

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 7th May, 2025

Afternoon Sitting

*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): Clerk, do we have quorum?

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

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

(The Quorum Bell was rung)

I am informed that we now have quorum. So, we will proceed with today's business.

Clerk, proceed to call the first Order.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION OF HANSARD OFFICERS
FROM VARIOUS JURISDICTIONS

The Speaker (Hon. Kingi): Hon. Senators, I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of a visiting delegation of Hansard officers from the Parliament of Ghana, the National Assembly of The Gambia, the County Assembly of Nyeri, the County Assembly of Trans Nzoia and the County Assembly of Nyandarua who are undertaking a training at the Centre for Parliamentary Studies and Training (CPST).

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I will request each member of the delegation to stand when called out so that you may be acknowledged in the Senate tradition.

1. Mr. Adam Iddrisu - Editor of Debates, Parliament of Ghana
2. Mr. Emmanuel Kwaku Sedzro - Deputy Editor, Parliament of Ghana
3. Ms. Charlotte Ekubea Gyawu - Principal Reporter, Parliament of Ghana
4. Mr. Osmart Adjei Antwi - Reporter II, Parliament of Ghana
5. Ms. Grace Korkoi Esinam Folley - Reporter II, Parliament of Ghana
6. Ms. Deborah Adu Gyamfi - Assistant Publishing Officer, Parliament of Ghana
7. Mrs. Isatou Cassama - Director of Hansard, Parliament of Gambia
8. Mr. Mamat Mbowe - Principal Editor, Parliament of Gambia
9. Mr. Lamin J. Sanneh - Assistant Reporter, Parliament of Gambia
10. Ms. Lucy Bitutu - Hansard Officer, County Assembly of Nyeri
11. Ms. Susan Sebastian - Hansard Officer, County Assembly of Nyeri
12. Ms. Nyambura Wahome - Hansard Reporter, County Assembly of Nyeri
13. Mr. Benard Kipsang Kwalia - Hansard Reporter, County Assembly of Trans Nzoia
14. Ms. Josphine Maina - Hansard Reporter, County Assembly of Nyandarua
15. Mr. Gachomo Maina - Hansard Reporter, County Assembly of Nyandarua

Hon. Senators, on behalf of the Senate and on my own behalf, I extend a warm welcome and wish you a fruitful visit. I will ask the Majority Whip under one minute to extend a warm welcome to the delegations.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, thank you for allowing me to welcome our visitors. Dear visitors, the reason you see the House is slow to start off this afternoon is because we have lost a colleague of ours. There is a requiem mass that is ongoing. So, most Members of Parliament are out there. Welcome to Kenya, especially those ones from Ghana.

Ghana and Kenya draw quite a number of similarities. We are proud to note that you have strengthened your democracy. The difficult times you had of military coups is now behind you. We hope that you will remain a strong partner to the Republic of Kenya. The Senator speaking is from a gold mining county, just like what you have in your country.

Feel most welcome. When you are in your Assembly, remind your elected leaders that every time they go to Great Britain and the House of Lords, should always complain

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to them that they should pay for that long throne of 20 feet of pure gold, where the King now sits. That is gold from Ikolomani in Kenya and gold from Accra in Ghana. They stole it from us.

You are most welcome.

The Speaker (Hon. Kingi): Next Order.

PAPERS LAID

The Speaker (Hon. Kingi): Is the Chairperson of the Standing Committee on Health not here? Sen. Mariam, you may proceed to lay the Paper on behalf of the Chairperson.

REPORT ON PETITION: DEATH OF MS. ANNITA JEPKORIR AT MTRH DUE TO ALLEGED MEDICAL NEGLIGENCE

Sen. Mariam Omar: Thank you, Mr. Speaker, Sir. I beg to lay the following Paper on the Table of the Senate today, 7th May, 2025.

Report of the Standing Committee on Health on a Petition to the Senate by Ms. Mercy Jepchirchir regarding alleged medical negligence and staff incompetence which led to the death of Ms. Annita Jepkorir at the Moi Teaching and Referral Hospital.

Thank you.

The Speaker (Hon. Kingi): Next Order.

NOTICE OF MOTION

ADOPTION OF REPORT ON PETITION ON DEATH OF MS. ANNITA JEPKORIR AT MTRH DUE TO ALLEGED MEDICAL NEGLIGENCE

Sen. Mariam Omar: 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 Health on a Petition to the Senate by Ms. Mercy Jepchirchir regarding alleged medical negligence and staff incompetence which led to the death of Ms. Annita Jepkorir at The Moi Teaching and Referral Hospital, laid on the Table of the Senate on Wednesday, 7th May, 2025.

Thank you.

The Speaker (Hon. Kingi): Next order.

QUESTIONS AND STATEMENTS

The Speaker (Hon. Kingi): Statement pursuant to Standing Order No.53(1). Is Sen. John Methu not here? That Statement is dropped.

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OWNERSHIP OF DANDORA WATER
TREATMENT PLANT IN RUAI

(Statement dropped)

The statement by Senator Omtatah is deferred pursuant to the hon. Senator's own request.

GOVERNMENT DECISION TO LEASE PUBLIC
SUGAR COMPANIES

(Statement deferred)

Proceed, Sen. Raphael Chimera.

LIQUIDATION OF M/S. IMPERIAL
BANK LIMITED, KENYA

Sen. Chimera: 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 national concern, regarding the collapse and liquidation of Imperial Bank Ltd, Kenya.

Mr. Speaker, Sir, the collapse of Imperial Bank Ltd in 2016 adversely affected thousands of depositors, many of whom lost access to their life savings and working capital.

