Mr. Speaker, Sir, allow me to also comment on the statement by Sen. Sifuna regarding the elevation of Jaramogi Oginga Odinga Teaching and Referral Hospital to a Level 6 National Referral Hospital. I thank Senator Sifuna for raising this matter. This is what a national leader does. You do not only raise issues from your backyard.

We, the leaders from Nyanza region, received the news of the upgrade with pride. This request for a statement should add value, fast-track the transition process and not be used to criticise that historical move.

Since Independence, marginalisation has been most evident in the medical space. Most Level 6 hospitals in Kenya are concentrated within 50 miles of Nairobi. Before Jaramogi Oginga Odinga Teaching and Referral Hospital was elevated, the Level 6 hospitals were the Kenyatta National Hospital in Nairobi, Mathari National Teaching and Referral Hospital in Nairobi, the National Spinal Injury Referral Hospital in Nairobi, Nakuru Level 6 Hospital not too far from Nairobi and Kenyatta University Teaching and Referral Hospital in Kiambu.

The elevation of Jaramogi Oginga Odinga Teaching and Referral Hospital should not be the end. We must also see a Level 6 hospital at the Coast, Western and all regions of Kenya. We welcome this move because it will enhance financing for health care.

For a long time, people from Homa Bay, Kisumu, Siaya and neighbouring areas have been going to Eldoret. When a sick parent requires cancer treatment, dialysis or advanced care, the cost of travel and upkeep in a foreign town equals or exceeds hospital fees.

We celebrate this move. It should not be politicised. When Jaramogi Oginga Odinga Teaching and Referral Hospital becomes a parastatal, it will receive focused attention, unlike when run as a department under the Health Ministry.

I hope the Committee will unlock and fast-track the transition as they prosecute this matter. It should recommend appropriate budgetary allocation for staff and facilities. Whereas Kenyatta National Hospital receives Kshs8 billion, we must also scale up allocations. Ultimately, all the nine traditional regions of Kenya should have a Level 6 hospital, not just concentrated around the mountain.

Thank you.

The Speaker (Hon. Kingi): Sen. Richard Onyonka.

Sen. Onyonka: Mr. Speaker, Sir, I wish to add to what colleagues have said about medical facilities in our regions. As Sen. Kajwang’ has mentioned, it is embarrassing to see hospitals in such poor condition. In reality, most health facilities in our regions face the same challenges. There are no medicines, technical personnel are victimized, some are on strike and CBAs signed are not honoured. Governors collect revenue from hospitals and claim it is their own, yet that money should improve facilities.

As the Senator for Kisii County, I ask colleagues to reflect. I am fortunate to serve in the Committee on Health with members like Hon. Tabitha. We must agree on what to do with the health sector. Some facilities are handed over to the national Government, which provides grants, yet others remain neglected. Kisii Level 6 Hospital has nothing. It is partially closed. There are no medicines. There is no running water. Everything seems to be going wrong.

The Committee on Health must interrogate this. Should we make a deliberate decision to ask the national Government to take over all Level 6 hospitals? Piecemeal action is not working.

Kakamega County Teaching and Referral Hospital, a beautiful facility built by former Governor Hon. Oparanya, was also upgraded. It is amazing. The National Government has provided about Kshs3 billion. Once completed, it will treat 3 million people a year. We are now upgrading at Jaramogi Oginga Odinga Teaching and Referral Hospital. We face the same challenge in Trans Nzoia County.

Why do we not call governors and ask them if they are willing to relinquish management of Level 6 hospitals to the national Government and see how best that can be done? If not, because that is a devolved function, then can we sit with our governors---

(Sen. Onyonka's microphone was switched off)

The Speaker (Hon. Kingi): If you are not done, you have one minute to conclude.

Sen. Onyonka: Mr. Speaker, Sir, I was saying that if we find that that is an option they cannot accept, then why do we not sit and ask our governors how they want us to solve the problems because they are too many and all the facilities are becoming dysfunctional?

I thank you.

The Speaker (Hon. Kingi): Next is Sen. Madzayo.

The Senate Minority Leader (Sen. Madzayo): Asante, Mstahiki Spika, kwa kunipa nafasi hii kuchangia Taarifa iliyoletwa na Seneta wa Taita Taveta ndugu yangu, Sen. Mwaruma.

Ni jambo la kusikitisha kwamba leo hii Mkenya anaweza kupoteza maisha yake kwa sababu ya vitu visivyojulikana kama kusalimiana halafu anagundua kuwa amepoteza sehemu zake za siri. Hilo ni jambo la ajabu. Ikiwa kuna mazingaombwe kama hayo, ambapo mimi naamini kwamba hakuna---

Kule kwetu, Kilifi, wazee wakianza kuwa na nywele nyeupe, wakati mwingine utapata kitendo kama kile kilichotendeka kule Mwembe Tayari karibu na soko la zamani kinatendeka kwao. Mzee akionekana kuwa na mvi, wanajiuliza kwa nini hajafa ama kwa nini anaendelea kuishi ilhali watoto wadogo pengine kwa sababu ya ugonjwa ama mambo mengine yaliyowakumba wanapoteza maisha yao. Wanaamini kuwa ni kwa sababu mzee huyo bado yuko hai. Wakati mwingine, mzee kama huyo hupigwa hadi akapoteza maisha yake.

