THIRTEENTH PARLIAMENT

THE SENATE

OFFICIAL REPORT

Fifth Session

Wednesday, 16th September, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 16th September, 2026

The House met at the Senate Chamber,
Parliament Buildings, at 2.30 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)

Honourable Senators we do have quorum, so you may take your seats. Clerk, call the first Order.

The Chairperson, Standing Committee on Land, Environment and Natural Resources.

PAPERS LAID

Sen. Faki: Mr. Speaker Sir, I beg to lay the following Papers on the Table of the Senate today, Wednesday, 16th September, 2026-

REPORT ON PETITION: EVICTION OF KOROGOCHO COMMUNITY
LIVING ALONG NAIROBI RIVER CORRIDOR

Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Mr. Hezekiah Kuria Karanja and others concerning the eviction of the Korogocho community living along the Nairobi River corridor after its declaration as a special planning area.

REPORT ON PETITION: ALLEGED GRABBING OF PUBLIC LAND IN KITHIMA LOCATION, BUURI EAST SUB-COUNTY, MERU COUNTY

Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Kithima Location concerning the alleged grabbing of public land in Meru County.

REPORT ON PETITION: CONVERSION OF PUBLIC TO PRIVATE LAND IN PUMWANI, MAJENGO

Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Cultural Environmental Care Society concerning the conversion of LR No.209/2378/1 Pumwani/Majengo from public to private land.

REPORT ON PETITION: EVICTION OF SINGLE MOTHERS ASSOCIATION OF KENYA FROM PROPERTY NO.LR2096738

Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Single Mothers Association of Kenya concerning their eviction from property, Ref. No. CP & ARCH/00219, Excision of LR. No.209/6738 in Ziwani Ward in Nairobi County.

(Sen. Faki laid the documents on the Table)

The Speaker (Hon. Kingi): The Chairperson, Standing Committee on Roads, Transportation and Housing.

REPORT ON PETITION: PUBLIC TRANSPORT IN LAKE VICTORIA

Sen. Kibwana: Mr. Speaker, Sir, I beg to lay the following paper on the Table of the Senate today, Wednesday, 16th September 2026.

Report of the Standing Committee on Roads, Transportation and Housing on a Petition by Dr. Daniel Rakoro and others concerning public transport in Lake Victoria between Mfangano Island in Suba Central sub-county and Mbita.

(Sen. Kibwana laid the document on the Table)

The Speaker (Hon. Kingi): Next order. The Chairperson, Standing Committee on Land, Environment and Natural Resources. You have four notices to give.

NOTICES OF MOTION

ADOPTION OF REPORT ON PETITION ON EVICTION OF KOROGOCHO COMMUNITY LIVING ALONG NAIROBI RIVER CORRIDOR

Sen. Faki: Mr. Speaker, Sir, I beg to give the notice of the following Motion-

THAT, the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Mr. Hezekiah Kuria Karanja and others concerning the eviction of the Korogocho community living along the Nairobi River Corridor after its declaration as a special planning area, laid on the Table of the Senate on Wednesday, 16th September, 2026.

ADOPTION OF REPORT ON PETITION ON ALLEGED GRABBING OF PUBLIC LAND IN KITHIMA LOCATION, BUURI EAST SUB-COUNTY, MERU COUNTY

Mr. Speaker, Sir, I beg to give notice of the following Motion-

THAT, the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Kithima location concerning the alleged grabbing of public land in Meru County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

ADOPTION OF REPORT ON PETITION ON CONVERSION OF PUBLIC TO PRIVATE LAND IN PUMWANI, MAJENGO

Mr. Speaker, Sir, I beg to give notice of the following Motion-

THAT, the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Cultural Environmental Care Society concerning conversion of LR No.209/2378/1 Pumwani, Majengo from public to private land, laid on the Table of the Senate on Wednesday, 16th September, 2026.

ADOPTION OF REPORT ON PETITION ON EVICTION OF SINGLE MOTHERS ASSOCIATION OF KENYA FROM PROPERTY NO.LR2096738

Mr. Speaker, Sir, I beg to give notice of the following Motion-

THAT, the Senate adopts the report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Single Mothers Association of Kenya concerning their eviction from property Ref No. CP & ARCH/00219, Excision of LR No. 209/6738 in Ziwani Ward in Nairobi County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

I thank you.

The Speaker (Hon. Kingi): Chairperson, Standing Committee on Roads, Transportation and Housing.

ADOPTION OF REPORT ON PETITION ON PUBLIC TRANSPORT IN LAKE VICTORIA

Sen. Kibwana: Thank you, Mr. Speaker, Sir. I beg to give notice of the following Motion-

> THAT, the Senate adopts the report of the Standing Committee on Roads, Transportation and Housing on a Petition by Mr. Daniel Rakoro and others concerning public transport in Lake Victoria between Mfangano Island in Suba Central Sub-County and Mbita, laid on the Table of the Senate on Wednesday, 16th September, 2026.

The Speaker (Hon. Kingi): Next order.

QUESTIONS AND STATEMENTS

Statement pursuant to Standing Orders No.53(1), the Senator for Nandi, Sen. Samson Cherarkey.

FINANCIAL PERFORMANCE, SUSTAINABILITY AND GOVERNMENTS FINANCIAL EXPOSURE OF KENYA AIRWAYS LIMITED

Sen. Cherarkey: Thank you, Mr. Speaker, Sir.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Finance and Budget on a matter of nation-wide concern regarding the financial performance and financial sustainability of Kenya Airways Limited and the continued financial exposure of the Government to the airline.

Kenya Airways, as the national carrier, plays a strategic role in supporting tourism, trade, investment and regional and international connectivity. However, its financial position remains concerning with Kshs16.1 billion loss recorded in the first half of 2026 despite a 9 percent increase in the revenue. The losses have been attributed to high fuel costs, geopolitical disruptions and reduced operating capacity due to aircraft availability constraints, coupled with a debt portfolio of approximately Kshs152 billion, 90 percent of which is owed to the Government.

This raises concerns about the effectiveness of previous restructuring efforts, the management of public resources and sustainability of the airline's recovery strategy.

In the statement, the Committee should address the following-

(1) Kenya Airways' financial position as of 30th June, 2026, including its assets, liabilities, accumulated losses and debts and the key drivers of Kshs16.1 billion loss.

(2) Measures to address aircraft and engine shortages, grounded aircraft, spare parts constraints, reduced capacity and high operating costs, including timelines for restoring affected aircraft and improving efficiency.

(3) The Government's total financial exposure to Kenya Airways, including loans, guarantees and capital support, the status and terms of Kshs152 billion debt portfolio and the proposed debt-to-equity conversion and additional capital raising.

(4) The outcome and effectiveness of previous restructuring and cost containment measures and whether audits or independent assessments identified inefficiencies, financial mismanagement or other causes of continued losses.

(5) Strategies, measurable targets and timelines the Government has adopted to restore profitability, reduce debt and dependence on public finance, improve fleet availability and operational efficiency, strengthen governance and safeguard public resources if the recovery strategy fails.

I thank you.

The Speaker (Hon. Kingi): Sen. Catherine Mumma is not here. That statement is dropped.

PROTECTION OF MEMBERS SAVINGS AND INVESTMENTS DURING LIQUIDATION OF M/S SAVINGS AND CREDIT CO-OPERATIVE SOCIETIES

(Statement dropped)

The Senator for Kisumu County, the Hon. (Prof.) Tom Ojienda is not here. Those two statements by Hon. (Prof.) Tom Ojienda are hereby dropped.

RECOVERY AND MANAGEMENT OF PUBLIC LAND IN KISUMU COUNTY

(Statement dropped)

COMPLETION AND OPERATIONALISATION OF THE NEW AIR TRAFFIC CONTROL TOWER AT KISUMU INTERNATIONAL AIRPORT

(Statement dropped)

Senator for Murang'a County, the Hon. Joe Nyutu.

OPERATIONAL STATUS OF LAND REGISTRIES IN MURANG'A COUNTY

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of country-wide concern regarding the operational status of land registries in Murang'a County.

The residents of Murang'a County visiting the various land registries across the county have raised concern over the persistent unavailability of land registrars in the registries. This situation has occasioned unnecessary delays in the registration of land and related services. In the statement, the committee should address the following-

(1) The operational status of the land registries in Murang'a County, including the-

(i) number of land transactions processed in each registry since 2022;

(ii) number of pending applications in each registry; and

(iii) number of land registrars and other technical and administrative officers currently deployed to each registry vis-à-vis the approved staff establishment.

(2) The reasons for the persistent unavailability of land registrars in the registries and the actions being taken to ensure prompt and continuous service delivery.

I thank you.

The Speaker (Hon. Kingi): Sen. Lomenen, Senator for Turkana County.

PERSISTENT INSECURITY ALONG THE TURKANA-WEST POKOT BORDER

Sen. Lomenen: Thank you, Mr. Speaker, Sir, for this opportunity. 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 inter-county concern regarding the persistent insecurity along the Turkana-West Pokot County border, despite repeated Government interventions.

The region has witnessed recurring banditry, livestock theft and violent clashes that have led to loss of life, displacement of families and disruption of livelihood, despite peace initiatives and security operations. The situation remains unresolved, raising questions about the effectiveness of current strategies and the adequacy of measures to safeguard communities and resources. In the statement, the committee should address the following-

(1) The scope, objectives and outcomes of the peace initiatives and security operations undertaken in the conflict-ridden areas along the Turkana-West Pokot County boundary from 2022 to date;

(2) The underlying causes of recurring conflict and the reasons for the failure for past interventions to deliver lasting peace;

(3) The Government's strategies to secure grazing areas, water points and the traditional livestock migration routes that cross the county's boundaries;

(4) The measures being implemented to establish a sustainable and long-term solution to insecurity in this region, including community engagement, inter-county coordination and accountability mechanisms.

I will read the second statement, Mr. Speaker, Sir.

COMPENSATION AND RESTORATION OF LIVELIHOOD FOR VICTIMS OF INSECURITY IN PASTORALIST COMMUNITIES

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 national concern regarding compensation and restoration of livelihood for victims of insecurity in Turkana County, West Pokot County and other affected pastoralist areas.

Persistent banditry, livestock theft and violent attacks have led to loss of lives, destruction of property, displacement of families and collapse of livelihood, specifically in Nakuse/Lokwar in Kaptir Ward, Turkana County. Over 1,800 goats were stolen while homes and property were destroyed in Kalomue.

These incidents highlight the urgent need for accountability, compensation and sustainable restoration measures for affected communities. In the statement, the committee should address the following-

(1) The extent of loss of lives, livestock, property and livelihood arising from insecurity in Turkana, West Pokot and other affected pastoralist areas.

(2) The existing framework for compensating families that have lost loved ones, livestock and property as a result of attacks and the adequacy of current mechanisms.

(3) The measures being undertaken to resettle displaced families, reconstruct destroyed homes and restore livelihood in affected communities.

(4) The status of efforts to trace, recover and return stolen livestock to their rightful owners alongside strategies to prevent further attacks, apprehend and prosecute the perpetrators and secure lasting peace.

I thank you.

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

SUSPENSION OF OPERATIONS OF TATA CHEMICAL MAGADI LIMITED

Sen. Seki: Thank you, Hon. Speaker. I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of countrywide concern regarding the suspension of mining operations of Tata Chemical Magadi Limited.

Tata Chemical Magadi Limited has operated in Magadi for many years. It has a major economic player in Magadi, a source of employment for many and has undertaken various corporate social responsibility programmes in the area. The suspension of its mining operation has therefore raised significant concerns among residents of Magadi. In the statement, the committee should address the following-

(1) Provide details of the historical and current legal framework governing Tata Chemical Magadi Limited operations, including the original lease agreement, their durations, acreage, renewal and extension arrangements, royalty's rate, taxes and other obligations and clarify which they may be terminated or renewed.

(2) The circumstances surrounding the suspension of operations of Tata Chemical Magadi Limited, including specific details of the alleged illegal or compliance breaches and whether the company was accorded an opportunity to remedy the breach prior to the suspension.

(3) The status of mineral loyalty payments to Tata Chemical Magadi Limited including an annual schedule of the loyalties owned by the company since the

commencement of the application loyalty regime, the payment remitted and the respective dates of such remittances, as well as any outstanding balances.

(4) Whether all loyalty payments remitted by the company each year were distributed in accordance with Section 183 of the Mining Act and if not, obtain information on the amounts that have been distributed to date, the outstanding balances and the reasons for non-compliance.

(5) Whether the company has paid all employees' wages and benefits, remitted pension contributions and honoured other contractual obligations with current and former employees at the time of suspension and obtained details on any pending labour disputes on the company.