In December 2021, the Central Bank of Kenya (CBK) appointed the Kenya Deposit Insurance Corporation (KDIC) as liquidator of Imperial Bank Limited In Receivership (IBLIR) in terms of Section 53(2) and 54(1)(A) of the Kenya Deposit Insurance Act 2012, with the objective of reimbursing affected depositors and creditors.

In the statement, the committee should address the following:

(1) The total number of depositors who had banked with Imperial Bank Ltd at the time of its closure, including the total value of deposits held and the amount that has so far been refunded to the depositors.

(2) The progress made in the sale and disposal of Imperial Bank's remaining assets and how the proceeds are being applied towards depository funds.

(3) The measures and strategies currently in place by the CBK and KDIC to ensure that every depositor, regardless of the amount held, is fully refunded in a timely and transparent manner.

(4) Whether individuals involved in the fraud and mismanagement that led to the collapse of the bank have been identified, prosecuted and held accountable under the law.

(5) The policy reforms or safeguards being introduced or considered to prevent similar incidents in Kenya's banking sector in the future.

Mr. Speaker, Sir, I have a second statement. With your kind permission, I can go ahead to read it.

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The Speaker (Hon. Kingi): Proceed, hon. Senator

SUSPENSION OF LICENSING OF FOREIGN
MEDICAL PRACTITIONERS

Sen. Chimera: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Health on a matter of international concern regarding the suspension of licensing of all foreign medical personnel in Kenya.

Mr. Speaker, Sir, before 2014, the Kenya Medical Practitioners and Dentists Council (KMPDC) had a provision for permanent registration of foreign doctors. After changes in regulations, they said KMPDC adopted to issue foreign medical practitioners with temporary licenses, which subjects them to the same regulations and code of conduct that guide the practice of medicine and dentistry in the country. This includes garnering 50 Continuous Professional Development (CPD) points yearly before they are able to renew their practising licenses online.

Mr. Speaker, Sir, on 27th April, 2025, the Cabinet Secretary for Health, Hon. Aden Duale EGH, directed KMPDC to suspend licensing of foreign medics, save for those from East African states, and the council to also audit the already licensed foreign doctors.

In the statement, the committee should address the following-

(1) The reasons behind the suspension of licensing of foreign medical practitioners to practice in Kenya and how the suspension affects those who are already licensed and practicing in Kenya.

(2) The impact of this suspension on healthcare delivery across the country.

(3) The number of the currently licensed foreign medical practitioners, their workstations and specific timelines and criteria for conducting the said audit.

(4) The duration of the suspension, review mechanisms and any planned policy reforms during this period aimed at addressing the underlying issues.

I thank you.

The Speaker (Hon. Kingi): Statements pursuant to Standing Order No. 56(1)(b), the Chairperson Standing Committee on Energy, proceed.

ACTIVITIES OF THE COMMITTEE ON ENERGY

Sen. (Dr.) Oburu: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 56(1)(b) to make a statement on the activities of the Standing Committee on Energy for the first quarter of the Fourth Session, covering the period commencing 1st January to 30th April, 2025.

Mr. Speaker, Sir, during the period under review, the committee held a total of 12 sittings, during which it considered and concluded one inquiry. Attached to this statement is a schedule of the legislative business considered by the committee.

During the period under review, the committee considered and concluded five statements; 10 statements are pending consideration by the committee. Responses on the

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pending statements have been forwarded to the relevant Senators and are awaiting consideration by the committee.

The committee met with the Cabinet Secretary, Ministry of Energy and Petroleum and received submissions from various state agencies on the 2025 Budget Policy Statement (BPS) and Medium-Term Debt Management Strategy.

The committee considered proposed policies, programmes, expenditure ceilings financial year 2024/2025 budget implementation status, financial and output performance, capital project status, key policy foundations, performance targets and project allocations.

Key recommendations by the committee on the 2025 BPS are-

The Ministry of Energy and Petroleum enhances transparency to ensure smooth execution and value for Public-Private Partnership (PPP) projects.

The Ministry should employ competitive sourcing of private investors as opposed to Privately Initiated Proposals (PIP) in line with Section 46 of the PPP Act 2021 to enhance transparency and public trust.

The State Department for Energy should prioritise historically marginalised counties which are mostly off-grid when implementing future power transmission projects in a bid to connect them to the national grid and ensure equity in electricity access across counties.

In this regard, the committee resolved that the State Department for Energy should submit the feasibility study on the proposed transmission line from Garissa to Wajir.

The committee further concluded an inquiry into the supply and delivery of smart metres. This inquiry seeks to promote local production of smart metres, amend the duration of framework agreements and ensure smart metres are integrated during electricity installations.

These measures aim to reduce electricity costs, decrease Kenya Power Company (KPC)'s monopoly and improve efficiency in the sector.

The committee adopted the report on the 26th March, 2025.

Mr. Speaker, Sir, the committee concluded a county visit to Wajir County aimed at assessing key factors affecting the energy sector at the county level. The committee established that Wajir County is not connected to the national electricity grid, making it dependent on localised power generation. This isolation has exacerbated the region's energy insecurity and limited economic development opportunities in the county.

One of the key recommendations of the committee is that the Ministry of Energy and Petroleum should prioritise historically marginalised off-grid counties, particularly Wajir, in the implementation of future power transmission projects to promote equity in electricity access.

The committee adopted and tabled its report on 17th April, 2025.

Mr. Speaker, Sir, in the previous session, the committee finalised its inquiry into the tragic Liquefied Petroleum Gas (LPG) explosion that occurred in the Muradi area, Nairobi City County, on 1st February, 2024.