Ni jambo la kusikitisha kwamba Kenya yetu ina askari. Vilevile ni jambo la kusikitisha kuona kwamba askari wanaweza kusimama kando na kuangalia Mkenya akipigwa na mwishowe kutolewa uhai. Kazi yao ni kuchukua mwili na kuweka kwenya gari na kuupeleka katika chumba cha kuhifadhi maiti.

Nina swali moja ambalo ningependa kuuliza. Wewe ulipewa bunduki na una uwezo wa kuchukua hatua ili kuokoa maisha ya mtu. Kwa nini unasimama kando na kuacha uhai wa mtu kutolewa?

[The Speaker (Hon. Kingi) left the Chair]

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

Bw. Naibu Spika, polisi wawili ambao walionyeshwa katika video iliyochukuliwa wanaonekana vizuri. Kuna ushahidi wa kutosha na kuna mashahidi ambao wamejitolea.

Kuna Inspekta Jenerali wa Polisi. Lazima Independent Policing Oversight Authority (IPOA) ichunguze na kukamata watu waliofanya kitendo cha kinyama kama hicho ili liwe funzo kwa wengine wanatoa uhai wa watu bila sababu yoyote na kwenda zao nyumbani kujumuika na familia zao ilhali wengine wanalia kwa sababu mtu ametolewa uhai kwa njia isiyo ya kisheria.

Jambo la pili ni kuhusu askari wetu ambao mafunzo yao hugharimu pesa nyingi sana. Wanafaa kujua kwamba wao ndio watetezi---

(Sen. Madzayo's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): Una dakika moja na nusu.

The Senate Minority Leader (Sen. Madzayo): Asante, shemeji yangu. Ni kweli kwamba tunawapeleka vijana wetu kule Kiganjo ili kupata mafunzo. Baada ya kupata mafunzo, wanafaa kujua kwamba wanapaswa kutetea uhai wa kila Mkenya bila upendeleo wa aina yoyote.

Asante, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): That brings us to the end of comments on Statements.

Clerk, please call the next Order.

MOTION

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

THAT, the Senate adopts the 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 a Governor through a citizen initiative, laid on the table of the Senate on Thursday, 11th June, 2026.

(Sen. Maanzo on 14.07.2026)

(Resumption of debate interrupted on 15.07.2026)

The Deputy Speaker (Sen. Kathuri): Debate on this Motion was concluded. Now we need to put the question but first confirm whether we have quorum.

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

Hon. Senators, putting of the question is deferred.

(Putting of the question on the Motion deferred)

Let us go to the next Order.

BILL

Second Reading

THE KENYA ROADS (AMENDMENT) (NO.3) BILL
(NATIONAL ASSEMBLY BILLS NO.34 OF 2025)

(Sen. Oketch Gicheru on 18.06.2026)

(Resumption of debate interrupted on 15.07.2026)

The Deputy Speaker (Sen. Kathuri): Any Member can make a contribution on this Bill. We will start with Sen. Wambua.

(Sen. Wakili Sigei spoke off record)

Sen. Wambua: Mr. Deputy Speaker, Sir, I can see the Senator for Bomet saying something but I do not know what the issue is. Perhaps, he needs to approach the Chair.

(Sen. Wakili Sigei spoke off record)

The Deputy Speaker (Sen. Kathuri): I am wondering whether the Senator for Kitui is the one in the Chair because he has given you an opportunity to raise an issue.

Sen. Wambua: I did not give him an opportunity. I just said I can see---

The Deputy Speaker (Sen. Kathuri): You stood to raise a matter that you have. Proceed, Sen. Wambua. Kindly take note that you are not the Chair.

Sen. Wambua: I do recognise that I am not the Chair.

Mr. Deputy Speaker, Sir, I want to raise what I would consider important comments on the Kenya Roads (Amendment) Bill from the National Assembly. I sit on the Committee on Roads, Transportation and Housing. Therefore, I have had an opportunity to interact with the Bill as brought to us by the National Assembly.

When the matter came up yesterday for Second Reading, I listened and followed comments by Members. I got the impression that perhaps we have not had sufficient time to look at the report of the committee and that Members who contributed, because they have a right to, were a bit unhappy with the provisions of the Amendment Bill.

I said I wanted to start this conversation today so that I also put a few issues straight because I have participated in the discussion at the committee level. First of all, what we must all appreciate is that the report was tabled on 18th June, which was the day we were going on recess. Therefore, perhaps, Members did not have an opportunity to follow that report.

Most importantly is the fact that the mother Act, which is the Kenya Roads Act, predates the Constitution of Kenya 2010. This Act was enacted before promulgation of

the new constitutional dispensation. For that reason, both classification of roads and allocation of funds for maintenance of roads do not reflect the reality of the new devolved systems of government.

Let us start from there. We are operating under an Act that does not recognise or is blind to devolution. With the new constitutional order, the Fourth Schedule of the Constitution of Kenya 2010 on distribution of functions between national and county governments provides for only two classifications of roads.

This is where it becomes interesting. The Constitution of Kenya, 2010, recognizes only two classifications of roads; national trunk roads, which are assigned to the national Government under Part 1 of the Fourth Schedule and county roads, which are captured under Part 2 of the Fourth Schedule. Naturally, national trunk roads are assigned to the national Government, and all other roads are assigned to county governments.