(6) The measure to ensure continuity of health, education, water services and other essential services previously supported by the company.

(7) The condition under which the suspension may be lifted and immediate measures to safeguard the livelihood of residents of Magadi, particularly those who were employed by the company.

(Interruption of Statements)

The Speaker (Hon. Kingi): Hon. Senators, before I allow comments on the statements that have been sought, allow me to rearrange today's Order Paper, pursuant to Standing Order No. 45(2). We will move to Order No. 8 and 9 to take a voice vote. After we are done with those two orders, we will then resume the normal flow of today's Order Paper.

Clerk, kindly call those orders.

MOTION

REPORT ON ALLEGED IRREGULARITIES IN THE 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.

(Sen. Mungatana on 5.8.2026)
(Resumption of debate interrupted on 5.8 2026- Morning sitting)

Clerk, do we have the requisite quorum?

(The Clerk-at the-Table consulted the Speaker)
(Question put and agreed to)

Next order.

MOTION

REPORT ON HANDING OF A COOKING GAS HANDLING FACILITY TO A PRIVATE FIRM IN MOMBASA COUNTY

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, 14^{th} July, 2026.

(Sen. Mungatana on 5.8.2026 - Morning Sitting)

(Resumption of debate interrupted on 5.8 2026 - Morning sitting)

(Question put and agreed to)

(Resumption of Statements)

Hon. Senators, we will go back to comments on the statements that have been sought. I will allow comments for not more than 15 minutes. Therefore, if you have an opportunity to speak, kindly do so for not more than three minutes.

Sen. Maanzo: Thank you, Mr. Speaker, Sir. I would like to comment on the statement about Kenya Airways. When the Committee on Delegated Legislation was making the regulations for the Kenya Civil Aviation Authority (KCAA), we noticed that although most of the regulations are international, there were flaws. We picked a few issues in relation to public participation, especially when the pilots appeared before us.

One of the incidents is that when a leased KQ Dreamliner was preparing to take off, it was taken back to the bay and all travelers going to London were taken out. You can imagine the inconvenience caused to them and whether they would prefer that airline again. From the pilots, we picked out that a Dreamliner which is on lease has been parked for three years and it is incurring parking fees.

Out of the mismanagement on the part of the people handling KQ, in totality, including KCAA, these are some of the problems have befallen them. Also, fuel was said to have been very expensive, which is a global phenomenon. Worse of it is one of the regulations on dry and wet leasing was defective. When we sought an explanation from the Ministry, although it has one of the best Cabinet Secretary in the country, it sent Principal Secretary.

The explanation was that while these regulations were on transit from the Ministry to the Attorney General's, somebody interfered with them. So, the cure was to have an appendix published by the Attorney General. They wrote to the Committee and they promised to come back but they never did. So, as a Committee, we have summoned them again to come and explain and probably we will also summon the Attorney General. This is because we cannot have defective regulations which have to be rectified through appendices. That has never happened in the history of this Parliament since the Statutory

Instruments Act came into being in 2013. It is a laxity on part of management and Government. Something serious must be done to save Kenya Airways, which, as Sen. Cherarkey has said, carries our name and brings our tourists here.

In fact, one of the best flights is the one to New York. There is teamwork among the employees of Kenya Airways and they have done a good job. However, the management, is letting Kenyans down.

I support and submit.

The Speaker (Hon. Kingi): Before I call the next Member to make their comments, allow me to make this Communication.

(Interruption of Statements)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM THE COUNTY ASSEMBLY OF KAKAMEGA

Hon. Senators, I would like to acknowledge the presence in the Speaker's gallery this afternoon of a visiting delegation from the County Assembly of Kakamega. The delegation comprises 13 members and 19 officers of the Procedure and Rules Committee, who are in the Senate for a benchmarking visit with the Task Force on Review of the Senate Standing Orders.

I request members of the delegation to stand when called out so that they may be acknowledged as per the Senate tradition.

1. Hon. James Namatsi - Speaker
2. Hon. Bernard Shitiabayi - Deputy Speaker
3. Dr. Keya Donald - Clerk
4. CPA, Nelphat Mbati - Deputy Clerk

(Loud consultations)

While we confirm the presence of that delegation, we may proceed with the comments. We will come back to that later.

Sen. Boni, you may proceed.

(Resumption of Statements)

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, there is the issue of Tata Chemicals Magadi Limited. I want to join the people of Kajiado and the Maa Community because of the sensitivity of this matter. In so doing, I want to appeal to the National Economic and Social Council (NESC) that advises Cabinet. What we require in Magadi is not the kind of orders that emanated on that day. What we require is renegotiation of the contract.

The contract between Tata Chemicals Magadi Limited and the Republic of Kenya on one side and the Maa Community on the other hand is wrong because magadi soda is used in production of industrial glass. We need to renegotiate the contract so that glass is produced locally in Kenya. It makes no sense why you should take ingredients to India to produce glass before bringing it back to Africa. We need to renegotiate this.

Having agreed to that, I want to urge the Cabinet through its leadership. These populist statements emanating from the Cabinet are what brought down the economy of Uganda when dictator Idi Amin unilaterally ordered Asian business people to close down. President William Ruto, if you are asking companies to close down, you want to tamper with the economy of the Republic of Kenya. We will not support but instead oppose you. We hope that soon, a President will be elected, to pursue an economic agenda in accordance with the rule of law and the Constitution of Kenya.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Olekina, you may proceed.

Sen. Olekina: Mr. Speaker, Sir, I would like to make some comments on two statements. Let me begin first with one Statement which is very dear to me, that is the Statement on Kenya Airways (KQ).

I stand here today, to state clearly, that KQ does not need charity. KQ is not a dying airline. The biggest problem KQ is suffering from is a global issue. It is important for us to be positive and give solutions on what can be done so that a national carrier can continue shining internationally. Everyone knows that there has been a shortage of spare parts for the dreamliner worldwide. That is why we have a shortage of dreamliners. That is why KQ is not able to repair its fleet.

In 2024, KQ posted a positive profit of, I believe, Kshs5.4 billion. The reason we have a loss from 2025 to this year is because of the Middle East crisis. The fuel price shocker is the first issue. The second issue is shortage of spare parts to repair dreamliners which are parked at the airport.

As Parliament and as the Senate of Kenya, we should not point out to investors that KQ is a dying airline. What we need to do is simply to give solutions. I stand here today to give a solution.

I am happy that Sen. Cherarkey has brought up the issue of KQ. However, if you look at Sen. Cherarkey’s statement, the huge debt that KQ has is a Government debt. Since we love our airline, we need to do the following. First, we should convert that debt into equity. That is issue number one. Secondly, we should make KQ the anchor tenant at Jomo Kenyatta International Airport (JKIA). For example, if you travel to Ethiopia, Ethiopian Airlines is the anchor tenant. That is why Ethiopian Airlines is shining.

I am aware that the Government is making positive strides to turn around KQ. I will be very happy to see an investor injecting about US$1.2 to 1.5 billion to make KQ profitable again. These are issues we need to be discussing. How do we convert that loan into equity? How do we turn around our country?

We have been talking about having a new airport---

Mr. Speaker, Sir, please allow me one more minute if my time runs out. We are all frequent travellers. We all contributed, including yours truly, to stop construction of a new airport. It is time that we turned around. Making a mistake is not bad but repeating the mistake is. It is only a fool who does not change his mind. I stand here to state clearly that we need a new airport. When we have that airport, let us make KQ the anchor tenant. Let us convert it because it is our national pride.

Mr. Speaker, Sir, it is imperative that we tell the world and Kenyans where the problem is. It is not mismanagement. I completely disagree. Today, the National Treasury has got more control---

(Sen. Olekina's microphone was switched off)

The Speaker (Hon. Kingi): You have one minute.

Sen. Olekina: Thank you, Mr. Speaker, Sir. Today, the National Treasury has more control of KQ. If we got Kshs5.4 billion as profit in 2024 when there was some form of stability, it is not quantum physics to argue and say KQ is dying because of mismanagement. The truth of the matter is that challenges that KQ is facing are because of circumstances that are beyond the control of KQ.

I am an investor in KQ and I am sure most of us here buy shares of KQ. We have seen that there is a lot of investor confidence in KQ. The highest stock price was Kshs8.90 this year. In fact, just between yesterday and today, it has gone up by 1.6 per cent. Now it is about Kshs5.60 because it had come down.

What I would like to hear from my colleagues is; how do we assist the Government to convert the loan into equity and make sure that KQ takes its rightful position as a leading airline in Africa?

I thank you, Mr. Speaker, Sir.

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

Sen. Kisang: Mr. Speaker, Sir, I would also like to make comments on the KQ statement. When we were growing up in the 1980s and early 1990s, KQ was the pride of Africa. As Kenyans, all of us were very proud to be associated with KQ. Somewhere along the way after the first Initial Public Offering (IPO) was released, most of us bought shares in KQ and we expected to get some dividends from it.

Mr. Speaker, Sir, I want to report to you briefly as one of the shareholders that we never got any dividends. I want to repeat that one of the reasons KQ is struggling is because of mismanagement. It is good to call a spade a spade and not a big spoon. It is because along the way, there were some issues to do with management of KQ.

I believe that for us as Kenyans, for KQ to go back to where it was, just like Ethiopian Airlines, maybe what we need to do is for the Kenyan Government, through the National Treasury, should buy all the shares from shareholders and nationalise KQ, so that it is basically run as a Government entity. That way, we will not have all these issues.

Another issue is that the Chief Executive Officer (CEO) of Kenya Airways (KQ) is one of the most highly paid CEOs in the country. If a company is struggling, why must the CEO be paid highly? We should peg their pay on performance just like Safaricom Limited Ke does. Every year, Safaricom Limited Ke pays a percentage of the net profit to its top employees. KQ also needs to do the same. Instead of paying them so highly, you give them a retainer and when they perform, they get a percentage of the profit so that all resources are not given to employees.

Fuel alone is not a reason for KQ---

The Speaker (Hon. Kingi): What is your point of order?

Sen. Olekina: Mr. Speaker, Sir, is the distinguished Senator from Elgeyo Marakwet in order to mislead the country that mismanagement is the reason why KQ is in trouble? Yet, it is factual that the reason why the 787 Dream liners are parked is because of lack of spare parts. It is evident---

(Hon. Senators held loud consultations)

Mr. Speaker, Sir, when you lease an aircraft, the financer does not give a hoot in hell whether or not you get spare parts; you still have to pay. That is not mismanagement, it is a global issue. Is the distinguished Senator in order to suggest that it is mismanagement?

(Hon. Senators held loud consultations)

I am on a point of order; have my colleagues become the Speaker now?

The Speaker (Hon. Kingi): Thank you. I think you have made your point of point of order.

(Hon. Senators held loud consultations)

Order, Hon. Senators.

Sen. Ledama, what the Senator for Elgeyo Marakwet is trying to put across is an opinion according to the facts that he has. He is not in any way misleading anybody. Therefore, your point of order is overruled.

Proceed.

Sen. Kisang: Thank you, Mr. Speaker, Sir. As a business entity, if you lease equipment, the person you are leasing from is supposed to maintain and supply spare parts, otherwise, you discontinue the contract. There should be a clause in the contract for termination.

The subsidiary for KQ called Jambojet is doing very well. How come Jambojet is doing very well? How come we do not have flight delays by Jambojet or other airlines? If you go to Mombasa with KQ, you will wait for your flight for six to 10 hours. Sometimes back, I went to Kisumu with Jambojet and we had to wait for our flight for eight hours.

Basically, this is incompetence by some---

The Speaker (Hon. Kingi): Sen. Enoch Wambua, proceed.

Sen. Wambua: Thank you, Mr. Speaker, Sir. Very quickly, my comments are on the statement about KQ.

One, let us get facts right. KQ has nine Dreamliners and only two are grounded. For an airline that has more than 34 aircraft, the problem cannot be just the grounding of two Dreamliners.

Secondly, if the problem was fuel; all the aircraft that land at Jomo Kenyatta International Airport (JKIA) consume fuel and the airlines that run those aircrafts are posting profits. To have a situation where the half year financial results for KQ read Kshs16 billion lost, there is a problem and we must face it.

Let us not even lie to ourselves. This problem of KQ started way back in 2016 when the management made the worst decision ever to sell their landing slot at Heathrow Airport to Oman Airlines. That is where the rain started beating KQ. They then followed that with another deal where KLM- which was supposed to be a competitor and took over the management of almost the entire KQ. There is a serious management problem at KQ and it needs to be fixed.