The explosion which claimed 11 lives and injured at least 280 people involved a LPG plant used for storing and filling gas cylinders. During the inquiry, the committee

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engaged the Cabinet Secretary for Energy and Petroleum Regulatory Authority (EPRA) and National Environment Management Authority (NEMA) as well as key private sector stakeholders.

The committee's report was adopted and tabled on 31st July, 2024 with key recommendations aimed at enhancing public safety, including strengthening safety measures for the operation and handling of LPGs, simplifying the licensing process, enforcing zoning boundaries to avoid similar disasters in the future, reviewing zoning bylaws by counties to ensure proper classification of urban and peri-urban areas and compensating affected victims through the National Disaster Management Unit, among others.

Mr. Speaker, Sir, further, the committee has met with the Cabinet Secretary, Ministry of Energy and Petroleum, the Council of Governors (CoG) and various state agencies to address critical issues including: classifying county government functions related to energy such as zoning, infrastructure development and land use regulations.

Assessing the status of county energy plans and their integration into the National Integrated Energy Plan, reviewing the progress of the South Lokichar Field Development Plan, monitoring ongoing PPPs in the energy sector and investigating alleged procurement irregularities in the construction of Line 5 by the Kenya Pipeline Company (KPC).

In the coming quarter, the committee is initiating legislative proposals to amend the Energy Act 2019 to delete Section 223, which prohibits public entities, including county governments from imposing levies on public energy infrastructure without approval by the Cabinet Secretary and an amendment to the PPP Act to provide for greater transparency in the execution of PIP.

Mr. Speaker, Sir, secondly, the committee is looking into the oil spill at Thange Ward, Makueni County. I was there over the last weekend after reports of rising cases of diabetes, liver and kidney disease among residents of Thange Ward, Makueni County, following an oil spill from a KPC pipeline in 2015. People are still being affected since 2015.

Further, the committee will engage with the Ministry of Energy and Petroleum on plans to distribute LPG cylinders and accessories by the State Department of Energy to 9.6 million low-income households and public facilities as promised.

Mr. Speaker, Sir, I wish to thank your office for the support accorded to the committee in undertaking its work. I also wish to acknowledge the secretariat's support that the committee has received from the Office of the Clerk.

Lastly, I wish to commend the Members of the committee for their commitment, diligence and dedication to the work and mandate of the committee.

Thank you, Mr. Speaker, Sir.

ACTIVITIES OF THE COMMITTEE
ON FINANCE AND BUDGET

Sen (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. The Committee on Finance and Budget has a statement under Standing Order No.56(1)(b), being our Quarterly Report. It refers to the following:

That, under this Standing Order, I wish to make this statement relating to the activities of our Standing Committee on Finance and Budget for the First Quarter of the Fourth Session, covering the period between January and April 2025.

During that period under review, the committee held 29 sittings during which it processed and concluded 40 statements, 10 Bills and tabled five reports. Attached to this statement is a schedule of legislative business considered by the committee and their respective status.

During the period under review, the committee processed and tabled reports on the following:

(a) The 2025 BPS with a recommendation that the County Equitable Share for the 2025/2026 Financial Year stands at Kshs465 billion.

(b) The 2025 Medium-Term Debt Management Strategy.

(c) The County Additional Allocations Bill (Senate Bills No.1 of 2025).

(d) The Fourth Basis for allocating the share of national revenue amongst counties for the financial years 2025/2026 to 2029/2030.

(e) Additionally, the committee held joint sittings with the National Assembly, Departmental Committee on Finance and National Planning to undertake the approval hearings of Fellow of the Chartered Professional Accountants (FCPA), Sophie Muturi; CPA. Abdullahi Ali Abdi; Ms. Beatrice Kosgei and Mr. David Simpson Osawa Owour, the nominees for appointment to the position of members of the Board of the Central Bank of Kenya (CBK).

In accordance with Article 118(2) of the Constitution and the Senate Standing Orders, the committee held consultative meetings with the National Treasury and Economic Planning, the Commission of Revenue Allocation (CRA), County Assemblies Forum (CAF), the Institute of Certified Public Accountants of Kenya (ICPAK), the Budget Hub, the Institute of Public Finance (IPF), the Institute of Economic Affairs (IEA), Office of the Controller of the Budget (CoB), the Kenya National Bureau of Statistics (KNBS) and the CoG.

The committee sought public views on legislative business including: the Fourth Basis for revenue sharing among county governments, Bills and the appointment of nominees to the CBK as Board Directors, through an advertisement in two national newspapers and other social media platforms.

The committee followed the agreed on mechanism for processing statements, providing Senators with responses as soon as they are received from the relevant agency or county. The Senator is then required to indicate any issues that need clarification within 14 days, failure to which, the statement is considered concluded.

Annexed is a list of statements processed by the committee.

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Mr. Speaker, Sir, in consideration of the Bills, the committee noted great overlap and repetition in a number of Bills. For example:

(a) The Public Finance Management (Amendment) Bill No.3 (National Assembly Bills No. 44 of 2024), a Bill recently received from the National Assembly has similar provisions relating to the financial transferred functions. These provisions are already contained in the Public Finance Management (Amendment) Bill (Senate Bills No.40 of 2023), which was sponsored by Sen. Hamida Kibwana, MP, processed by this House and referred to the National Assembly in 2024 for consideration.

(b) The Public Finance Management (Amendment) Bill No.2 (National Assembly Bills No.26 of 2024). We found that these have similar provisions as those contained in the Public Finance Management (Amendment) Bill of 2024, (Senate Bills No. 27 of 2024), relating to the submission of the County Finance Bill.

The committee had tabled a report on the Senate Bill and the Bill is awaiting scheduling for Second Reading in the Senate.