Mr. Deputy Speaker, Sir, I am not a lawyer, but I am a lawmaker. The Constitution is very clear that any legislation that does not accord with the Constitution or that runs contrary to any provision of the Constitution, is null and void to the extent of that inconsistency. Therefore, any classification of roads under the Kenya Roads Act or any other Act, that does not recognize that there are only two levels of roads; the national trunk roads and county roads, is null and void to the extent of that inconsistency.

The Kenya Roads Board allocates funds for the maintenance, development and rehabilitation of roads through national road agencies. There are three of them; the Kenya Urban Roads Authority (KURA), the Kenya Rural Roads Authority (KeRRA) and the Kenya National Highways Authority (KENHA). Those are the only agencies recognized by the parent Act and registered to receive direct funding from the Kenya Roads Board. For that reason, counties are not recognized as road agencies and do not receive any direct funding from the Kenya Roads Board.

Since there is no mechanism for the direct allocation of the Roads Maintenance Levy Fund to county governments, our committee has found a way forward. I will not go into the details, as they are contained in the report and the Mover moved. However, there is no consideration by the Committee that counties be recognized as agencies that can directly receive funding from the Road Maintenance Levy Fund (RMLF) and from the Kenya Roads Board for the maintenance, rehabilitation and development of county roads.

Mr. Deputy Speaker, Sir, roads classified under county governments constitute more than 70 per cent of our country's road network, yet the drafters of this Bill in the National Assembly are proposing that only 5 per cent of the funds go to counties, while 95 per cent goes to the national Government.

The Committee has had robust engagements on this matter. During deliberations, Members proposed 15 per cent, 20 per cent and even 25 per cent. Having applied a scientific approach, the committee recommends that 49 per cent of the monies for rehabilitation, development and maintenance of roads be allocated to county governments, and 51 per cent to the national Government.

I note an attempt in this Bill to bring another alien classification of roads referred to as "constituency roads." There is no provision in the Constitution or in law that recognizes any road called a constituency road. We have scrutinized this Bill that came from the National Assembly and I wish to place it on record that the committee proposes serious amendments to it. What we now seek is an assurance from the Senate Majority

Leader in the House, that if this Bill passes Second Reading, it will be available for Members to move the proposed amendments at the Committee of the Whole.

I have also noted an attempt by Members of the National Assembly to increase allocation to the national Government Constituencies Fund (NG-CDF) through this roads Bill. They seek to channel more money for roads to the national Government because they are responsible for national Government functions and would, therefore, control the rehabilitation and development of national roads that will have the larger share of allocations.

Mr. Deputy Speaker, Sir, I wanted to make it clear that the Committee is seized of this matter. No one should be under any illusion that because the Chairman of the Committee moved the Motion and tabled the report, there is agreement between the Committee and the provisions of the Bill as it arrived from the National Assembly.

In conclusion, I urge my colleagues to appreciate that there is a grave danger to devolution if we allow a claw-back on the matter of roads. There is now evidence that when this Administration is given an inch, it seeks to take a mile. We must not allow the introduction of alien classifications of roads, especially given that the Senate, under Article 96 of the Constitution, is mandated to defend and protect the interests of counties and county governments.

Mr. Deputy Speaker, Sir, if it is true, and it is true, that 71 per cent of Kenya's road network is within counties, then it follows that a commensurate allocation for the maintenance, construction, rehabilitation and development of roads should go to county governments.

With those remarks, I will await the direction on how to proceed with this debate, and whether there will be an opportunity at the Committee of the Whole to introduce the amendments proposed by the Committee.

Thank you.

The Deputy Speaker (Sen. Kathuri): Thank you, Sen. Wambua.

From my dashboard, there is no other Senator interested in contributing to this Motion. Therefore, the Mover will reply.

The opportunity for the Mover to reply is deferred

(Reply to the Bill deferred)

We will proceed to the next Order.

Hon. Senators, I want to reorganise the Order Paper this afternoon. Therefore, Order Nos.11 to 21 are divisions, so they stand deferred. We then go to Order No.22.

BILL

Second Reading

THE COUNTY GOVERNMENTS LAWS (AMENDMENT) BILL (SENATE BILLS NO. 14 OF 2025)

(Bill deferred)

BILL*Second Reading*

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

(Bill deferred)

MOTION

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

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).

(Motion 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 WHOLE

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL
(SENATE BILLS NO.3 OF 2024)

(Committee of the Whole deferred)

The debate on Order No.22 is ongoing, but I do not see any interest.

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

Proceed.

MOTION

PROVISION OF COUNTY GOVERNMENTS' IFMIS REPORTS TO THE SENATE

THAT, AWARE that, Article 96 of the Constitution provides that the Senate represents the counties, and serves to protect their interests, determines the allocation of national revenue among counties, as provided in Article 217, and exercises oversight over national revenue allocated to the County Governments;

FURTHER AWARE THAT, in the case of *Senate v Council of Governors and 6 others* (Petition 24 and 27 of 2019 (consolidated) 2022) KESC 57(KLR), the Supreme Court affirmed that the Senate's oversight authority extends to both nationally allocated and locally generated revenue;

CONCERNED THAT, that Senators are constrained by lack of access to real time to data from the IFMIS system for the respective counties they represent, thus affecting effective oversight of County Governments;

FURTHER CONCERNED THAT, in some instances data and information presented to the Senate by the Auditor-General and the Controller of Budget are received and considered late as a result of the backlog resulting into too much information not getting properly reviewed by Senators;

NOTING THAT, as a result of unchecked financial information and systems, County Governments have continued to accumulate pending bills resulting from unplanned expenditures, unaccounted for and inflated cost of projects;

NOW THEREFORE, the Senate resolves, that the Cabinet Secretary in charge of the National Treasury shall on a monthly basis forward to the Clerk of the Senate all IFMIS transactions and reports for each County Government for onward transmission to the respective Senator for information on accountability and transparency, in order to strengthen their constitutional oversight and promote good governance in the management of public finances.