Thirdly, I also agree with Sen. Ledama Olekina that because the biggest debt then is Government debt, we should convert either all of it or part of it to equity so that our airline can begin to post some profits. We always read that KQ is the pride of Africa and as Sen. Ledama Olekina said, many of us here are frequent flyers. Whenever we are in those capitals in Europe and we see a KQ aircraft, we feel proud as a Kenyan. We want that pride to be multiplied by having a situation where there is proper efficiency in the management of the affairs of KQ.

Lastly on the new airport, just to correct my friend and brother, Sen. Olekina; nobody on our side in the united alternative government ever said that there was never a need for a new airport. We said, the process of acquiring one must be transparent. We are not opposed to it; we just want a competitive approach in building a new airport.

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

Sen. Cherarkey: Mr. Speaker, Sir, let me comment on the statement by Sen. Lomenen on the issue of cattle rustling along West Pokot and Turkana. It is saddening that the issue of cattle rustling and killings continue unabated in that region. There were incidences of criminality and I hope, that this issue can be resolved itself once and for all.

I remember, more than Kshs600 million was used in Jukwaa la Usalama or is it Jukwaa la Kisiasa and all these issues were brought to the fore. It was embarrassing when the Senator for Marsabit County brought out a similar issue in the morning when the Cabinet Secretary was here and we did not get an opportunity to follow up on that matter.

As I speak, it is one year and the killers of Father Alois Cheruiyot Bett have never been arrested despite the personal commitment of the incompetent Cabinet Secretary of Interior and National Administration.

There are many other Kenyans who have died during cattle rustling. I agree with the Senator for Turkana County that we need to form a compensation fund for the victims of stock theft that has taken place in many regions in this country. When you lose livestock, you also lose lives of your people and the families left behind go back to abject poverty. Therefore, the issue of compensation must and should be handled with a lot of grace to ensure that our people get compensated. We want peace to return in this country, but also, we want the families who lost their livestock and lives be taken back to where they belong.

I propose that even as we compensate the victims of post-election violence, we must also compensate the victims of banditry and cattle rustling in this country so that we are at a par with all Kenyans. There are no death more honorable than the other; a death is a death.

Finally, is on the issue of Tata Chemicals; I am embarrassed that somebody can defend them. It is unfortunate that the Senator for Kajiado County wants us to believe--- I saw the Governor of Kajiado County on Citizen TV saying that Kshs13 billion is owed to the people of Kajiado and Kshs1 billion has not been paid to the families that live within Tata Chemicals land and yet you want us to side with the neo-colonialists, the people pushing the agenda of killing our people economically.

This is the modern-day colonialism that the President says must stop. I agree with the President that *mambo ni matatu;* if this Tata does not give Kshs13 billion to the people of Kajiado and Kshs1 billion to the local community in Kajiado, they must be dealt with.

They have a hospital that operates like a public toilet. People go there and find no medicine or linens. Everything is out in the open, yet they want to intimidate us. Any investor who wishes to invest in Kenya must operate within the confines of the law. We will not allow them. They must---

(Sen. Cherarkey's microphone was switched off)

The Speaker (Hon. Kingi): Conclude your thoughts in one minute.

Sen. Cherarkey: Mr. Speaker, Sir, as I conclude, I appeal to this House that any investor coming to Kenya, whether they are investing in Mrima Hill, Kajiado, Nandi or Shanta Gold in Kakamega, must comply with the law and ensure that local content is paid for.

This is what I would like to tell the people of Kajiado County. If you want your grievances to be redressed, you must elect President William Ruto for a second and final term, so that he resolves the structural injustices you have suffered for the past 70 years. President Ruto must secure a second term for the people of Kajiado to get justice.

Mr. Speaker, Sir, I yield and support the Statement.

The Speaker (Hon. Kingi): Proceed, Sen. Mohamed Faki Mwinyihaji.

Sen. Faki: Bw. Spika, asante kwa kunipa fursa hii kuchangia Kauli kuhusu Kenya Airways ambayo imeletwa Bungeni na Seneta Cherarkey. Kenya Airways ni mojawapo ya mashirika kongwe zaidi barani Afrika. Tangu kuanzishwa kwake katika miaka sabini iliyopita hadi sasa, ni shirika ambalo lina tajriba kubwa sana. Hata hivyo, kila mwaka, shirika hilo linazidi kuzama kwenye madeni na kutoa huduma duni katika safari zake.

Safari ya kutoka Mombasa kuja Nairobi au Nairobi kwenda Mombasa huchukua dakika 40 tu ambayo haistahili kuzidi Shilingi 10,000. Hata hivyo, kiwango cha pesa cha chini kabisa ambazo Kenya Airways itakulipisha ni Shilingi 15,000. Hufika wakati ambapo nauli ya *economy class* huwa juu kuliko *business class* kati ya Mombasa na Nairobi.

Juzi tu nilileta Kauli hapa kuhusiana na nauli za ndege kati ya Mombasa na Nairobi. Kuna ndege zingine ambazo zinahudumu kati ya Mombasa na Nairobi. Kwa mfano, Skyward Express wanalipisha Shilingi 7,700 kutoka Nairobi kuelekea Mombasa, ilhali kiwango cha chini kabisa cha Kenya Airways ni Shilingi 12,000. Saa nyingine

Jambojet ambayo ilitokana na Kenya Airways hutoza nauli ya juu zaidi kuliko Kenya Airways.

Nadhani madeni ya Kenya Airways ni makubwa sana kiasi kwamba hata tukitenga bajeti nzima ya Serikali ya Kenya, haitaweza kufufuka. Juzi walileta msimamizi mpya lakini aliondoka. Mwaka jana, Bw. Kilavuka ambaye alikuwa hapo kwa muda mrefu pia alitimuka.

Umefika wakati wa kuamua kama Wakenya iwapo bado tunalihitaji shirika la kitaifa la ndege au la. Ikiwa tunahitaji, basi hili si shirika la kuendelea kutumia kufuja pesa kila mwaka. Wengine wamesema kwamba haliambatanishwi na Kenya Airports Authority (KAA). Hatuwezi kuunganisha shirika linaloleta hasara na shirika linalopata faida. Kwanza, Kenya Airways wakubali wawekezaji. Mara nyingi hasara ya Kenya Airways inafidiwa na Serikali ya Kenya. Sijasikia wawekezaji wengine wakiambiwa kwamba shirika limepata hasara hivyo basi waongeze pesa fulani.

Kwa hivyo, afadhali shirika hilo lifungwe kabisa kwa sababu hatuoni faida yake. Ikiwa unasafiri---

(Sen. Faki's microphone was switched off)

The Speaker (Hon. Kingi): You have one minute to conclude your thoughts, Senator.

Sen. Faki: Asante Bw. Spika. Ikiwa tutasafiri kwa kulipa tikiti ya Kenya Airways ambayo ni ghali zaidi kuliko mashirika mengine, tutaokoa fedha za umma kwa kulifunga kuliko kuendelea kusimamia shirika hilo ambalo halina faida kwa wananchi wa Kenya. Wananchi wengi walioko Turkana na maeneo mengine ya mbali hawajawahi kufaidika na safari za ndege ilhali ni Wakenya ambao kodi zao zinatumika kufidia hasara ya Kenya Airways.

The Speaker (Hon. Kingi): Proceed, Sen. Joe Nyutu.

Sen. Joe Nyutu: Mr. Speaker, Sir, I would like to comment on the Statement by the Senator for Kajiado regarding Tata Chemicals Magadi Limited. The issue the Senator for Kajiado is raising is about the approach being used to solve problems we have at Tata Chemicals.

I cannot remember exactly but I think I heard Sen. Cherarkey state that the company owes the community approximately Kshs13 billion. Sen. Cherarkey is a lawyer. He should know that if there is a civil dispute or conflict of any nature, the right thing is to go to court rather than making roadside declarations. At least it should not be issued by the Head of State. I do not think that is the right approach to solving problems affecting those who owe others.

The most critical issue about this Statement is investor confidence. If the Head of State can stand at a public rally and announce closure of a particular company without following the due procedure, it sends the wrong message to investors. No investor will want to put their money where they are not sure whether tomorrow the President will wake up and make a declaration that he has closed their company.

Remember we also have a problem with declarations. The other day he made a declaration on Burundians. The declaration was made by a President, whom most of his citizens work in countries in the region---

The Speaker (Hon. Kingi): What is your point of order, Sen. Joyce Korir?

Sen. Korir: Mr. Speaker, Sir, is it in order for the hon. Member to allege that the President is issuing---

(Sen. John Kinyua spoke off the record)

The Speaker (Hon. Kingi): Sen. Kinyua, you are out of order. In what capacity are you interjecting?

Sen. Korir: Thank you, Mr. Speaker, Sir, for protecting me. Is it in order for Sen. Nyutu to allege that the President is issuing unnecessary directives without due process? He is well aware that executive orders are formal directives to ensure that there is no investor operating illegally in this country. It is the responsibility of the Government to ensure compliance. Is he in order to mention the name of the President without validating whether his claims are based on executive orders or mere hearsay?

The Speaker (Hon. Kingi): Senator Nyutu, proceed to conclude your thoughts.

(Laughter)

Sen. Joe Nyutu: Mr. Speaker, Sir, I would like to remind Sen. Joyce Korir, who is my friend and neighbour, that the President does not head the Judiciary. Legal matters are determined by the courts and not by the President. That is the problem we have in this country, where the President believes that he has control over other independent arms of Government.

Let me say---

The Speaker (Hon. Kingi): Senator for Nandi, what is your point of order?

Sen. Cherarkey: Mr. Speaker, Sir, I rise pursuant to Standing Order No.105 regarding responsibility for statement of fact. I am aware that the issue of Tata Chemicals is before the Ministry of Mining, Blue Economy and Maritime Affairs that is headed by Hon. Ali Hassan Joho. It is on that basis that the President issued a proclamation. Is it in order, therefore, for the distinguished Senator for Murang'a---

The Speaker (Hon. Kingi): Senator for Nandi, are you standing on a point of information or point of order? You have given information to the hon. Senator.

Sen. Cherarkey: Mr. Speaker, Sir, will you allow me 30 seconds to clarify? I am saying he should be factual. The assertion that the President is making roadside declarations is not true because that matter has been canvassed by the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs.

The Speaker (Hon. Kingi): Senator for Nandi, I would allow you if you rose on a point of information. Since you stood on a point of order, I am sorry to tell you to take your seat.

Sen. Cherarkey: Can I conclude, so that you---

The Speaker (Hon. Kingi): Senator for Nandi, you seem to be having lot of useful information. Therefore, I expected you to rise on a point of information. However, you stood on a point of order. That is why I am overruling you because it appears you want to inform Hon. Nyutu. That information is privy to you, not to the hon. Senator. Therefore, if you are standing on a point of information, I will allow. What you are saying does not amount to a point of order, therefore, I will overrule you.

Sen. Joe Nyutu, you may conclude.

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir. This debate is becoming very interesting. The Members are feigning ignorance. The President is supposed to give his orders in a written form. It is supposed to have his hand and seal.

Sen. Onyonka: Thank you, Mr. Speaker, Sir, for giving me this opportunity. I would like to talk about Kenya Airways and I consider myself one of the experts on this issue because I happen to have a brother who was a pilot at Kenya Airways for 29 years. I want to ask this House---

(Loud consultations)

Mr. Speaker, Sir, protect me from my colleagues who are just mouthing themselves. You all need to be serious. Why are you not asking for the contracts which Kenya Airways has signed to be brought here? Why are you talking like we are talking to people in the markets? Kenya Airways is a carrier that has deliberately been bankrupted and it signed unfair agreements with other flyers. It sold its rights to Koninklijke Luchtvaart Maatschappij (KLM) and that was done by Kenyans. That company has opportunities. Instead of buying their fuel internationally from the international global markets, brokers bring in the fuel that Kenya Airways consumes. The juice that people drink and even the toilet tissue that are used in the airplanes are not less than 30 or 40 per cent the market price.

My colleagues, if you want to know the problem with Kenya Airways, we should ask for the agreements that it signed. Let those agreements be brought here for us to interrogate. After which, we can answer questions about Kenya Airways when we know what we are talking about. We have to know who owns Jambo Jet. Kenya Airways does not own Jambo Jet. Jambo Jet is owned by a parent company that is registered in the Cayman Islands and it collects money from our country. That is why they cannot make any profit. Let us stop pretending. We should bring the agreements.

Secondly, we should also bring the Tata Group agreements. What is in Magadi? We have uranium and rare minerals on that land. That is the issue. It has nothing to do with Magadi Soda. We are pretending to be talking about Magadi. They should bring the agreements which were signed a 100 years ago. Let us look at what the Government is supposed to get and what the people of Kajiado are getting. The President should stop making declarations on things. He should allow Sen. Cherarkey to talk.