The committee is, therefore, recommending for well-coordinated mechanism between the House's Leadership in order to eliminate duplication of Bills and redeem the legislative resources.

Mr. Speaker, Sir, during the Second Quarter of the year, the committee is scheduled to:

(a) Hold a consultative forum on the County Wards Equitable Development Bill (Senate Bills No. 20 of 2024).

(b) Process the following:

(i) The Division of Revenue Bill.

(ii) The Public Finance Management (Amendment) Bill.

(iii) The Public Procurement and Asset Disposal (Amendment) Bill.

(iv) The Public Finance Management (Amendment) Bill.

(c) Consider the reports of the CoB on the implementation of the County Government's Budget.

(d) Hold meetings with various county executives to consider issues related to pending bills in the county government's budget; and,

(e) Conclude consideration of the Senate Resolution on the level of public in Kenya.

Mr. Speaker, Sir, within the same quarter, the committee is expected to consider the County Allocation of Revenue Bill for financial year 2025/2026 and the County Governments Additional Allocations for financial year 2025/2026.

In conclusion, I wish to thank your Office and the Office of the Clerk of the Senate for the continuous support accorded to the committee in executing its mandate.

Lastly, I also wish to thank Members of the committee for their diligence and contributions during the committee's activities. I have read the statement on behalf of the Chairperson, retired captain and former governor, Sen. Ali Ibrahim Roba, EGH, MP.

I thank you.

The Speaker (Hon. Kingi): The Chairperson Standing Committee on Health.

ACTIVITIES OF THE COMMITTEE ON HEALTH

Sen. Mariam Omar: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.56(1)(b) to make a statement relating to the activities of the Standing Committee on Health for the First Quarter of the Fourth Session covering the period between January and April, 2025.

During the period under review, the committee held 20 meetings during which it considered three Bills, one Petition, one Memorandum and followed up on the implementation status of one Senate resolution. During the same period, 25 statements were referred to the committee for consideration.

In the reporting period, the committee held a consultative meeting with the Cabinet Secretary, Ministry of Health, to deliberate on the proposed policies, programmes and expenditure ceilings of the respective state departments as contained in the 2025 Budget Policy Statement (BPS).

The committee further sought information on the status of the financial year 2024/2025 Budget and the key policies underlying the expenditure ceilings in the 2025 BPS.

Hon. Speaker, I wish to report that one of the key recommendations that the committee made during the meeting with the Cabinet Secretary and in its report is that sufficient resources should be allocated to implement the policy. This is to enable employment of 20,000 healthcare workers as contained in the 2023 BPS.

With the foregoing, priority should be given to absorb an estimated 8,000 Universal Health Coverage (UHC) healthcare workers currently employed on contractual terms. Further, the Ministry of Health should provide details on the different cadres targeted for employment and their distribution.

Mr. Speaker Sir, in the reporting period, the committee considered stakeholder submissions to three Bills that had been committed to the committee for consideration. These are:

- (1) The Tobacco Control (Amendment) Bill (Senate Bills No.35 of 2024).
- (2) The Kenya (Health Products and Technologies Regulatory Authority Bills, 2024 (National Assembly Bills No.54 of 2022).
- (3) The Community Health Promoters Bill, 2024 (National Assembly Bills No.53 of 2022).

During consideration, the committee observed that some proposed provisions and submissions required clarification and supplementary information from stakeholders. This would enable the committee propose amendments during the Third Reading Stage.

With the foregoing, the committee sought clarification from stakeholders which are scheduled for consideration before the committee prepares its report on the three Bills.

In the reporting period, the committee concluded its consideration of the Petition regarding alleged medical negligence and staff incompetency leading to the death of Ms. Annita Jepkorir at the Moi Teaching and Referral Hospital. This Petition highlights critical issues in healthcare delivery and patient safety in our healthcare facilities that demand urgent attention and action.

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The committee undertook a thorough inquiry into the issues raised in the petition and prepared its report, which has subsequently been tabled for adoption by this honorable House.

Further, the committee followed up on the implementation status of its report on the management and use of Kenyatta University Teaching, Research and Referral Hospital (KUTRRH). The committee sought information from the State Corporations Advisory Committee (SCAC), Kenyatta University (KU) and KUTRRH amongst other stakeholders. However, the written submissions and reports received from these stakeholders were unsatisfactory and insufficient.

To this end, the committee has scheduled a meeting with all the relevant stakeholders and agencies. Thereafter, it will prepare report to be tabled in the House.

During the period under review, the committee sought reports and information on the issues raised in the 25 statements that had been referred for consideration, from the national Government, the county governments and other relevant stakeholders.

In this regard, the committee received and shared responses to 29 statements, which were consequently submitted to the Senators for their consideration.

In instances where responses received were found to be unsatisfactory or insufficient, the committee has sought supplementary information and clarification from the concerned stakeholders. A detailed statement tracker is attached to this statement.

Mr. Speaker, Sir, as you are aware, at the Sitting of the Senate held on Tuesday, 18th March, 2025, you directed the Clerk of the Senate to cause a meeting between the Committee on Health; the Cabinet Secretary, Ministry of Health; and the CoG to deliberate on the matters that were raised by the Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU) in the memorandum that had been delivered to the Senate.

I wish to report to the House that the committee held a meeting with all the relevant stakeholders on Monday, 14th April, 2025. During the meeting, the representatives of the doctors' union, the Ministry of Health and the CoG apprised the committee on efforts that have been applied to address concerns regarding the non-compliance with the Collective Bargaining Agreement (CBA) entered into between the KMPDU and the national Government through the Ministry of Health and the county governments to uphold and defend rights to fair labour and decent work for doctors. The committee is currently preparing a comprehensive report on the matter.