(Sen. Okiya Omtatah on 15.07.2026)

(Resumption of debate interrupted on 15.07. 2026 – Morning Sitting)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, again, there is no interest on this business, therefore, reply by the Mover is deferred.

(Reply to the Motion deferred)

Next Order.

MOTION

ADOPTION OF REPORT ON PETITION ON PROPAGATION AND COMMERCIALISATION OF NEW GENERATION MUTHEA ANTIVENOM IN KENYA

THAT, the Senate adopts the Report of the Standing Committee on Health on a Petition to the Senate by Mr. Patrick Musilu and others concerning the protection and propagation of the commercialization of the New Generation (*Muthea*) Anti-venom in Kenya, laid on the Table of the Senate on Wednesday, 17th June, 2026.

The Deputy Speaker (Sen. Kathuri): The Vice-Chairperson of the Senate Committee on Health, are you ready?

Sen. Mariam Omar: I beg to move the Motion on the Report of the Standing Committee on Health on the Petition concerning protection and propagation of the commercialisation of the New Generation (*Muthea*) Antivenom in Kenya.

Mr. Deputy Speaker, Sir, the Standing Committee on Health considered a petition concerning the protection and propagation of the commercialization of the New Generation (*Muthea*) Antivenom in Kenya. The petition was presented by Mr. Patrick Musilu and others, residents of Wamunyu in Machakos County, and was reported in the Senate on Thursday, 29th May, 2025, whereupon it was referred to the Standing Committee on Health for consideration.

Snakebite envenoming remains a serious and often neglected public health burden in Kenya, falling hardest on poor, rural communities in our arid and semi-arid counties. Any genuine effort to deliver safe, affordable and accessible interventions, therefore, merits the careful attention of this House, and it is in that spirit that the Committee considered this Petition.

Mr. Deputy Speaker, Sir, in discharging its mandate, the Committee met with the lead petitioner, Mr. Patrick Musilu, and received his written submissions. The Committee further sought and received written submissions from the Ministry of Health, the Ministry of Tourism and Wildlife, the Kenya Institute of Primate Research (KIPRE), the Kenya Industrial Property Institute (KIPI), the Ethics and Anti-Corruption Commission (EACC), the Commission on Administrative Justice (CAJ), and the Wildlife Research and Training Institute (WRTI).

The petitioners, Mr. Patrick Musilu, Mr. Tom Babu and Mr. Alfred Dosso, described themselves as citizen innovators who have spent five years working to commercialize a New Generation Antivenom derived from the chemically synthesised traditional "*Muthea*" remedy, also 1 branded "SBE Elixia."

They assert that the product is super valent, affordable, easy to administer and is backed by over 100 years of community use, with no recorded deaths in Wamunyu, Machakos County, and Kinango, Kwale County. The petitioners traced their grievances to a dispute with a Kenya Medical Research Institute (KEMRI) official who, in late 2021, allegedly demanded Kshs100,000 for sample analysis while declining to sign a Non-Disclosure or Material Transfer Agreement.

They further alleged unlawful denial of service, sabotage of their industrial property, and an opaque collaboration between KEMRI and a Watamu-based snake farmer linked to the African Snakebite Alliance. The petitioners sought the Senate's

intervention to protect their right to research, innovate and commercialise the antivenom, and to investigate alleged criminal conduct by officials of KEMRI, KIPRE and NACOSTI.

Mr. Deputy Speaker, Sir, having considered the petition and the responses and submissions received thereon, the Committee makes the following observations—

(1) That the petitioner's right to research, innovate and pursue commercialisation is protected under Articles 11, 40 and 43 of the Constitution, and that the Ministry of Health expressly welcomes local innovation in snakebite envenoming and had invited the petitioner to re-engage KEMRI and KIPRE.

(2) That the Petitioner had filed for patent protection but application No.KE/P/2022/4326 lapsed upon expiry of the statutory twelve month period, while application No.KE/P/2024/4942 was abandoned for non-compliance with formality requirements.

(3) That the Cabinet Secretary, Ministry of Health confirmed that the Kshs100,000 demanded from the Petitioner was a lawful, standard cost-recovery charge applicable to all clients and not evidence of denial of service, and that there is no credible or sufficient evidence of unlawful denial of service through impunity or complicity of the government agencies as alleged, and therefore no basis for recommending a separate criminal inquiry.

(4) That the pattern across different agencies indicates the absence of a unified framework or guiding document setting out the complete validation process, applicable fees, responsible institutions and timelines for completion. The absence of a single, time-bound and costed pathway points to weak inter-institutional collaboration, but does not amount to unlawful denial of service, though it substantially explains the petitioner's frustration and perception of obstruction.

(5) That several of the petitioner's submissions directed at officers of different agencies contained abusive, derogatory and demeaning language, including ethnically charged and racially inflammatory content directed at identifiable individuals discharging their official functions in KEMRI, KIPRE and other government agencies.