Sen. Kinyua: Asante Bw. Spika kwa kunipa fursa hii. Nataka kuchangia Kauli iliyoletwa na Seneta wa Kaunti ya Kajiado kuhusu Tata Chemicals. Ni dhahiri shahiri ya kwamba kulikuwa na kesi kuhusu Tata Chemicals ambayo ilikuwa mahakamani. Nimesikia Sen. Cherarkey ambaye ni mwana sheria akiongea kuhusu Tata Chemicals.

Yeye na rais wanajua ya kwamba kuna uhuru wa mahakama. Rais hangetangaza kile alichotangaza barabarani. Hangeambia Tata Chemicals wafunge virago na kuondoka. Hii ni kwa sababu kuna kesi mahakamani. Katika jamhuri ya Kenya, kuna sheria ambazo zinapaswa kufuatwa.

Rais alituambia ya kwamba kuna waegezaji tayari wanangoja na baada ya siasa kuchacha moto alisema ya kwamba lazima waegezaji wakuje na kuwe na zabuni za ushindani. Hayo ni mambo ambayo tunaya angalia. Haya mambo yanafanya waegezaji wa kigeni kukosa imani na nchi yetu ya Kenya. Rais anawezaje kwenda kwenye mkutano na kusema ya kwamba kampuni ambazo zimekuwa katika jamhuri ya Kenya kwa miaka na mikaka zifunge virango na waondoke? Kwani wale marais wengine waliokuweko hawakuangalia hayo?

Bw. Spika, vile vile, kuna wale ambao wanaishi pale. Tangu ile kampuni iambiwe ifunge virago, huduma za kijamii zimezorota. Zaidi ya familia 30,000 wanasononeka kwa ukosefu wa maji. Nimemsikia Sen. Cherarkey akisema ya kwamba hakuna dawa kwenye zahanati zilizojengwa na hiyo kampuni. Yeye mwenyewe amekuwa akituambia ya kwamba hakuna dawa katika hospitali ambazo ziko Kaunti ya Nandi. Alituambia ya kwamba gavana amekunywa dawa ya watoto za joto ndiposa yeye hapati joto. Kwa hivyo, ni vizuri tusikize Seneta wa Kaunti ya Kajiado kwa sababu yeye ndiye ametoka pale na anatetea watu wa pale.

Jambo ambalo---

The Speaker (Hon. Kingi): Senator for Nandi County. Order, Sen. Kinyua, take your seat.

Sen. Cherarkey: Mr. Speaker, Sir, I rise under Standing Order No. 101. If the distinguished Senator for Laikipia County wants to discuss me substantively, he should bring a substantive Motion. If he does that, I will handle him at that level. What I said is a fact that was provided by the Governor of Kajiado County while appearing before the Committee on County Public Accounts where I am the Vice-Chairperson. He should look for that information. Listening too much to Wamunyoro is irrelevant before the---

The Speaker (Hon. Kingi): Order, Senator for Nandi County. You have taken your seat without raising any point of order.

Proceed, Sen. Kinyua.

Sen. Kinyua: Bw. Spika, tungetaka watu wafuate sheria Kenya. Ikiwa ile kampuni ina deni, basi wanapaswa kulipa hiyo deni. Nimemsikia akisema ya kwamba serikali ina deni ya Kenya Airways. Ikiwa hivyo, basi mbona Rais asifunge virago na aelekee Sugoi kwa sababu serikali iko na deni? Deni inapaswa kulipwa.

Sen. Osotsi: Thank you, Mr. Speaker, Sir, for this opportunity. I want to make a comment on the Statement on Kenya Airways. It is very frustrating to keep on talking about Kenya Airways because this House commissioned an *ad hoc* committee that was led by the former Senator of Kisumu, who is now the Governor of Kisumu County, Prof. Anyang' Nyong'o to look into the matter of Kenya Airways and that committee did an excellent job.

The committee went into the finer details of the issues around Kenya Airways. In the last Parliament, the Committee on Transport of the National Assembly made a serious attempt to look into this matter and they came up with very progressive recommendations. One of the recommendations was that the cost of running our airports is very high globally. The Ethiopian Airlines is doing very well because the cost of operation in Ethiopia airport is very low. So, Kenya Airways cannot compete favorably with other airlines because of cost of operation. So, why can we not just go to the archives, get the documents and implement them the way it was recommended by the two Houses instead of talking about the same thing again?

These things are happening because Kenya Airways is a cash cow for corrupt people. Leasing of aircraft is happening at Kenya Airways and many other malpractices are happening. They have allowed it to go like that. Otherwise, this matter would have been sorted out long ago had they implemented the reports that these two Houses gave.

A piece of legislation was even done and it was at Second Reading. They did public participation. There was a Bill on air travel management. Where did that Bill disappear to? The idea was that we need to have a holding company that would manage all airport functions. The functions of civil aviation, Kenya Airport Authority and the airline, so as to reduce the cost of running air services and make Kenya Airways competitive. That was again discarded. So, I think as representatives of the people, we are letting our people down, if we are not following up---

(Sen. Osotsi's microphone was switched off)

The Speaker (Hon. Kingi): Conclude, Hon. Senator.

Sen. Osotsi: We are letting our people down if we are not following up on our own reports and ensuring that they are implemented, then we come and raise the same issues again. I would recommend that the Senate Standing Committee on Roads, Transportation and Housing goes back to the basics, picks those reports and finds out why those reports were not implemented, instead of coming to appear like we are resurrecting the same matters that we had already dealt with.

Mr. Speaker, Sir, on Tata Chemicals Magadi Limited, basically shows that this Government promised that they were going to deal with state capture. Instead of giving us a commission on state capture, they are actually practising state capture. If a President can rise up and demand a closure of a private company, then we are actually participating in state capture.

(Applause)

(Interruption of Statements)

The Speaker (Hon. Kingi): Before I call the next Member to speak, allow me to make this Communication.

COMMUNICATIONS FROM THE CHAIR

VISITING DELEGATION FROM THE COUNTY ASSEMBLY OF KAKAMEGA

Hon. Senators, I would like to acknowledge the presence in the Speaker's Gallery this afternoon, of a visiting delegation from the County Assembly of Kakamega. The delegation comprises eight members and 21 officers of the Procedure and Rules Committee, who are in the Senate for a benchmarking visit with the Task force on Review of the Senate Standing Orders.

I request the members of the delegation to stand when called out, so that they may be acknowledged as per the Senate tradition.

1. Hon. Peter Walunya
2. Hon. Mercy Luseno
3. Hon. Timothy Aseka
4. Hon. Timothy Wanzetse
5. Hon. Scholastic Ngina
6. Hon. Brian Mafunga
7. Hon. Lynette Wanga
8. Hon. Bernard Mulama

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

VISITING DELEGATIONS OF STAFF FROM BARINGO, ELGEYO MARAKWET, NYERI, KWALE AND NYANDARUA COUNTY ASSEMBLIES

I would wish to acknowledge the presence in the Speaker's gallery this afternoon of staff from the following county assemblies: Baringo County Assembly, Elgeyo Marakwet County Assembly, Nyeri County Assembly, Kwale County Assembly and Nyandarua County Assembly.

The officers are in the Senate to undertake training with the Centre for Parliamentary Studies and Training (CPST) on the management of Committees of the Whole.

Hon. Senators, on behalf of the Senate and my own behalf, I extend a warm welcome to the delegation and wish them a fruitful and enriching visit.

I will call upon the Senator for Kakamega County to extend a warm welcome to the two delegations.

You may proceed, Hon. Senator.

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir, for that privilege. I want to use it by welcoming my younger brothers and sisters, some of them who are my sons, to this House. I hope that you are going to find your tour enriching, and indeed it should be.

Mr. Speaker, Sir, allow me to reassure, especially amongst them, Members of the County Assembly (MCAs), I can see some of them, Bernard Mulama, my daughter Lucy and others. The welfare of MCAs is something that we discuss in this Parliament again and again. We have been doing so, colleagues from Kakamega, mainly on issues of your allowances, payment of salaries on time and the quantum of being paid. However, a new animal has come in and I want to really regret, on behalf of the people of Kakamega County, that MCAs are now being attacked in public functions. MCA Bernard Mulama of Lumakanda, was attacked the other day, together with Moi. Tell the Governor, he can beat some of you MCAs---

The Speaker (Hon. Kingi): Sen. Khalwale, kindly welcome the delegation to the Senate, and then deal with domestic issues in Kakamega.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, I want to reassure them that they are under our protection and especially through you.

Mr. Speaker, Sir, this point I was about to conclude with is so critical, that governors can spend public funds to attack MCAs in public functions. The House should add its voice and say, what is going on in Kakamega County is wrong. The only reason being that Boganda welcomed us at a public function.

Anyway, secondly, I would like to tell colleagues from Kakamega County that the Houses normally start on time, 2.30 p.m. on the dot, according to the Standing Orders. Unfortunately, these days, visitors, as you have seen today, we started 10 minutes late. It is not because of the doing of the Members, the House rules or the Speaker, there was a decision that was made in this House which was wrong. I hope if it is being done in county assemblies in Kenya, it should be corrected.

The Speaker (Hon. Kingi): Sen. Boni, kindly take your seat.

The two delegations, let me take this opportunity to welcome you, now that the Hon. Senator has failed to do so.

Sen. Veronica Maina, you may proceed. Sen. Veronica, before you make your comments, allow the Hon. Senator to also extend some welcome remarks.

Sen. Kisang': Thank you, Hon. Speaker. Due to the direction the Senator from Kakamega County was taking, thank you for giving me the opportunity to welcome the team from the county assemblies of Elgeyo Marakwet, Baringo, Nyandarua and Nyeri. Welcome to this House. We are civilised Senators and I believe even in your county assemblies, you also do the same. We welcome you. Come and learn at the CPST. The CPST is not for Parliament, the Senate and the National Assembly alone, it is also yours. We have used taxpayers' money to set up that particular training centre. So, please, take your time and benefit from it. When you go back to the county assemblies, please assist our MCAs, so that they also benefit from what you have learnt.

Karibuni Nairobi.

(Resumption of Statements)

The Speaker (Hon. Kingi): Sen. Veronica, you may proceed.

Sen. Veronica Maina: Thank you, Mr. Speaker, Sir, for this opportunity.

I want to weigh in my comments on the Statement on Kenya Airways. First of all, we hope that Kenya Airways will survive until 2029 to bring to Kenya the athletes, because Kenya has won the bid to host the 2029 World Athletics. We congratulate the Ministry of Youth Affairs, Creative Economy and Sports for this achievement.

Mr. Speaker, Sir, Parliament must stop entertaining mediocrity in the management of serious institutions. As a nation, we only have one national carrier, which is Kenya Airways. So, some of the points we are giving here are not based on us being pessimistic towards Kenya Airways, but are more borne by the concern we have for our only national carrier, going down because of very poor management.

Unfortunately, when the issue comes to Parliament, we have legislators who will even stand to defend and cover up for two minutes of TikTok circulations, instead of coming or facing the issues head-on and telling Kenya Airways, you have done very poorly in management of that national carrier. We are expecting better than what we have seen. I would not even want to put it on microphone, some of the experiences we have received as customers when we are using our national carrier. Kenya Airways, you already know those complaints because many Kenyans have written to you. To use the excuse of lack of spare parts for the grounded Dreamliners is the most lame duck excuse I have ever had to explain the operations of a national carrier. It is like telling somebody I could not get a spare part for my Toyota Corolla. What is that? I do not think there is any room for that mediocrity because those Dreamliners are manufactured by specific companies which have all the spare parts that would be needed.

Let us not play with the intelligence of Kenyans. Kenya Airways is poorly managed. There is too much corruption. How many times do they want to be rescued using public coffers in the payment of a debt portfolio which is never ending? Right now, standing at Kshs152 billion, an airline that came into operation in 1977 after the collapse of the East African Airways.

For the longest, Kenya Airways was the pride of Africa. This is the airline that has been servicing the African continent. Right now, as we speak, Kenya Airways is being overtaken by RwandAir and Ethiopian Airlines. Even Uganda now has an airline. Nigeria was serviced by Kenya Airways single-handedly. Every person who was travelling out of Africa had to dock here in Nairobi.

It is high time for Kenya Airways to manage its affairs and if they cannot manage their affairs, we definitely would not approve that they take over the functions of KAA. If your house is not in order, what do you want to do with another function when you could not manage to service the little that you were given or the much that you were given?