During the current quarter, the committee seeks to inquire into the policy and institutional reforms being undertaken at the Kenya Medical Supplies Agency (KEMSA) to enhance its efficiency, transparency and accountability.

The committee will further inquire into the infrastructure and facilities being put in place by the two levels of Government to implement the Universal Health Coverage (UHC) successfully, the challenges faced, if any, and strategies applied to address these challenges.

In conclusion, I wish to thank your office and the Office of the Clerk of the Senate for the continuous support accorded to the committee in executing its mandate. I also wish to thank Members of the committee for their diligence and contributions during the committee activities.

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I thank you.

The Speaker (Hon. Kingi): Hon. Senators, before I allow comments on the statements sought, I beseech you that we handle Order Nos.8, 9 and 10, then go back to comments. These are Orders that require a voice vote. We can dispense with them in the next five minutes at most.

Clerk, proceed to call those Orders.

(Interruption of debate on the Statements)

MOTION

ADOPTION OF REPORT OF THE JOINT SITTING ON THE APPROVAL HEARING OF NOMINEES FOR APPOINTMENT TO THE CBK BOARD

THAT, the Senate adopts the Joint Report of the Departmental Committee on Finance and National Planning of the National Assembly and the Standing Committee on Finance and Budget of the Senate on the approval hearing of the Nominees for appointment to the Board of the Central Bank of Kenya, laid on the Table of the Senate on Tuesday, 6th May, 2025, and that pursuant to section 11(2) of the Central Bank of Kenya Act and section 8(2) of the Public Appointments (Parliamentary Approval) Act, the Senate approves the appointment of the following nominees as members of the Board of Central Bank of Kenya-

1. FCPA Sophie Moturi;
2. CPA Abdullahi Mohamed Abdi;
3. Ms. Beatrice Kosgei and
4. Mr. David Simpson Osawa Owuor.

(Sen. (Dr.) Khalwale on 6.5.2025)

(Resumption of debate interrupted on 6.5.2025)

The Speaker (Hon. Kingi): Clerk, do we have the requisite quorum?

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

Hon. Senator, this is a matter that does not affect counties. Therefore, voting shall be by voice. I will proceed to put the question.

(Question put and agreed to)

Let us go the next Order.

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MOTIONNOTING OF REPORT ON THE 14TH ASSEMBLY
OF FP-ICGLR HELD IN ZAMBIA

THAT, the Senate notes the report of the 14th Ordinary Session of the Plenary Assembly and Related Meetings of the Forum of Parliaments of the International Conference of the Great Lakes region, held in Livingstone, Zambia, from 15th to 19th April, 2024 laid on the Table of the Senate on Thursday, 30th May, 2024.

(Sen. Wamatinga on 16.4.2025 – Morning Sitting)

(Resumption of debate interrupted on 16.4.2025 – Morning Sitting)

The Speaker (Hon. Kingi): Do we have the necessary quorum?

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

Hon. Senators, this is a matter that does not affect counties. Therefore, voting shall be by voice. I will proceed to put the question.

(Question put and agreed to)

Let us go to the next Order.

MOTIONNOTING OF REPORT OF THE SENATE DELEGATION TO
THE HLPF 2024 ON SUSTAINABLE DEVELOPMENT

THAT the Senate notes the Report of the Senate delegation to the High-Level Political Forum (HLPF) 2024 on sustainable development, held in New York, United States of America (USA) from 8th – 17th July, 2024, laid on the Table of the Senate on Thursday, 20th February, 2025.

(Sen. Kibwana on 16.4.2025 – Morning Sitting)

(Resumption of debate interrupted on 16.4.2025 – Morning Sitting)

The Speaker (Hon. Kingi): Clerk, do we have the requisite quorum?

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

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Again, this is a matter that does not affect counties. Therefore, voting shall be by voice. I will, therefore, proceed to put the question.

(Question put and agreed to)

Hon. Senators, we will now resume comments on the statements sought today, starting with Sen. Wamatinga.

(Resumption of debate on Statements)

Sen. Wamatinga: Thank you so much, Mr. Speaker, Sir, for according me this opportunity to add my voice to the statements that have been raised today, more so, the reports that have been presented on the Floor of this House.

We know that we have a political and moral obligation to the Kenyan citizens to raise matters that affect them. I have listened keenly to the various statements that have been read. I have also listened keenly to the reports that have been presented before us. For those who doubted the performance of this House, indeed, we have done a good job. That is commendable but we can do more.

Mr. Speaker, Sir, allow me to comment on the report that was read by the Chair of the Committee on Energy, my successor raised pertinent issues that affect this country regarding distribution of power and the issue of connectivity. It should be remembered that 80 per cent of the landmass of Kenya only contributes to 20 per cent of the Gross Domestic Product (GDP). That can largely be attributed to the fact that they are not connected to the national grid.

In the said tour to Wajir County that was undertaken by the Committee on Energy, we saw the potential of that county. Due to lack of connectivity to the national grid, they rely on power from generators, which is not only expensive, but also affects the environment. It does a lot of disservice to the people of Wajir County. This extends to Mandera, Marsabit and Garissa counties.

As a nation, we must realise the potential that we have. We are talking about 80 per cent of the landmass of this country. If connected to the national grid, we can achieve far much more.

Looking at the GDP that we are enjoying right now, which is 4.5 per cent, that is only attributable to 20 per cent of the landmass. The question that should linger in our minds is; how much more can we achieve if we bring on board the 80 per cent of the landmass?