(6) That while the petitioner's frustration at the slow progress of his initiative is understandable, his conduct fell below the standard of civility and good faith expected of any person engaging public institutions and may in itself have been a material obstacle to the constructive engagement he sought.

(7) That the petitioner's allegation that KEMRI colluded with a Watamu-based snake farmer and the African Snakebite Alliance to infringe his formulation is unsupported, with KIPRE describing the Alliance as a multi-country research consortium and the Ministry of Health finding no evidence of any donor-funded project involving his product. KIPRE further confirmed that no registered patents of any similar product exist.

With the foregoing observations, the Committee makes the following recommendations—

(i) That the Ministry of Health should, within sixty (60) days of the adoption of this Report, convene a structured facilitation meeting bringing together the petitioner, KEMRI, KIPRE, PPB, NACOSTI and KIPRE to agree and issue a single written, costed validation road-map with defined milestones and named contact officers, with the aim of eliminating bureaucracies and ensuring the petitioner's product is objectively analysed and protected; and

(ii) That, once the petitioner completes the agreed prerequisites and settles the applicable cost-recovery fees, KEMRI and KIPRE should commence laboratory analysis and issue written results within ninety (90) days, so that the scientific merit of the product can be objectively established as the necessary foundation for any commercialisation or export ambition.

Mr. Deputy Speaker Sir, on behalf of the Standing Committee on Health, I wish to extend my gratitude to the Committee members for their diligence, commitment and insightful contributions throughout this inquiry. I also thank the petitioner and all stakeholders who provided valuable input during our investigations.

Further appreciation goes to the Office of the Speaker of the Senate and the Office of the Clerk of the Senate for their continuous support to the Committee in execution of its mandate.

It is now my pleasant duty, pursuant to Standing Order 238(2) of the Senate Standing Orders, to present the Report of the Standing Committee on Health on the Petition concerning the protection and propagation of the commercialization of the New Generation (*Muthea*) Antivenom in Kenya, for consideration and approval by the House.

I move and request Sen. Wakili Sigei to second.

Sen. Wakili Sigei: Thank you very much, Mr. Deputy Speaker, Sir. As I second this Motion, I would like to highlight the provisions of Article 119.1 of the Constitution that provides, and I read-

“every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend, or repeal any legislation.”

Sub-article 2 provides-

“that Parliament shall make provisions for the procedure for the exercise of this right.”

Mr. Deputy Speaker, Sir, I read that constitutional provision to affirm the constitutional right of the petitioners and that right which is protected by the Constitution for them to come before this House whenever they have an issue that they feel can seek and obtain redress from this House.

It is on that basis that these three gentlemen; Patrick Musilu, Tom Babu and Alfred Doso, approached this House in form of a petition which, of course, has been moved by the Vice Chair of the Committee on Health of this House that was committed to deal with the petition as was presented by these three gentlemen. All have described themselves as citizens and residents of Wamunyu in Machakos County.

They described themselves as innovators of a non-animal plasma antivenom; who have spent five years working to commercialise a new generation antivenom derived from the chemically synthesised traditional *Muthea*, also branded ‘SBE Elixir’ Antivenom.

When these three gentlemen filed the petition before the Senate, their case is clear. They are saying that they are Kenyans with a right to petition the House. The basis of their petition is that they have over time attempted to commercialise, register, trademark and protect their right in this antivenom which they have named *Muthea*. Their issue arose from what they described as a non-unified procedure for recognition of their inventions and innovations.

The Committee indeed confirmed that Kshs100,000 is provided for as a lawful charge to have KEMRI and other relevant Government chemical agencies give them their innovation rights as well as the entitlement to commercialise this innovation.

Maybe for purposes of the general public and appreciation of this Petition, Ukambani, which is actually the region they say they come from, is a semi-arid area, and there are quite a number of dry areas infested with snakes. They said that the kind of antivenom that they had discovered would be commercialised if they were allowed to trademark, to brand, and to be given a unified recognition for that purpose.

In terms of the need for this antivenom, it is already known and it is in the public domain that the severe bites or stings by snakes can cause tissue damage, even sometimes death, and especially where persons are unable to access immediate medication or even antivenom treatment within a certain timeline.

Patrick and his team, therefore, had the right to seek to commercialise, register and trademark this innovation according to them. Their problem arose when they got challenges with regards to the amount that was required for purposes of registration, as well as the process that this kind of innovation was required to be subjected either in form of testing, confirmation of viability, as well as trademarking. This is because before it goes to the market, it must be registered, protected and recognized, but within the relevant provisions of the law.

So, they claimed that they had not been supported and that they needed the intervention of this House. I am happy because I have gone through this Report. The Committee attempted to make sure that it invited several other Government agencies relevant to this particular issue, so that they receive submissions on the subject matter. Those which were invited include submissions of reports by the Ministry of Health, Ministry of Tourism and Wildlife, the Kenya Wildlife Services (KWS), and also by the Kenya Institute of Primate Research (KIPRE).

The kind of submissions these institutions provided gave the Committee the comfort on what it deemed its finding to have been appropriate for this kind of a petition. The Committee acknowledged that the rights of these three petitioners are protected under Articles 11, 40 and 43 of the Constitution.