I urge this committee not to allow politics into a serious commercial business transaction that should be discussed on how competitive Kenya Airways should become.

Sen. Wakili Sigei: Thank you, Mr. Speaker, Sir. I would like to comment on two Statements. One, on the subject by Senator from Kajiado County on the Tata Chemicals.

I have looked through the records of the status of this company. Data speaks for itself. It is a matter of fact, that there have been matters pending in court, including what Sen. Cherarkey said. For once, at least I must agree with him, that there is a Kshs13 billion liability against the County Government of Kajiado where the governor of that particular county indeed issued stop orders from operations of the company because of those historical land injustices.

Secondly, the suspension further of the operations of this company were done by the relevant ministry of Mining, Blue Economy and Maritime Affairs. That required their non-compliance with the regulations. The call out and a confirmation by the President of the closure of the factory is not necessarily supposed to attract the extent of the condemnation that we are seeing from the members, because it is something that had been done in compliance with the law for their non-compliance and inability to pay the taxes.

It is high time that we also deal with these issues in the context of where such declarations were being made, because these were done in order to make sure that the people whom Sen. Seki represents in the County Government of Kajiado benefit from that company.

Secondly, we have previously talked about Kenya Airways. This House has a report that had been done. I want to agree with Sen. Osotsi that instead of having these Statements coming up every morning, every evening, having a discussion for purposes of engaging in order to get a long-lasting solution, we need to do beyond discussing and implement the decisions that several committees of this House and other Houses before have done, so that we support our airline. We should support the investments by members and Kenyans at large.

I therefore support the Statement that instead of having an engagement on it, let us dig up the library, get the reports and implement the recommendations to support the airline.

Sen. Omogeni: Mr. Speaker, Sir I want to make a comment on this issue of Kenya Airways. I heard one of my colleagues saying that getting spare parts for a Toyota Corolla is the same as getting spare parts for a Dreamliner. That is not true.

The aviation industry is very complex and very brutal to some of the companies. Some of the most reputable airlines like Virgin Australia went into bankruptcy because getting spares for Dreamliners has been a challenge for many airlines. We cannot compare Kenya Airways with RwandAir which only has 14 aircrafts, while Kenya Airways has over 31.

Let us challenge the Government. If we want to compete with Ethiopia, let us ask ourselves this question: “What is the fleet of Ethiopian Airlines?” It has over 130 aircrafts. Look at the way it can take control of the routes. If we are competing with Ethiopian Airlines, we should challenge the Government to pump in more money to Kenya Airways, so that we can become competitive.

I am a very proud Kenyan today because we are preparing to host the World Athletics Championships in 2029. Are we telling the world that we want visitors to fly in using RwandAir? No! I want to receive those visitors at Jomo Kenyatta International Airport (JKIA) while flying using Kenya Airways. We should ask the Government to set aside money. Let us increase our fleet. Ethiopian Airlines has over 30 A350-1000 aircraft. We have none as Kenya Airways yet 48.9 per cent shareholding of Kenya Airways is controlled by the Government.

Anywhere in the world, a Government should not come out and show that it has no financial muscle. Every time you fly from West Africa, you will come back with the Congolese. They tell you: “You Kenyans, oh, you are happy. We have to escort you to your country. Then we start our journey again back to Congo.”

I do not want a situation where I will fly from Europe using RwandAir, I am taken to Kigali, then I begin my journey from Kigali back to Nairobi. Let us have concerted efforts to support Kenya Airways. When I used to be Chairperson of the Law Society of Kenya (LSK), Kenya Airways was being run by a very good Maasai. He was the Managing Director, if you remember. We all used to enjoy the services we were getting from Kenya Airways.

I heard Sen. Veronica Maina saying that there is customer dissatisfaction. I am challenging the management of Kenya Airways to also bring in a chief executive, who has passion on running that company, the way Mr. Titus Naikuni was. If you remember, when the LSK was having a conference in Mombasa in 2008, and Kenya Airways was the airline of choice for lawyers, we were received by Mr. Naikuni at the airport as special guests. He was saying it was a pride for Kenya Airways to be the airline of choice for lawyers from Nairobi to Mombasa.

The following year, everyone was saying the only airline we should use to Mombasa is Kenya Airways. We need a chief executive who has that passion, because we want Kenya Airways to continue being the pride of Africa. We are all proud to see that we have an airline that identifies with our own country, Kenya Airways.

I am challenging the new management of Kenya Airways to also look at the competence of the chief executive, so that we persuade the Government to put us at the same level like Ethiopian Airlines. Let us commit money, increase our fleet to even 50 aircrafts. That way, we can be competitive.

Sen. Wamatinga: Thank you, Mr. Speaker, Sir. I want also to add my voice to the issue that has been raised about Tata Chemicals. I want to strongly disagree with my colleagues. It does not matter at what point you discover injustice; you must address it.

This country has been endowed with rare earth minerals that have been exploited by foreigners to their advantage, leaving locals with nothing to show. We talk about the creation of sovereign funds, so that the future generations can get something from what we are using today.

When we talk about sustainable development and exploitation of natural resources in a way that the future generations will also get a benefit of it, we must do it in a way that also has benefits to the local community and the country. Most importantly, it does not make any sense that the African continent has up to now been seen as a source of raw material that has been manufactured and processed elsewhere, and then re-imported back to Africa and sold at prices that are not affordable to the locals.

The decision that was made by the President to say that we must call every mining company, every manufacturer to order, this is modern-day slavery, it is not too early to call it to an end. It does not matter when we discover it. It must be put to an end.

On Kenya Airways, it is evident and it is known to everybody in this House that the previous regimes exploited and made contracts that were skewed to favour them.

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

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

On Kenya Airways, it is evident and it is known to everybody in this House that the previous regimes exploited and made contracts that were skewed to favour them. The same way independent power producers did to the country is the same way the manufacturers did to this country. That is why Kenya Airways will always make losses because there are people who benefit when they make the losses.

Mr. Temporary Speaker, Sir, I agree with my fellow Commissioner. It is indeed the pride of Africa and we must do everything. However, we must start by calling it the way it is. There are people who have skewed contracts to supply spare parts, offer services and do passenger transfers. These are done in a way that is not commercially viable. It was done by somebody who was in the highest office in this country. He made contracts that will favour him and his family for the next couple of generations while ordinary Kenyans continue to pay taxes to bail out Kenya Airways.

We have those reports in this House and, therefore, it is important that we table them again, call things out as they are, and address this matter once and for all. The way to go is to create equity out of the debts that are owed by the Government, so that we can make Kenya Airways a bit affordable and commercially viable. However, as we do that, we must also call out those people for the malpractices they did.

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

Sen. Abass: Thank you, Mr. Temporary Speaker, Sir. I will comment on the Statement made by Sen. Lomenen on the issues of security in Turkana and people losing their lives and properties. This country is in a very unfortunate state. It is a very vast country with far-fetched areas. Most of our borders are porous. Turkana, Pokot, parts of Wajir and many other borderlines have experienced long-lasting security issues. Many problems have been blamed on the communities that live in those places but that is not the case because every Kenyan has a right to live; a right to life and a right to be protected by the same Government that says it is the community that does that. The community has no role in security issues. They can only cooperate with security officers.

Mr. Temporary Speaker, Sir, because of the insecurity in those areas, many Kenyans have lost their livelihoods and others have died. Today, in most of the areas in Turkana, many people are living in total poverty that we see every time. If it were not for the NGOs and other well-wishers, many people would have died of hunger. The same people are still up to now facing challenges to manage their own security. We have enough resources and we have enough forces that can take care of those areas.

The last time, many people died in Lake Victoria due to aggression from other communities from Ethiopia. There are times the Karamojong come to raid animals from Turkana and many other people. Turkana people are not people of a lesser God. They are Kenyans and they must be protected. The one thing you must know is, Turkana has a lot of oil deposits; that is the only place Kenyans can get oil. We have gold in West Pokot and there is the gold rush. That is the way to go to protect those resources and the people, not just observe and kill them.

Mr. Temporary Speaker, Sir, according to Articles 26, 28 and 29---

The Temporary Speaker (Sen. Wakili Sigei): Give Sen. Abass just one minute to conclude.

Sen. Abass: Thank you, Mr. Temporary Speaker, Sir. Our Constitution gives rights in many Articles - 26, 28, 29 and 40. Every Kenyan must be protected and their property as well. Therefore, it is the obligation of the Government to provide security to the people in Turkana. We must protect our resources, the large masses of oil and the gold in those areas.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Chute.

Sen. Chute: Thank you, Mr. Temporary Speaker, Sir. I am contributing to the Statement by Sen. Cherarkey. If you look at Kenya Airways, it is written, Pride of Africa. When I look at those three words and look at the losses they are making, I become ashamed to be a Kenyan. A colleague of mine talked about the issue of spare parts. Ethiopian Airlines has 30 Dreamliners and they are all operating. In 2025/2026, Ethiopian Airlines made US$1.52 billion but we made losses. The traffic increased by 10 percent. Is this loss or the spare parts issue only with Kenya Airways? This problem did not start today, it started many years ago. Up to today, Kenya Airways has the same problem. The passengers carried by Ethiopian Airlines last year were 20.7 million. What did we carry? Less than 9,000. At least our profit should have been half of what Ethiopian Airlines are making.

Ethiopian Airlines are building a brand-new airport that can carry 100 million passengers in a year. Our problem is not only with Ethiopian Airlines. The problems with Kenya Airlines are purely management and nothing else. This is not special to Kenya Airways.

Mr. Temporary Speaker, Sir, Ethiopia Telecommunications made a profit in 2025/2026 of US$581 million. What did we make? Nothing. Do we have even Telecom today in Kenya? No! Kenya's Telecom is not there anymore. The Ethiopian Electric Power (EEP) made a profit of 39.5 billion Birr. Today, Ethiopia Power produces 9,700 megawatts of electricity, we are doing 2,400. Looking at the management of what is happening today in Kenya---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Chute, your time is up.

Sen. Chute: Thank you, Mr. Temporary Speaker, Sir. If you look at Asian businesses today, you will find generational inheritance running businesses. Not one but many. Manu Chandaria and many others. Why not give the board of management to these kinds of people to manage Kenya Airways and other institutions for us?

Mr. Temporary Speaker, Sir, let me touch on the Magadi issue. We should not blame the President because he is the number one protector of our resources and he did the right thing. The issue is, do we know what the lease agreement says? We need to know what is in the lease agreement.

Number two, there are royalties that are supposed to be paid to the communities in Magadi. After the Kshs3 billion, they have not paid. Let them pay that money. The committee should look into those things and---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Crystal Asige.

Sen. Crystal Asige: Thank you very much, Mr. Temporary Speaker, Sir. I would wish to comment on the matter about Kenya Airways and urge the country to understand the simple facts about it. I think we are witnessing a bizarre corporate anomaly where the child is feeding the parent, yet the parent keeps starving.

Jambojet is a wholly-owned subsidiary of Kenya Airways, as we know, and it dominates over 50 per cent of our domestic market with point-to-point efficiency. It has tight turnarounds and lean operations. Meanwhile, its parent company, Kenya Airways, sits bogged down by legacy debts and bloated fleet leases and structural inertia. How is it that the low-cost subsidiary understands the African sky better than the national carrier that birthed it?

Kenya Airways continues to operate under a very aggressive, expensive 1990s long-haul model, trying to fight global giants across Europe and Asia while neglecting regional demand. That is the problem. Jambojet has proved that East Africans want simple, reliable and on-time affordable routes. Kenya Airways is spending billions trying to be Emirates when Kenya just needs it to be nimble, efficient and regionally dominant. Let Kenya Airways be Kenya Airways.

Taxpayers are also tired of funding the Pride of Africa without the performance that Africans need. We cannot keep treating it like this while Jambojet operates like a commercial business, which it should. If the subsidiary can turn a profit by understanding lean economics, then why are the lessons of Jambojet completely ignored at the Kenya Airways board level? They should learn a lesson from Jambojet.

When Kenya Airways fails locally, cancelling flights, delaying routes or pricing out traders, then it is not a financial loss; it is an accessibility crisis as well. A modern national carrier must serve all Kenyans, including Persons with Disabilities (PWDs) that I have spoken to them about, small-scale exporters and regional entrepreneurs. When Jambojet steps up to the plate and fills the void, it proves that local accessibility and profitability can coexist. Kenya Airways needs to learn this lesson.