A few suggestions have been put forward. I agree with the presentation that if we were to look at the PPPs from a different approach, we can unlock private equity. We will also unlock the potential that we have to ensure that moving forward, we have development in every corner of this country. That will be development for everybody.

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

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

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Mr. Deputy Speaker, Sir, allow me to point out that I am one of those who support the idea that development in any part of this country is development everywhere. Therefore, I expect every Member of this House to support connectivity to the national grid even in marginalised areas, so that we share the national cake as we also share national obligations. That way, everybody will have an equal opportunity to contribute to national growth.

It is also not lost to us that just a few days ago, the President made a pronouncement that he will ensure that we have road networks across the country. We must look at it this way.

This is not the time to do politics and segregate ourselves into tribal cocoons. We should look at the potential that we have in this country, more so, our responsibility to the younger generation to provide them with opportunities. That can only be done by ensuring that they are connected to the national grid to support the digital economy. That cannot be done if we do not connect them to the national grid.

With those remarks, Mr. Deputy Speaker, Sir, I support.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, kindly note that we are just making comments on the statements. Every Senator will have three minutes to do so.

Next is Sen. Wambua.

Sen. Wambua: Mr. Deputy Speaker, Sir, I cannot argue with your ruling, but that is not procedural. Once a debate has started, you cannot limit it just like that but that is fine.

The Deputy Speaker (Sen. Kathuri): That is why I said that this is not a debate. You are supposed to make comments on the statements.

Sen. Wambua: Okay, Mr. Deputy Speaker, Sir, I will try. However, if I do not make it, I will ask you to add me a minute.

I would like to begin by commending the Committee on Energy, especially on their visit to the Thange River last week. It is unimaginable that the people of Thange are still grappling with the consequences of an oil spill that happened in 2015, yet the Government is almost mum on that issue.

Mr. Deputy Speaker, Sir, I appeal to the committee led by Sen. (Dr.) Oburu to go beyond just scratching the surface on that matter, but ensure that the truth of the matter in relation to that spill and the suffering of the people of Thange come to light.

This is weird because the oil spill was detected in 2015. However, one cannot tell how much longer that spill was happening and how much longer these people have consumed contaminated water every day of their life.

Mr. Deputy Speaker, Sir, in other democracies, that would be a serious crisis. There is a call to action in that happening to ensure a complete shutdown of the entire region, to clean up the mess before we can allow people to live, grow crops and take water from that place. A serious conversation needs to happen.

On the matter of the inquiries that the Senate on Health are carrying out, allow me to say they need to move this in-house and country---

(Sen. Wambua microphone was switched off)

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The Deputy Speaker (Sen. Kathuri): Give him a minute, but observe the signs.

Sen. Wambua: I will do so, Mr. Deputy Speaker, Sir.

On the matter of the Committee on Health, this team, led by the former Governor of Uasin Gishu County, must begin to deal with matters of healthcare beyond political statements. We do not want them to sit with politicians and come here to report their discussions with them.

Mr. Deputy Speaker, Sir, we want this committee to carry out inquiries, go into hospitals and tell us why so many hospitals in Kitui County do not have drugs, why there are serious problems in Nandi County, and why the Moi Teaching and Referral Hospital in Eldoret has issues.

We do not want them to begin behaving like an *ad hoc* committee that sits with Cabinet Secretaries and politicians and they are told what to come and tell this House. We want them to go to the ground.

Health is a very critical function of this House. It is a devolved function. We have a doctor, Dr. Khalwale, among us. I am not sure whether he is a Member of that committee. They need to consult him so that he can lead them on how best to take up matters of health. This issue of sitting in boardrooms and bringing us reports--- If I was marking for that committee on the report that they have given, I would have said they have done very poorly.

Mr. Deputy Speaker, Sir, these committees must begin to do work. This is a serious thing. Health is not something that we will be cutting deals on. We will not. We will demand that action be taken on health issues.

I thank you.

The Deputy Speaker (Sen. Kathuri): The Vice-Chairperson of the Senate Committee on Health, Sen. Mariam Sheikh, do you want to give your part of the story or is what has been alleged by Sen. Enoch true?

Sen. Mariam Omar: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity---

(Sen. Cherarkey consulted loudly)

The Deputy Speaker (Sen. Kathuri): Order, Sen. Cherarkey!

Sen. Mariam Omar: Mr. Deputy Speaker, Sir, as a committee, we agreed that we do oversight at the counties. As I speak, we have visited almost 10 counties. During the two weeks' recess period, we went to Mandera, Wajir and Marsabit counties.

We made a resolution that, instead of doing oversight from the Senate boardroom, we need one month to rotate in all counties. We need to change our Standing Orders because, instead of sitting in this House with Air Conditioning (AC), making decisions, it is better to go out to the 47 counties, not only for health department, but for the other departments, to see what is going on in our counties.

Mr. Deputy Speaker, Sir, we went to Kisumu, Tran Nzoia, West Pokot, Mombasa, Kwale, Taita Taveta and many more counties that I cannot remember. I call the Bishop to order because budget constraints hold us back. In fact, we shall go to Isiolo and Garissa

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counties next weekend. So, that is one of our key features. We want to see how the health sector is doing in the counties.

Thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Nderitu John, please, proceed.

Sen. Kinyua: Thank you, Mr. Deputy Speaker, Sir. I am keen with the report of the Senate Committee on Energy. I have to say they have done a good job, so that Sen. Kisang' does not rise on a point of order. However, the truth be told, that they concentrated so much on issues that are not affecting Kenyans. We have power blackouts every day in this report. I have not heard them talking about that, but rather, they are talking about having smart meters.

I agree with what Sen. Wambua said that the committees are dealing with areas that deals can be cut. Perhaps not by the committee, but by the people that they are oversighting.