It found out that, that particular constitutional protection was not in any way infringed by the process, directives and modules that the petitioners were required to be subjected to, including the payment of Kshs100,000 for purposes of processing their request. So, the Committee, in its recommendation, went through all those submissions by all these institutions, including Kenya Medical Research Institute (KEMRI) as well as the Pharmacy and Poisons Board (PPB) and the National Commission for Science, Technology and Innovations (NACOTSI) and other very relevant institutions. The Committee still went ahead to consider the constitutional provisions, as well as the statutory provisions, including the provisions by the Health Act, 2017, the Science and Technology and Innovation Act No.28 of 201, the Industrial Property Act, 2001 and the Industrial Property Regulations of 2002.

This was to inform the Committee on the findings that they were to make as to whether or not the rights of the petitioners have been infringed by the relevant Government agencies and what remedy was available.

The findings and the recommendation of the Committee involved these relevant institutions as well as their submissions. The Committee found that the petitioners were still required or supposed to complete certain agreed prerequisites that are provided for in the statute, as well as payment of the applicable cost recovery fees. Also, commencing the laboratory processes within certain timelines in order for them to claim an entitlement and a right to have their innovation protected in law.

Therefore, they sought to explain and justify that for them to obtain what they termed as scientific merit, that process and prerequisite procedure must be followed by the petitioners. They gave the Cabinet Secretary for Health a period of 60 days within which to adopt these recommendations from the report, so that the petitioners are protected and given their right in law.

So, I appreciate the work of the Committee and the recommendation they have made, including to accommodate the petitioners' requests to make sure that their innovation is protected in law.

I hope that the relevant Ministry and agencies who will receive this particular recommendation from the report will act within the timeline of 60 days, in order to make sure that Patrick and two of his colleagues are also given the window within which to continue with their innovation. Also, to make sure that they are facilitated to have this particular anti-venom protected if it qualifies and meets the threshold that is provided for in law.

I want to laud the Chairperson of the Committee as well as the vice-chair who has moved this particular Motion and appreciate the work that has gone into this Report as I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): The Floor is opened for any Senator interested to contribute. We start with Sen. Mumma.

Sen. Mumma: Thank you, Mr. Deputy Speaker, Sir, for the opportunity to speak to this Report. Allow me to begin by commending the Committee on Health led by Sen. Mandago, the Vice-Chair and Members. This is a very good report on an issue that is very important.

Before colonialization, we had our own science around how to treat the various diseases and deal with certain issues, including snake bites. When I was a commissioner at the Commission on Implementation of the Constitution (CIC), I had an opportunity to work with three counties, that is, Kitui, Bungoma and Nyeri, to try and guide them on the human rights approaches to health service delivery.

One of the things that I picked that was unique to Kitui was the rampant snake bites. Knowing that Kitui is a vast territory, it is one of the places where there are a lot of disabilities on account of snake bites. People of Kitui have then tended, I guess out of years of learning, to know which herbal interventions are able to help with snake bites.

This Report, in my view, is a positive issue. It calls on some controversy between the petitioner, our research institutions and the Ministry. I find that the Committee has competently and objectively looked at this issue and made good recommendations that call on the Ministry and the institutions concerned, to seriously consider and look at the

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‘*Muthea*’ innovation that the petitioners have, and to see how this could be developed into an anti-venom.

I like the recommendations that they have given, which are reconciliatory. First, they have clearly found out that no rights of the petitioner have been breached in terms of patent rights. However, they are also making a recommendation that recognises that there is opportunity for the country to invest in this finding in order for them to develop an anti-venom.

This country has invested very little in research. Medical research is one of the areas where we need to invest in. This particular issue is important for counties that are arid and semi-arid, where there are many snakes. However, it is not just the counties that are arid and semi-arid.

Honourable Deputy Speaker, Sir, our worker, in Nyakach, was recently bitten by a snake during the drought. He went to a *kisima* and while he was trying to get the water out, the snake that was in that well bit him.

We panicked but when we consulted, we were happy to learn of Prof. Anyang’-Nyong’o’s innovation of using drones to deliver medicines for emergencies. There was no antivenom in Nyabondo, which was the nearest hospital, but antivenom was dropped from Muhoroni using a drone, and that person was able to get treatment in a timely manner. That meant that his hand or fingers were not going to be cut off in case the intervention was not done in good time.

Snake bites are a common phenomenon and it is an issue that the national Government needs to invest on its the research. In a short while, we should be able to come up with solutions from our own local and traditional knowledge and science that are cheaper solutions and known. That will help our people.

After the incident I have talked about, I thought that we should have an intergovernmental conversation around the issue of antivenoms and snake bites. One cannot have antivenoms in every area or in every clinic, but the snakes are in every village. So, we need to find a way of intervening when people are bitten by snakes in a timely manner without the exercise being extremely expensive.

Antivenoms have to be stored under particular temperatures, but you cannot have the necessary tools in every village. We need to have a national Government and county government conversation around the issue of developing effective antivenoms. As we do that, we should also have a few key points within the regions with adequate storage facilities that are able to keep the antivenom in a potent manner, so that whenever there is need to intervene, they can be delivered to the places where they are needed to be delivered.