To the Cabinet Secretary for Roads and Transport, I would ask: is Kenya Airways actively cannibalising its own yield by outsourcing its most lucrative local routes to Jambojet or is Jambojet simply out-managing Kenya Airway's executive team on home soil? I would wish that they would just put themselves into order as Kenya Airways management and figure out how to turn this airline around because you cannot complain that you are not as competitive as other airlines across the world, when---

The Temporary Speaker (Sen. Wakili Sigei): Your time is up, Sen. Crystal. Sen. Joyce Korir, proceed.

Sen. Korir: Thank you, Mr. Temporary Speaker, Sir. I will not speak at length on Kenya Airways because much has been said by my colleagues. It is the duty of the relevant committees of the Senate and the National Assembly and the relevant ministry to convene a technical team to address management issues affecting Kenya Airways. This will ensure it delivers the quality services Kenyans and the world expect.

On the Magadi issue, the President speaks from an informed position. I believe this issue has been addressed by the relevant county government and are privy to the breaches committed by the company bearing in mind that we embrace investors because of the benefits they bring, such as employment, healthcare, education and water services for Kajiado residents.

If the company has breached any terms, it must engage with the county government and the Ministry of Mining, Blue Economy and Maritime Affairs to resolve the issues. By the time these matters reach the public domain, significant concerns have already been raised. We are not chasing investors; we are insisting that they should adhere to the laid down requirements for private investors.

There are also issues on royalties. We need to verify whether the company is compliant in paying royalties. We are not against them in any way, but operations must follow the agreed framework, despite that some agreements were made long ago. Laws and policies have changed. Investors must adhere to current statutory requirements. I support the Statement.

Thank you.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Mandago.

Sen. Mandago: Thank you, Mr. Temporary Speaker, Sir. I wish to comment on the Statement sought by the Senator for Kajiado County regarding Magadi and Tata Chemicals Limited. First, it is on record that the Governor of Kajiado County has stated that Tata Chemicals Limited has failed to pay royalties due to the people of Kajiado County. This company came before independence and did not legally acquire the land. Colonialists never sought consent to take land, despite treaties. Chiefs were deceived into signing agreements that were not favorable to the community.

Therefore, the intervention the President has put in place ensures that the Maa people of Kajiado receive their dues, the Government of Kenya gets its share and expand mining opportunities in Magadi to other investors. One company cannot occupy 240,000 hectares of idle land for speculation while others could exploit resources for the benefit of Kajiado and the country.

We must thank the President because this administration has given visibility to the mining sector. That is why there is now a rush for coal mining in West Pokot and Turkana. Minerals are being exploited for the benefit of Kenyans. All investors must follow the law and pay royalties to communities where minerals are exploited. The people of Kajiado County deserve to earn from their natural resources.

Regarding Kenya Airways, I do not support giving it resources. This is because, we are giving money to two local investors who use their position to make unfavorable contractual agreements to Kenya Airways. Ethiopian Airlines is doing very well because it implemented a strategic plan mooted by Kenya Airways experts that time. That plan, called Mawingu, was transferred by---

Please add me one minute, Hon. Temporary Speaker.

(The Temporary Speaker (Sen. Wakili Sigei) spoke off the record)

That plan, called Mawingu, was transferred by senior managers, who left Kenya Airways to go to Ethiopian Airlines because the board of Kenya Airways had vested interests. They did not want to implement what was commercially viable, which would make Kenya Airways become the best airline in the region and globally.

Mr. Temporary Speaker, Sir, Kenya Airways, as the pride of Africa, was one of the most trusted airlines in this country. I remember when I was doing my Master's, we discussed a case study of Kenya Airways and it was said that it was the only one that would fly the entire continent of Africa, without streetlights. It could discover all corners of the continent in the dark because it was the pride of Africa.

I urge the Government, now that most of the enterprises that are commercial have gone to Government Owned Enterprises (GOE), Kenya Airways be placed under the same arrangement so that it is commercially viable and run---.

Sen. Okenyuri: Thank you, Mr. Temporary Speaker, Sir. I equally want to comment on the Statement by Sen. Cherarkey. Kenya Airways is indeed more than a commercial airline. It is a national strategic asset that positions us strongly, both in trade and as a regional transport hub.

I wish the Committee would go down so we can see how far the financial constraints go. As much as Kenya Airways is the pride of Africa, we are not going to exempt it from public scrutiny because, continuously, taxpayers' money is being pumped into it. As that is being done, we also need to know what is actually being done to turn around the strategy that they have to ensure that we are competing with other airlines.

It goes beyond the issue of finances. Right now, even the moment you walk into Jomo Kenyatta International Airport (JKIA), the manner in which the customer service personnel engage you is really worrying. You wonder if these people can engage a Member of Parliament (MP) in such a manner; how about an ordinary traveler or visitor who is visiting Kenya?

So, we appreciate that Kenya Airways is the pride of Africa. However, we also call for tight and tough scrutiny. The Government also needs to disclose the amounts that they will be supporting Kenya Airways with for recovery. This is so that it is not a continuous kind of support that goes on without any turnaround to show that they are improving in terms of the kind of programmes they have, how they spend, how they issue tenders and so many other aspects that will indeed make it the pride of Africa that we know.

Sen. Tobiko: Thank you, Mr. Temporary Speaker, Sir. I rise to comment on the Statement made by the Senator for Kajiado County, Sen. Seki. The issue of Magadi Soda is very emotive to the people of Kajiado. We encourage investors to come to the country and particularly to Kajiado County. As we encourage them, they must be true to their business and the people who are hosting them.

The Tata Company has been around in Kajiado County for 100 years. However, you cannot pinpoint the benefits that our community has gotten from the company. There are no Corporate Social Responsibility (CSR) projects apart from giving some little water and running their own clinic that sometimes attends to the locals. You cannot compare it with the resources that they have been taking from the people of Kajiado County.

If whatever our colleagues are calling a roadside pronouncement can liberate the people of Kajiado who have suffered for 100 years under this Tata Company, then let it be. If that was what it was going to take, then for us, the roadside declaration was God-sent. This is because we needed Tata to respect the people of Kajiado. We need more than 240,000 acres of land back. Those agreements must be renegotiated and public participation done, so that the people of Kajiado County can also pronounce themselves on their own issues that affect them and how they want to benefit from the company.

First things first, the company should pay royalties. It should pay the people of Kajiado County, the County Government of Kajiado and the national Government. We are not going to continue to host people who have milked us from before independence to date.

I urge my colleagues not to play politics with this issue. Whichever side of the political divide, let them not play politics. It is the lives of the people. It is their land. The people of Magadi have no other land apart from that very land that Tata Company is claiming to sit on and doing nothing with it. We are happy with what the President did about Magadi---

(Sen. Tobiko's microphone was switched off)

The Temporary Speaker (Sen. Wakili Sigei): You are fine with the thought?

Sen. Tobiko: No.

The Temporary Speaker (Sen. Wakili Sigei): Give her one minute.

Sen. Tobiko: Mr. Temporary Speaker, Sir, we are happy as the people of Kajiado with that single pronouncement that liberated us from 100 years of colonization. So, the people of Kajiado want to renegotiate the agreements. We want full participation of our people in deciding the way forward.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, that brings us to the end of comments on the various Statements that we have had this afternoon. I will therefore rearrange the order paper and call out Order No.14.

Sen. (Prof.) Kamar, you may proceed to move

MOTION

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE KENYA SIGN LANGUAGE BILL, (SENATE BILLS NO. 9 OF 2023)

Sen. (Prof.) Kamar: Thank you, Mr. Temporary Speaker, Sir, I beg to move-

> THAT, the National Assembly Amendments to the Kenya Sign Language Bill (Senate Bills No. 9 of 2023) be now considered.

I rise pursuant to Standing Order No. 165 (4) of the Senate Standing Orders to present and move the report of the Standing Committee on Education on its consideration of the National Assembly Amendments to the Kenya Sign Language Bill (Senate Bills No. 9 of 2023).

The Kenya Sign Language Bill, 2023 is jointly sponsored by Sen. Crystal Asige and me. This Bill is a successor to a similar Bill of the 12th Parliament, which I co-sponsored with Sen. (Dr.) Musuruwe.

The Bill seeks to provide the use of Kenya Sign Language in judicial proceedings, schools and public institutions and to ensure that the deaf and hard-to-hear learners are accorded the same opportunities as other learners to be productive members of society.

This House considered the Bill and passed it with amendments on 21st February, 2024. Pursuant to Article 110(4) of the Constitution, the Bill was thereafter forwarded to the National Assembly for consideration and passage.

The National Assembly considered the Bill and passed it with further amendments on Wednesday 24th June 2026. Pursuant to Article 112(1) (b) of the Constitution, the Bill was returned to the Senate through a Message dated 2nd July, 2026.

On 14th July 2026, you conveyed the Message on the National Assembly's passage of the Bill with amendments and referred the same to the Standing Committee on Education for consideration.

Mr. Temporary Speaker, Sir, the Committee has undertaken a clause-by-clause consideration of the National Assembly amendments.

The amendments taken together sought principally to establish a new body corporate to be known as the Kenya Sign Language Council, together with a registrar, the staff establishment, financial provisions and disciplinary machinery for registration and regulation of sign language interpreters.

The amendments further sought to impose new obligations on television stations and telecommunication service providers in respect of closed captioning, sign language insets and relay services.

Mr. Temporary Speaker, Sir, the committee wishes to place on record reasons for its position. First, the functions proposed for the Kenyan Sign Language Council are functions that may be---

Sorry, Mr. Temporary Speaker, Sir. I wanted to say that our committee considered and has rejected most of the amendments. The committee wishes to place on record the reasons for rejection. Firstly, the functions proposed for the Kenyan Sign Language Council are functions that may be discharged through the Ministry of Education and the National Council for Persons with Disabilities (NCPWD).

Secondly, in the composition of the said council, county governments have not been mentioned nor even represented, whereas they are a critical actor in the promotion of the Kenyan Sign Language (KSL).

Thirdly, the establishment of a new freestanding regulatory body will introduce additional administrative and financial obligations, fragment governance of disability matters and set an unwarranted precedent for similar bodies to be sought by other disability groups; none of which is necessary to achieve the Bill's objective of inclusion of sign language in the education curriculum to provide for use of sign language in legal proceedings and for connected purposes.

Lastly, Mr. Temporary Speaker, Sir, the National Assembly did not furnish any rationale for the amendments touching on obligations for the media and telecommunication sectors, which have significant regulatory and cost implications for which the affected industry stakeholders were not accorded an opportunity to submit their views.

Having examined each of the National Assembly amendments on this basis, the committee therefore resolved to reject the proposed amendment and recommends that the Bill stands as passed by the Senate on 21st February, 2024.

Mr. Temporary Speaker, Sir, the committee is satisfied that the Bill, as passed by this House, adequately provides for recognition and use of KSL for registration of sign language interpreters through the existing framework of the registrar and for the protection of the rights of the deaf and the hard-to-hear access to education, justice and public services without recourse to a new corporate body.

I take this opportunity to thank Members of the Standing Committee on Education and Sponsors of the Bill, that is Sen. Crystal Asige and I, for their diligence in the consideration of the National Assembly amendments and preparation of the report. I also thank the office of the Speaker and the office Clerk of the Senate for the facilitation extended to the committee during its work.

Mr. Temporary Speaker, Sir, arising from the foregoing, I beg to move the following Motion–

THAT pursuant to the provisions of Standing Order No.165(4) of the Senate Standing Orders, this House adopts the report of the Standing Committee on Education on its consideration of the National Assembly amendments to the Kenya Sign Language Bill (Senate Bills No.9 of 2023) laid on the Table of the House on 16th September, 2026, and pursuant to Standing Order No.165(4)(b) of the Senate Standing Orders resolves to reject the National Assembly amendments to the Kenya Sign Language Bill (Senate Bills No.9 of 2023) in its entirety and to insist on the Bill as passed by the Senate on 21st February, 2024.

Mr. Temporary Speaker, Sir, I beg to move and request Sen. Crystal Asige to second.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. (Prof.) Kamar. You will note that the Motion that you have moved is the actual Motion that came from the committee. For the record, I am just noting that the Motion that you have moved is the one that you started with and not the one that you concluded on.

Even as Sen. Crystal Asige seconds the Motion, you align your secondment and support thereof to the Motion that we consider National Assembly amendments to the Kenya Sign Language Bill (Senate Bills No.9 of 2023).

Sen. Crystal Asige, you may proceed.

Sen. Crystal Asige: Thank you so much, Mr. Temporary Speaker, Sir. I rise to second the Motion that has been moved by Sen. (Prof.) Kamar and co-sponsor of the Kenya Sign Language Bill (Senate Bills No.9 of 2023), though I must say that I do it with a bit of a heavy heart.