Mr. Deputy Speaker, Sir, I was expecting the committee to tell us what they are doing so that Kenya Power (KP) cannot be the only company giving Kenyans power. We want the private sector to move in and help Kenyans so that we can reduce the bills that we are paying. Sadly, we have not heard that. Well, they have concentrated on other things which they have not done even very well, as Sen. Wambua has said, when they visited Thange, in Makueni County. However, they are trying because from 2015 up to now, at least they are doing something. So, we commend them.

Mr. Deputy Speaker, Sir, the Committee on Health is disastrous. Every time you have heard that the doctors are on strike. There are problems in the county governments and we have not heard any that from the report. I thought there would be very serious report to tell us what is the way forward, so that we do not have strikes in our counties.

Mr. Deputy Speaker, Sir, I have heard the Vice-Chairperson of the Committee telling us we should not be sitting under ACs; that, we should go to the ground. We have given them the duty, as a committee, to do that. Nothing stops them from doing it.

They can go to one or two counties, depending on the budget. That is why we have reduced the numbers to nine. We do not have the whole Senate because it is impossible. So, they should not give us any reason whatsoever, about the budget. They should go to one county and make that one a benchmark. We do not need excuses that this one cannot be done because of budgetary constraints---

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Ali Roba.

Sen. Ali Roba: Thank you very, Mr. Deputy Speaker, Sir. I rise to support the reports that were presented by three committees. In particular, I want to applaud the Committee on Energy because under the circumstances, they have done well. There is room for improvement and that has come out from my colleagues. However, I have closely followed the Committee on Health. Recently that Committee visited Mandera, Wajir and Marsabit Counties.

To speak the truth in terms of what my take was from the engagement they have done in the three counties, it was an eye-opener. It has improved the oversight profile of the Senate because this committee was able to engage directly with service providers at the lowest level. They were able to challenge workers at various hospitals in Mandera.

They visited the referral hospital and small units within the town in terms of service provision. They also went to one of the sub-counties. They were able to engage and point out the gaps that were glaring within the health sector in our counties.

I really want to applaud and encourage them to be doing impromptu visits similar to that because this is the oversight responsibility of the Senate.

It is coming out, it will enforce and encourage service delivery. It will motivate the service providers by the county government in terms of them understanding that they are in an unregulated environment. The Senate of the Republic of Kenya is taking its mandate seriously to make sure that---

Sen. Kinyua: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): What is out of order, Sen. Kinyua?

Sen. Kinyua: Mr. Deputy Speaker, Sir, I have heard my colleague and good Senator, Sen. Ali Roba, say that the committee made an impromptu visit. I thought that according to our Standing Orders, you are supposed to give seven days' notice to any place that you intend to visit as a committee? I do not think that was an impromptu visit unless the word 'impromptu' has a different meaning.

Sen. Ali Roba: Mr. Deputy Speaker, Sir, I would like to thank my colleague for sharing that, but I want to reiterate that they made impromptu visits to smaller units while they were in the county. To qualify that, they did the invitation and the formal procedures were followed. However, once they are in the county, nothing stops them from visiting the health facilities and they have done a wonderful job---

Sen. Wambua: On a point of order, Mr. Deputy Speaker, Sir. Under Standing Order No.56, the chairpersons are supposed to report on progress made within the three months. The Senator for Mandera County who seems to have benefited from a visit by the committee, is giving us a report on the visit. However, the report that he is giving us does not form part of the content of the report brought by the committee. So, whose report are we going to believe; the report by the chairperson or by him?

The Deputy Speaker (Sen. Kathuri): He seems to have more details. His is a detailed report on what transpired in Mandera County.

Sen. Ali Roba: Mr. Deputy Speaker, Sir, as my colleague has stated, this Senate is alive, our committees are alive and events are happening. These reports were filed on the Floor of the Senate. They were only able to be scheduled for reading today.

Mr. Deputy Speaker, Sir, the events that are unfolding is part of the committee's work and the onus is upon us to keep tabs on what our committees are doing in our counties so that we get to understand what is happening.

I took it upon myself to understand the engagement in Mandera, Wajir and Marsabit. I have even developed keen interest to find out where they are visiting next because this is what will improve the profile of the Senate, the oversight responsibility that the Senate has and it will ensure that the Senate is taken very seriously. Our oversight role should not only be limited to invitations, but also first-hand information.

Mr. Deputy Speaker, Sir, I beg to support.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, thank you. I want just to make two comments, one on the----

Sen. Mariam Omar: On a point of information, Mr. Deputy Speaker, Sir.

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Sen. Cherarkey: But I have not spoken.

Sen. Mariam Omar: Mr. Deputy Speaker, I wanted to inform Sen. Wambua.

The Deputy Speaker (Sen. Kathuri): Sen Wambua is not on the Floor.

Sen. Mariam Omar: Mr. Deputy Speaker, Sir, I can see Sen. Wambua is doubting the committee, but if you go back to the Order Paper of today morning and that of last week, you can see the Motion on the Senate's visit to Taita Taveta, Mombasa, Kwale and another report for West Pokot, Turkana and Trans Nzoia. We have tabled the report; it is for the House to adopt it.

The Deputy Speaker (Sen. Kathuri): I have no doubt that you have visited those counties, but you will not be safe with Sen. Wambua until you visit Kitui County. I also have a case with you. You have refused to visit Meru County.

Sen. Cherarkey, please, proceed.

Sen. Cherarkey: Thank you, Mr. Deputy Speaker, Sir. The essence of devolution is health. I visited Maraba Sub-County Hospital on Saturday. I have visited Kapsabet County Referral Hospital and Mosoriat Sub-county Hospital. I have visited Chepteruai, Chepkongoi Dispensary and Kepkeroget Dispensary. All of those hospitals and dispensaries are dysfunctional.