Governor Malombe of Kitui County can borrow from Governor (Prof.) Anyang’-Nyong’o of Kisumu County by adopting the drone mechanism knowing very well that Kitui County is number one when it comes to problems with snake bites. It will be good for them to then have a centre that will have potent antivenoms. They should then work on how they can deliver that antivenom in good time to the vast areas within Kitui for the people of Kitui to get treatment in good time and to avoid disabilities that come across because of delays in moving somebody who has been bitten to a facility that has the necessary equipment to treat the snake bites.

(The Deputy Speaker (Sen. Kathuri) left the Chair)

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

Mr. Temporary Speaker, Sir, I want to congratulate the Committee once more and thank them. This issue is not trivial but serious. It is of benefit to every county in this country and they need to follow up to see if they can have a conversation with the Cabinet Secretary in charge of Health and relevant research institutions. As they do that, they should acknowledge the role played by the petitioners, thus they should work with them to enable this country come up with some of our own local solutions around the snake bites.

I support, Mr. Temporary Speaker, Sir.
Sen. Mutinda.

Sen. Tabitha Mutinda: Thank you, Mr. Temporary Speaker, Sir. I rise to support this petition. This petition has been through our Committee, the Committee on Health.

I want to first appreciate the Petitioner, one Mr. Patrick Musilu, who comes from the Great Eastern Region. As Sen. Mumma has put it, my other motherland, Kitui, has a lot of snake bite issues. The petitioner, before petitioning this House, through Sen. Okiya Omtatah, had come across snake bites and they had tried to mitigate and treat people locally. In his wisdom, he felt that he needs to take this to the next level.

As the petition indicated, he tried to seek different stakeholders' attention to be allowed to produce this particular antivenom medicine in this country. However, he did not succeed. As a committee, we found it fair and wise that Mr. Musili be given an opportunity.

We felt that a committee should be formed by the Ministry of Health, which will bring different stakeholders such as the Kenya Medical Research Institute (KEMRI), the Pharmacy and Poisons Board and other organisations in relation to the research and the medicine production. Those bodies would then guide Mr. Patrick Musilu, because they are the experts and the ones who have the tools and know the standards that are needed. They can then guide him on the production of the antivenom.

When that is done, the cost of that drug will be much cheaper. At the moment, the drug is being imported, hence its cost is extremely high. The local production of that drug will first create job opportunities for our people and the drug will be much cheaper. The bigger goal is that it will be available to our people cheaply.

The only issue, which was quite absurd, for lack of a better word, is the processing of the venom. It was a bit uncomfortable to hear that someone has to rear snakes, so as to extract the venom from those snakes. That was not an easy discussion because I am one person who is very scared of snakes. However, Mr. Musilu communicated to the Committee that it was the procedure that he is supposed to use. He said that he has to rear the snakes for him to directly extract the anti-venom medicine from the snakes.

The best we could do was to advise and recommend that, through the Ministry of Health and the other stakeholders, Mr. Musilu be given audience. From there, he will be guided further on the policies and framework that he should be put in place, so that the

process of the production of this particular drug is done in the correct way. That will also ensure that the production adheres to the framework and different policies.

With those many remarks, I really appreciate my colleagues in the Committee. I support.

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

There seems to be no other Senator desiring to contribute to the Petition. I, therefore, call upon Sen. Mariam to reply.

Sen. Mariam Omar: Thank you, Mr. Temporary Speaker, Sir. I appreciate the Members who have contributed on this petition. We have to give an opportunity to our traditional medicines, and this is one of them. We are importing Anti-venom from South Africa and it is expensive. If we get it locally, it will reduce the issue of pricing. We might even end up exporting to other countries. These snakes are mostly in arid and semi-arid counties.

I am a Member of the Standing Committee on Lands, Environment and Natural Resources. We have a booklet showing the statistics of victims of human wild life conflicts with animals such as snakes and crocodiles. To reduce this issue, let us give our local inventors access to research facilities.

The submission from the Ministry of Health shows that they are accommodative. However, there is lack of communication between the petitioner and the Kenya Medial Research Institute (KEMRI). When they request for the hundreds of thousands of shillings, the petitioners think that it is corruption. Later on, we found out that this is the standard figure that is supposed to be used for the laboratory analysis. That means that communication in most of the government institutions is not done well. We now urge these government offices to communicate to the citizens properly.

All government offices welcomed us properly; we will give our recommendations within the stipulated 60 days, so that we can give opportunities to our citizens.

With all those remarks, pursuant to Standing Order No. 66(3), I request that you defer the putting of the question.

Thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Mariam. Putting of the question is hereby deferred to the next sitting of the House.

(Putting of the Question on the Motion deferred)

Now, hon. Senators, that was Order No.23. I will defer Orders No.24, 25 and 26, notwithstanding the presence of Sen. Karen Nyamu, the Mover. She is still undertaking additional consultation.

Orders No.27, 28, 29 and 30, as well, are deferred for absence of the Movers.

BILL

Second Reading

THE REFERENDUM BILL (SENATE BILLS NO.3 OF 2026)

(Bill deferred)

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BILL*Second Reading*

THE PUBLIC SERVICE INTERNSHIP BILL
(NATIONAL ASSEMBLY BILLS No. 63 OF 2022)

(Bill deferred)

BILL*Second Reading*

THE ARTIFICIAL INTELLIGENCE BILL
(SENATE BILLS No. 4 OF 2026)

(Bill deferred)

MOTION

ADOPTION OF REPORT ON ALLEGED IRREGULARITIES
IN PETROLEUM PRODUCTS SUPPLY CHAIN

THAT, the Senate adopts the Report of the Standing Committee on Energy regarding alleged irregularities in the petroleum products supply chain, laid on the Table of the Senate on Tuesday, 14th July, 2026.