I, together with Sen. (Prof.) Kamar, have really been pushing for drafting and the journey that the Kenya Sign Language Bill has taken through the Senate before it went to the National Assembly.

Of course, it is a result that I would have liked to have been the opposite from the committee because, as you can see, our time is fast being spent with our parliamentary term soon coming to a close. It would have been fantastic, of course, if the committee had, in their considerations, resolved to concur with what has been offered by the National Assembly as amendments. However, I absolutely appreciate the committee for the work they have done. I know this has been a difficult one for them to consider and conclude on because of pertinent issues that have been raised by Sen. (Prof.) Kamar, who has moved the Motion.

As Members of Parliament, our job as legislators representing our different constituents is, of course, to see that, at the end of the day, laws that are passed will help the people of Kenya. This absolutely is one of them. The deaf community in Kenya has long been forgotten. I want to assure them that even though the committee has had deliberations and considered that we proceed in this manner, absolutely be assured that the deaf will be heard in this country.

Mr. Temporary Speaker, Sir, this does not mean that it is the end. I hope you will guide the House on the next steps. It does sound to me that we may need to go into a mediation of some sort with our sister House, so that we iron out issues that have been raised by the Committee on Education which are valid. I do accept them because they have been diligently considered by the committee. At the end of the day, we all want not just to pass laws, but to pass good laws that will help our constituents, not just now or in the next couple of years, but in perpetuity if possible.

I do hope that the deaf community and the support system around the deaf community will also appreciate the hard work that has been put into this and the time spent in deliberating issues raised by our Standing Committee on Education as well as that of the National Assembly. Hopefully, we will conclude very soon.

Mr. Temporary Speaker, Sir, my appeal to you and your able office is that, where possible - and I know it is possible because you are the apex of this House - kindly convene this mediation committee as soon as possible so that we can sit down and thrash out the different issues in the shortest time possible.

Like I said, if we get to our December recess next year, every Member of Parliament or Senator will be very busy on the ground trying to look for votes so that they can come back into Parliament or whichever public offices that they wish to assume. This Bill, which we have been working on since the beginning of this term, will have gone at a loss. It will not just be a loss for people in this House as Senators, but a greater loss for the deaf community in Kenya.

My sincere appeal to you is that you put together this mediation committee as soon as possible. I plead as well that the co-sponsors in this House be a part of that mediation committee so that we can sit and defend it together with our colleagues in the National Assembly. At the end of the day, we will pass a Bill that will be effective, impactful and will support the development of Kenyan Sign Language in this country.

Through this Bill, we are only saying that Kenyan Sign Language be put in not only the judiciary, but also be learned in schools. Can you imagine what it will be like if children from Grade one in primary school learned basic sign language all the way through to secondary school? How much more included would the deaf community feel in this country?

Imagine your children having the opportunity of learning basic sign language and then growing up with the ability to speak to any deaf person across the country that they may encounter, whether in social circles, professional circles or wherever it is that they will end up going in the future. That is what we are foreseeing. That is a vision held in the spirit of this Bill. This will not only happen in school, but in every single public institution.

Imagine one day, we have a President who is deaf? They will at least be coming into an office and assuming a position where society has at least been given foundational education on Kenyan Sign Language. This means that we are catering for the most vulnerable of this entire country; people with disabilities in their diversity.

It is a vision that we both have and all of the Senators in this House also have. That is why they have been supporting the passage of this Bill up to this stage that we are in today. I do pray and beseech that the mediation committee will be set up very soon. I am aware that the National Assembly is coming back from their recess on the 28th of this month, while we will be going on our own recess on 9th October.

We only have about a 10-day window or so to try and put it together, meet, agree and adopt the resolutions of that mediation committee before we get into the close of this year. As I second, that is my appeal. I hope that other Members of this House will also support the same.

I thank you and I second.

(Question, that the National Assembly amendments to the Kenya Sign Language Bill, (Senate Bills No. 9 of 2023), be now considered proposed)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, this Motion is available for Members to contribute and if there is any Member willing to make contributions, they should proceed to make that request.

Sen. Omogeni, is the request for this particular Motion?

Sen. Omogeni: Yes, Mr. Temporary Speaker, Sir, just a few comments.

First, I applaud the efforts by Sen. Asige in bringing this Bill before the House, but also register my very deep disappointment with the way the National Assembly has handled this matter.

Of the two Houses in this bicameral Parliament, the Senate has the advantage of having Sen. Asige who understands the challenges that people with disabilities go through. She has put in a lot of effort and brought this Bill together with the amendments to this House. However, the cat-and-mouse game between the National Assembly and the Senate continues to persist, even on such progressive Bills.

I have always held the view that we should bite the bullet and correct the mistakes that were made when we passed the Kenya Constitution 2010. When Members of the National Assembly retreated to Naivasha, we only had the National Assembly in place. We did not have the Senate in place at that time and because of that, the legislative powers in the Constitution between these two Houses were not evenly distributed. That is why if you look at the matrix, we consider more Bills from the National Assembly than they consider Bills that emanate from the Senate.

On this particular Bill of Kenya Sign Language and its nature, I appeal to my colleagues in the National Assembly to listen to the passion and cries of Sen. Asige and send a progressive team that will participate in mediation so that we process this, Bill. This will give Sen. Asige the pride of seeing this Bill see the light of day. It will be sad if the tenure of this House comes to an end before the passage of this Bill.

Mr. Temporary Speaker, Sir, I do not consider this Bill a controversial one. As Sen. Asige has said, it is a Bill that is supposed to address the peculiar concerns of people living with disabilities. If I remember correctly, in the 10th Parliament, we had a colleague, a lawyer by the name Oki Ooko Ombaka, who was a Member of Parliament from Gem. That Member suffered an illness and suddenly went blind. Let us appreciate that when we are proposing a law, we are proposing it for posterity. We should pass our laws considering fairness to all Kenyans, including those living with disabilities.

I am appealing to the leadership of both the National Assembly and the Senate to fast-track this Bill through the mediation process as soon as possible so that it can be enacted. We should be seen to be a House that cares for PWDs. Let us not appear insensitive. We should avoid creating unnecessary wars on a Bill as progressive as this one.

I want to assure Sen. Asige that I share her concerns and understand her frustrations. If there is anything we can do as a House to alleviate those frustrations, we should do it.

With those remarks, Mr. Temporary Speaker, Sir, I support. Thank you.

The Temporary Speaker (Sen. Wakili Sigei): Proceed, Sen. Essy Okenyuri.

Sen. Okenyuri: Mr. Temporary Speaker, Sir, I also rise to support the committee's recommendation that this Bill proceeds to mediation. It is because this Bill is not about extending charity to PWDs but rather to recognise their constitutional rights and remove barriers that make it difficult for them to access whatever they want to.

Can you imagine a mother who is unable to explain her child's symptoms at a health facility or members of the public who are unable to follow parliamentary proceedings? Passing legislation without allocating the necessary resources remains only a promise. That reflects badly on PWDs.

Therefore, I strongly support that it goes to mediation so that we get an agreeable version to ensure that PWDs, especially those with hearing challenges, benefit from the Kenya Sign Language Bill by Sen. Asige.

Mr. Temporary Speaker, Sir, I also want to congratulate Sen. Asige for continuously championing for the people she was nominated to represent. She has consistently done that. Therefore, I want to recognise that in a special way as I support the report by the committee.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, I now call upon Sen. (Prof.) Kamar to reply.

Sen. (Prof.) Kamar: Mr. Temporary Speaker, Sir, I would like to thank Members who have contributed to this. I would also like to underscore Sen. Asige's statement that we wish this Bill is cleared before December. We all know what will happen next year. It will be challenging and difficult for us to even have a quorum to do some of the things that we are doing now.

As Sen. Omogeni has said, we seem to be having a challenge with Bills that go to the National Assembly. This Bill went to the National Assembly in 2020 and again in 2023 where it has been for a very long time. Despite that, we remain determined to ensure it is passed because it is crucial.

Sen. Essy rightly put it. It is about the constitutional rights of every Kenyan. They include access to education and the ability to do anything that any Kenyan can do. Therefore, this Bill is crucial.

In fact, this Bill introduces something that will make Kenya very unique. We are proposing that KSL be incorporated into the Competency-Based Curriculum (CBC) starting from Grade One because it is our third national language. We do not need languages like Mandarin or French. Let all our children learn KSL. If all of them learn KSL, it will be fun for deaf children to play with others. Children will be excited to promote the language. That is what Sen. Asige and I are aiming at.

I am deeply grateful to Sen. Asige. Her extraordinary energy kept this initiative moving forward when mine was waning. I thank her for the role she has played in pushing for this Bill even to get to the National Assembly. Without her persistent advocacy, the National Assembly would not have prioritised it. It is our prayer that this legislation passes. It will form part of her legacy during her first term in this Senate.

Mr. Temporary Speaker, Sir, with those remarks, I request that putting of the question be deferred to a later date.

I thank you.

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

Hon. Senators, putting of the question on the Motion is hereby deferred to the next sitting of the House, pursuant to provisions of Standing Order No.66(3).

(Putting of the Question on the Motion deferred)

Hon. Senators, Order Nos.10, 11, 12 and 13 are hereby deferred. Furthermore, for the convenience of the House, Order Nos. 15 through to 25 are similarly deferred.

MOTION

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

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.

(Motion deferred)

MOTION

ADOPTION OF REPORT ON THE APPLICATION FOR CONFERMENT OF CITY STATUS TO THIKA MUNICIPALITY

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, that pursuant to section 8 (6) of the Urban Areas and Cities Act, approves the conferment of City status to Thika Municipality.

(Motion 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)

BILL

Second Reading

THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM BILL
(SENATE BILLS NO.43 OF 2024)

(Bill deferred)

COMMITTEE OF THE WHOLE

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

(Committee of the Whole deferred)

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

(Committee of the Whole deferred)

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

(Committee of the Whole deferred)

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

(Committee of the Whole deferred)

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

(Committee of the Whole deferred)

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

(Committee of the Whole deferred)

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

(Committee of the Whole deferred)

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO.66 OF 2023)

(Committee of the Whole deferred)

THE HEALTH (AMENDMENT) BILL
(SENATE BILLS NO.12 OF 2025)

(Committee of the Whole deferred)

BILL

Second Reading

THE LIVESTOCK PROTECTION AND SUSTAINABILITY BILL
(SENATE BILLS NO.32 OF 2024)

(Bill deferred)

MOTION

NOTING OF COUNTY FISCAL PERFORMANCE
MEASUREMENT INDEX REPORT 2026

THAT, the Senate notes the County Fiscal Performance Measurement Index (CFPMI) Report 2026, laid on the Table of the Senate on Thursday, 6^{th} August, 2026.

(Motion deferred)

The Temporary Speaker (Sen. Wakili Sigei): Clerk, call Order No.26.

MOTION

MAINSTREAMING A FRAMEWORK FOR CLEAN COOKING

THAT AWARE THAT, Article 42 of the Constitution guarantees every person the right to a clean and healthy environment, which includes access to safe energy options;

FURTHER AWARE THAT, over 900 million Africans, including more than 90 per cent of households in Kenya's rural areas, still rely on traditional biomass (firewood, charcoal, animal waste) for cooking, resulting in high levels of indoor air pollution that cause premature deaths, particularly among women and children;

CONCERNED THAT, in Kenya, indoor air pollution has been linked to over 23,000 annual deaths, with women and girls bearing the disproportionate burden of time spent collecting firewood and cooking, limiting their education and economic opportunities;

NOTING THAT, traditional cooking methods contribute significantly to deforestation, greenhouse gas emissions, and climate vulnerability at the county level, undermining national commitments under the Energy Act, 2019, the Climate Change Act, 2016, and Kenya's Nationally Determined Contributions (NDCs);

RECALLING THAT, the Africa Clean Cooking Summit (Paris, 2023) mobilized USD 2.2 billion in commitments for clean cooking, and the International Energy Agency has recommended urgent financing and policy action to achieve universal access by 2040;

ACKNOWLEDGING, the efforts of some counties, development partners, and private sector actors in piloting clean cooking projects, but recognizing that these remain small-scale and fragmented;

NOW THEREFORE, the Senate resolves that the-

i) Council of Governors develops county-level policies, frameworks, and budgets that mainstream clean cooking into devolved energy and health functions;
ii) National Treasury and Ministry of Energy prioritize clean cooking in financing frameworks, including results-based financing and blended finance models to de-risk private investment;
iii) County Governments incorporate clean cooking targets in their County Integrated Development Plans (CIDPs) and ensure public institutions such as schools, health facilities, and prisons adopt clean cooking solutions;
iv) National Treasury and County Governments to fast-track letters of authorization to unlock carbon finance markets (Article 6.2 and CORSIA) for clean cooking projects; and
v) County Governments engage the private sector actors, and community organizations to expand clean cooking access, create local jobs, and reduce pressure on forest resources.

(Sen. Kibwana on 9.9.2026 - Morning Sitting)

(Resumption of debate interrupted on 9.9.2026 - Morning Sitting)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Omogeni had a balance of five minutes to conclude his remarks.

Sen. Omogeni: Mr. Temporary Speaker, Sir, I believe when we adjourned, I was in the process of making a case for the national Government to have in place a clear policy to transition poor households – I want to emphasise on poor households – from dangerous and polluting solid fuels such as charcoal, firewood and kerosene.

While highlighting the need for a clear policy framework, I have heard that the Government has the *Gas Yetu* Programme for distributing free liquefied petroleum gas (LPG) cylinders to households. However, that has been done in a manner that is not fair, equitable, professional and is highly politicized. We witnessed the distribution programme being selectively deployed in Ol Kalou as an inducement during the recent by-elections.

Subsequent meetings that have been held by the Government of the day, including the visits that the Government made to my own County, Nyamira, I never saw any distribution of free gas cylinders to our women. The question I am asking is; why were the people of Nyamira discriminated yet the people in Ol Kalou received free gas cylinders? We all pay taxes and the time has come when we, leaders, must demand that any Government project should be implemented fairly without any discrimination.

There is no single clause in the Constitution, and you are a lawyer, that says that development or Government projects should only be implemented in regions that support the Government. There is no such provision in the Constitution of Kenya 2010. All the articles in the Constitution insist that there should be fairness and equity when it comes to development. The only guiding principle should be that all low-income households should be supported by the Government if we are to attain the dream of having clean energy for our households.

While on it, I also want to appeal to the Government of the day to listen to some of the concerns that we raise on the Floor of this House, because we are the people's representatives. We speak on behalf of the people. I have said many times that if the housing project was to be impactful and to make sense to the many poor Kenyans, then we should do what other countries have done. This is because President Ruto rode to office on the promise that he will take care of hustlers and hustlers are the poor.

In India, the government builds homes for poor people and nobody here can tell us that there are counties where there are no poor households. If you go to Bomet or Nyamira, you will get poor households. Building of houses for poor households has been done in many countries, including Indonesia and Brazil. What are you going to do with the many poor households in Keroka, Tinga in West Mugirango and Girigiri in Kitutu-Masaba if you build the housing units in our urban centers? Those people will continue using firewood.

If the Government comes with a project of connecting piped gas to those homes, then we can say that in the next 20 or 30 years, we will do away with the use of unclean cooking systems, like charcoal and firewood. However, as long as we build the housing units in the cities such as Nairobi, Kisumu and towns like Kisii and Migori, the rural poor, who are the majority, will continue using those other means for cooking.

I want to appeal to the Government to be fair. We should have a program that says the distribution of gases to households will be done in all the 47 counties. After which, we should get names of the households that have benefited in those counties. I would like to know the household in Nyamira, particularly, that has benefited from that "gas *yetu"* project. We should not politicize everything because elections come and go. If you are a senator, governor or president you will either win or you lose when you face an election. Currently, in Africa, we have over five presidents who have served one term.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Omogeni, your time is up.

Sen. Veronica Maina: Thank you, Hon. Temporary Speaker, Sir, for the opportunity to speak on this very important subject, on clean cooking. It is important because it has taken time for us, as Kenyans or Parliament, to be taking such conversations to this level, where we are discussing a sector that disproportionately affects women. We very well know that within the cultural context of Kenyans, the cooking role is always assigned to the women and girls in most households. You will, therefore, find that the role of collecting firewood used to cook in a homestead is equally assigned to the women and girls. Hence, you will find the engendered perspective of cooking leaning more on the female gender than on the male gender.

This then brings a question on how a girl spends her hours which are substituted with the hours that she could have been in school. Instead of being in school, the girl is given other basic chores like fetching firewood. This is because one person must sacrifice for the family to be sustained and maintained. That is why I am pleased to be part of this conversation and I congratulate Sen. Hamida for bringing this Motion. We can achieve many benefits from mainstreaming a strategy of clean cooking to the extent that it goes to the villages, local settlements, basic settlements and basic homes. By doing so, we will reduce the emission of carbon dioxide and gases that cause fatalities. In fact, if the data is correct, every year we have close to over 20,000 fatalities out of emissions of gases emanated from unclean cooking.

I stand to support this Motion. There are many benefits of clean cooking. There are benefits in terms of the hours that will be saved because the girls will not have to collect firewood. Ol Kalou seems to have incited every Kenyan to demand for gas or use better means to cook. I call that a flip side because all Kenyans know that the residents of Ol Kalou were given gas by the Government of President William Ruto.

I hope when the conversations and the dust have settled, the residents of Ol Kalou people will take an opportunity to thank the Government for the gas cylinder or gas cooker as other Kenyans from Nyamira, Murang'a and Nyeri also demand that the Government remembers that they also need clean cooking.

We finally have a government that can actually converse on ordinary issues that affect *wananchi*. That is the other very good side about this conversation. It is good that the Government has come to the point where it is looking at how livelihoods are being lived in the villages and it is also looking at how it can improve the situation there. We are now looking at the cost of fuel and the means that have been used in cutting down trees and how that affects the environment. This is a very good conversation and it can fundamentally shift the manner in which cooking is done in Kenya.

I encourage the Committee as they consider this Motion to come out with a strategy that impacts everybody. It should be a strategy that impacts the people who are able to afford and those who are not able to afford. We should then see how the Government can step in a budget that supports and brings down the cost of cooking gas.

Mr. Temporary Speaker, Sir, I believe that when this is done, we will have people---

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

The Temporary Speaker (Sen. Wakili Sigei): Give Sen. Veronica two more minutes.

Sen. Veronica Maina: Thank you, Mr. Temporary Speaker, Sir.

We will have our citizens grateful for interventions that are done, that affect the ordinary lifestyle of the citizens who are living everywhere in Kenya. So, it has economic, health and environmental benefits. It also makes the work of cooking way easier. Perhaps finally we can persuade families or parents to raise both girls and boys because cooking has now been eased, is cleaner and easier.

We can finally persuade the parents to make sure that some of the roles we are assigning at home are not gendered; however, there is also mainstreaming in how those roles are being done.

In modern life, if you raise a boy telling them never to cook or get interested in the kitchen, and they are raised in Kenya and they end up doing their university education in United Kingdom, United States of America or in Singapore, no woman or girl is waiting to cook for them in those jurisdictions. So, if they are not adequately prepared here by being given roles that they have not considered as traditional for certain genders, life becomes very...

(Sen. Veronica Maina spoke off record)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Veronica, just wind up.

Sen. Veronica Maina: Thank you, Mr. Temporary Speaker, Sir.

I was talking about gender mainstreaming and mainstreaming clean cooking so that both genders are comfortable cooking at home and sustain their families, so that when our boys go out there, they are not struggling too much.

Mr. Temporary Speaker, Sir, you will be shocked to hear how many divorces may have been caused because of issues surrounding cooking, food, provision and basic needs within a family. It is also good to note that as clean cooking is mainstreamed, it should also go institutional into schools. That is where I believe the Government has started.

This policy must make sure that the emissions we are having from schools, hospitals, prisons, over 100,000 public institutions in Kenya- because they demand such a heavy supply of, for instance, firewood if they are not using clean cooking. We will cut down the cost of fuel, as well as the cost of using trees or firewood. In addition, it will maintain a much more affordable framework for providing the food that is needed to sustain members who are in that institution.

With those remarks, I support and say that it is time for Kenya to refine the clean cooking policy framework and ensure that we have adopted ourselves to the modern ways of doing things and cooking, and the reduction of carbon dioxide (CO_2) emissions annually, to help us sustain and observe what we need to do in mitigation of climate change.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Margaret Kamar.

Sen. (Prof.) Kamar: Thank you, Mr. Temporary Speaker, Sir.

I rise to request an adjournment of the debate on this important Motion, to enable us to have an opportunity to introduce our amendments.

Mr. Temporary Speaker, Sir, I beg for your support.

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

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, pursuant to the provisions of Standing Order 110 on the application by Sen. Kamar to adjourn debate on the Motion, to facilitate the introduction of proposed amendments to the Motion, the Motion is allowed pursuant to the provisions of Standing Order 110. Therefore, the debate is hereby adjourned to the next Sitting of the House.

Honourable Senators, Order No.27 to Order No. 33 are hereby deferred to the next Sitting.

BILL

Second Reading

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

(Bill deferred)

BILL

Second Reading

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

(Bill deferred)

BILL

Second Reading

THE KENYA NATIONAL LIBRARY SERVICE BILL
(NATIONAL ASSEMBLY BILLS NO. 20 OF 2023)

(Bill deferred)

MOTION

ADOPTION OF REPORT ON PETITION ON LIMITATION OF
TENURE FOR NOMINATED MEMBERS OF COUNTY ASSEMBLIES

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Laban Omusundi and others concerning limitation of the tenure of nominated Members of County Assemblies (MCAs) to a single term of five years, laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION

ADOPTION OF REPORT ON RE-INTRODUCTION OF ELECTIONS (AMENDMENT) (NO.3) BILL SENATE BILLS NO.48 OF 2021

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Mohamed U. Alasow concerning the re-introduction of the Elections (Amendment) (No. 3) Bill (Senate Bills No. 48 of 2021), laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION

DECLARATION OF ROAD TRAFFIC ACCIDENTS AS A NATIONAL DISASTER

AWARE THAT, Article 43 guarantees the right to the highest attainable standard of health, including emergency medical treatment and Article 21(1) of the Constitution obligates the State and all State organs to observe, respect, protect, promote and fulfil the rights and fundamental freedoms contained in the Bill of Rights;

NOTING THAT, Article 238 of the Constitution provides that national security includes the protection of the people of Kenya and their property against internal and external threats, which encompasses safety on national transport networks;

COGNIZANT THAT, road traffic injuries are among the leading causes of death in Kenya and constitute the leading cause of mortality among adolescents and adults in their most economically productive years, surpassing many communicable and non-communicable diseases resulting in significant loss of human capital and productivity;

NOTING THAT, in 2025 more than 4,400 Kenyans lost their lives with over 17,000 injuries from road crashes, a three per cent increase over the previous year, while nearly 400 people were killed in road traffic accidents in January 2026 alone, representing an 11 per cent increase compared to the same period in the previous year, illustrating a continuing trend of preventable loss of life;

CONCERNED THAT, beyond loss of life, road traffic accidents result in long-term disability, psychological trauma, family disruption and significant economic loss, with estimates suggesting losses amounting to billions shillings annually to the national economy, while placing severe strain on health facilities and emergency services;

FURTHER CONCERNED THAT, despite the existence of the National Road Safety Action Plan (2024–2028) and other statutory measures, road carnage persists due to preliminary causes including over-speeding, impaired and distracted driving, non-compliance with traffic laws, inadequate driver training, unsafe road infrastructure, unroadworthy and overloaded vehicles, as well as systemic challenges arising from inadequate investment in road safety infrastructure, weak coordination among transport, enforcement, health and county authorities, and limited emergency medical response capacity;

NOW THEREFORE, THE SENATE resolves that:

i) Road traffic accidents in Kenya be declared a National Disaster, requiring urgent, coordinated and sustained multi-sectoral intervention across prevention, emergency response, rehabilitation and long-term systemic reform;

ii) The Ministry of Roads and Transport and the Ministry of Health in conjunction with the National Transport and Safety Authority, the National Police Service and the Council of Governors, urgently strengthen the implementation of the National Road Safety Action Plan (2024–2028), including enhanced enforcement of traffic laws, safer road design, public education, data-driven interventions and improved emergency response capacity;

iii) The Ministry of Health in collaboration with the County Governments to set aside adequate resources to support road safety interventions, emergency medical services, trauma care systems and post-crash rehabilitation services; and

iv) The National Treasury in collaboration with the Ministry of Roads and Transport establishes a Road Safety Disaster Response Fund to support road safety interventions, victims and families affected by the road accidents.

(Motion deferred)

MOTION

RISING 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;

(iv) 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 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 of this Motion.

(Motion deferred)

The Temporary Speaker (Sen. Wakili Sigei): Shall we rise?

(Hon. Senators stood in their places)

ADJOURNMENT

Hon. Senators, there being no other business on the Order Paper, the Senate stands adjourned until tomorrow, Thursday, 17th September, 2026 at 2.30 p.m.

The Senate rose at 5.25 p.m.