(Motion deferred)

MOTION

ADOPTION OF REPORT ON INQUIRY OF THE HANDING OVER OF
A COOKING GAS HANDLING FACILITY TO A PRIVATE FIRM

THAT, the Senate adopts the Report of the Standing Committee on Energy on its inquiry regarding the handing over of a cooking gas handling facility, in Mombasa County, to a private firm, laid on the Table of the Senate on Tuesday, 14th July, 2026.

(Motion deferred)

MOTION

DELINKING JUNIOR SECONDARY SCHOOLS FROM PRIMARY SCHOOLS

THAT, AWARE that, the Ministry of Education in Kenya, introduced Junior Secondary Schools (JSS) as part of the Competency-Based Curriculum (CBC) implementation marking a major milestone for the country's education system, and a key opportunity to improve the quality of education available to students;

APPRECIATING THAT, the Junior Secondary Schools program play a vital role in shaping the academic trajectory of learners by providing students with a strong foundation in core subjects, helping them develop essential skills and offering them opportunities to participate in extracurricular activities promoting greater social inclusion;

CONCERNED THAT, the integration of Junior Secondary Schools within primary school setups has posed major challenges for Junior Secondary teachers, including inadequate training on the new competency-based curriculum, limited opportunities for career advancement, conflict in leadership, decision-making and resource allocation leading to strained relationships with head teachers;

FURTHER CONCERNED THAT Junior Secondary Schools (JSS) face critical shortages in essential infrastructure such as laboratories, libraries, ICT hubs, and science equipment necessary for the implementation of the JSS curriculum, coupled with inadequate access to approved learning materials and teaching resources, resulting in inconsistencies in curriculum delivery hindering effective teaching, learning, and overall student development; NOW

THEREFORE, the Senate resolves that the Ministry of Education, the Teachers Service Commission and the Kenya Institute of Curriculum Development should-

i) Provide for an independent administrative and operational framework for Junior Secondary Schools to enhance governance, streamline management, and create a more focused learning environment for the learners;

ii) Allocate adequate funds for the construction and equipping of Junior Secondary Schools with essential facilities such as science labs, libraries and ICT rooms, and provide adequate learning materials relevant with the curriculum;

iii) Offer professional development programs for Junior Secondary School teachers to help them specialize in specific subjects to effectively implement the JSS curriculum;

iv) Develop a clear career progression framework for Junior Secondary School teachers, including opportunities for promotions and additional responsibility allowances;

v) Formulate clear policies and guidelines outlining the structure, curriculum, and management of Junior Secondary Schools; and

vi) Ensure an optimal teacher-student ratio to facilitate personalized student attention and effective learning.

(Motion deferred)

MOTION

RIISING STUDENT UNREST ACROSS THE COUNTRY

THAT, AWARE THAT Articles 43(1)(f) and 53 of the Constitution of Kenya guarantee every child the right to education, protection, safety and welfare;

COGNIZANT THAT the Basic Education Act, 2013, the Children Act, 2022, the Occupational Safety and Health Act and the Safety Standards Manual for Schools in Kenya require learning institutions to provide safe and secure environments for learners;

CONCERNED THAT Kenya continues to witness recurrent cases of student unrest, school strikes and arson attacks in schools, leading to loss of lives, destruction of property, disruption of learning and psychological trauma among learners and their families;

ACKNOWLEDGING the findings of the National Crime Research Centre (NCRC), the Auditor General's performance audit report on Fire Safety Preparedness in Secondary Schools (2020), and the Claire Omolo Task Force Report (2016);

NOW THEREFORE, the Senate resolves that:-

1. the Ministry of Education —

(i) tables in the Senate a status report on the implementation of the various inquiries on school fires including; *the Auditor General's performance audit report on Fire Safety Preparedness in Secondary Schools (2020)*, the National Crime Research Centre (NCRC) (2016), the Claire Omolo Task Force Report (2016), and the Bombolulu Commission of Inquiry Report (1998);

(ii) Strengthens school infrastructure safety and emergency preparedness by conducting mandatory annual fire safety audits in all boarding schools, allocating resources for improvement of dormitories including installation of emergency exits, firefighting equipment and fire detection systems, and developing clear national evacuation and disaster response protocols;

(iii) develops with modalities of phasing out boarding schools and introducing a hybrid set-up where all schools have both day and boarding arrangements; in collaboration with the County governments, maintain sustained intergovernmental investment in modern fire-fighting infrastructure, emergency response equipment, evacuation systems, communication systems, and capacity building for qualified fire safety, disaster management, and emergency response to ensure timely and effective response to fire accidents and emergencies within learning institutions and surrounding communities; and

2. The Teachers Service Commission (TSC) enhances student discipline, wellbeing and stakeholder engagement; and that

3. Pursuant to Standing Order 228 (4) (a), the Senate Standing Committee on Education to inquire into the issue of school unrest and arson in schools in the country and table a Report within 90 days from the date of adoption.

(Motion deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, we may now rise. There being no other business on the Order Paper, the Senate stands adjourned until Tuesday, 21st July, 2026, at 2.30 p.m.

The Senate rose at 5.05 p.m.