There are no drugs in hospitals despite the fact that the county government under Governor Sang's administration has allocated over Kshs300 million per year for that procurement of drugs. The poor sanitation; you have seen those photos going viral and yet, the Committee of Health has never found it wise to visit Nandi County. We need individual reports to be tabled on the Floor of the House.

The reason why the Senate is under siege is because health is dysfunctional. The Committee on Health must pull up its socks and ensure they give value to this House. We must not be treated to sideshows. This habit of instead visiting the dispensaries, they go and visit a governor; a courtesy call to the governor, for what? Where does the governor want to go that must be visited? Is it a school visiting day? Are they visiting governors with lunch boxes?

(Laughter)

We must stop this habit. Let us visit Kakamega County Referral Hospital, Kitui County Referral Hospital and Meru County Referral Hospital and find out why there are no drugs and why doctors are demotivated.

You should not visit governors to look nice for photos unless you want to frame them for future references of autobiographies.

Secondly, I would have expected them to give us a takeaway on the UHC staff that served since post-COVID-19 era. We have seen a news flash by the Ministry of Health that UHC staff will be transferred to counties. Are our counties ready to absorb all the UHC staff? We must be told even the terms of service.

Remember President Donald Trump - who the other day generated an AI image of him becoming the next Pope - stopped the money that came through USAID and now the staff under Global Aid Fund do not know their fate. We must be told what happens to Global Aid Fund staff.

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Finally, on the issue of energy, it is disappointing that Mandera County and northern Kenya still use generators and yet there is the KP. They took three generators, but only one is functional in Mandera. They lied to the people of Mandera and the northern Kenya. Are they not part of Kenya? The Committee on Energy is led by the “youth leader” Sen. (Dr.) Oburu Odinga, who is the face of Broad-based Government. I am relaxed on him because he told off Governor Orengo.

The Deputy Speaker (Sen. Kathuri): We must stop. There is a point of order from the Senator of Mandera County.

Sen. Cherarkey: I was assisting him by pushing for---

Sen. Ali Roba: Mr. Deputy Speaker, Sir, I rise on point of order under Standing Order No.105. While I appreciate the statement he has made, which arose from a physical visit that my colleagues, Sen. Wambua and Sen. Cherarkey, have done in Mandera and the challenges he is sharing on energy, can the hon. Senator substantiate for a fact that if a committee visits a given county and does a courtesy call on the governor, the committee's function and responsibility within that county will be impaired by that visit?

We have visited several counties and done courtesy calls, but we ended up doing our mandate as required by the law. This is just basically a statement of respect. If that is wrong, I would like him to substantiate to what extent that invalidates the visit or the functional responsibility that the various committees will undertake.

Sen. Wambua: On a point of information, Mr. Deputy Speaker, Sir.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, I was making a very pregnant point. I can allow Sen. Wambua to inform me.

Sen. Wambua: I want to inform Sen. Cherarkey so that he does not belabour responding to that issue. The point of contention is that when committee visits me as governor, I want a situation where a visit to my office does not look like it is the central theme of the committee being in the county. That is exactly what we are saying.

Mr. Deputy Speaker, Sir, even the photos that are circulated on the walls of the committees and the individual members, a lot more of those photos are for the visit to the governor and not the facilities. Especially for the Committee on Health, there are so many dysfunctional health facilities in every county that a minute spent with a governor is a waste of precious time. That is what we are saying.

The Deputy Speaker (Sen. Kathuri): Conclude your comments.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, when they go visiting a governor, people end up taking a lot of time, even one hour, that should have been used to visit some of the facilities. One funny thing is that after the event, you see some colleagues of ours, with all due respect, putting a caption that the governor has promised to improve, yet they have not visited those facilities.

On the Committee on Energy, please, let Mandera and Northern Kenya access KP and the national grid. It is unfortunate that Mandera has only one functional generator that goes off because of the heat every time. That it is very unfortunate

KP must be called out, that Kenyans in Mandera have equal chance like Kenyans in Nairobi, in the spirit of Broad-Based Government where we want to bring equity, equality, fairness and transparency, even in terms of energy distribution in this country.

So, I want to commend the committee led by Sen. (Dr.) Oburu Odinga who is our face and the architect of the Broad-based Government and one of the “youth leaders” of this country.

I congratulate him for telling off Governor Orengo. I saw Sen. Sifuna saying something today about the Broad-based Government. He should be careful because when Sen. (Dr.) Oburu speaks, it is Rt. hon. Raila Odinga who speaks.

With those many remarks, I support all those statements.

Sen. Orwoba: Thank you, Mr. Deputy Speaker, Sir. This afternoon I rise to add my voice to the various statements, the Energy Committee statement and the Budget and Finance Committee statement.

Before I go into any issue, I want to remind Kenyans and the Members of this House that the Senate does a lot of work. We do a lot of thorough investigations and inquiries. We put together reports and submit them on the Floor of the House. We debate the reports and then adopt as work output.

Mr. Deputy Speaker, Sir, I want to remind the Members of this House that we have certain issues that we have deliberated on and placed reports. We had the Shakahola issue which was very controversial. We went down to the grassroots level, did investigations, the committee tabled a report, we adopted the recommendations, the report is there.

The Committee on Energy have given a summary of their work. They also dealt with the explosion in Mradi, where lives were lost. They have given the recommendations and tabled the reports.

You remember the issue of Governor Natembeya and his deputy that was at that time a very serious issue for the people of Trans-Nzoia County. The report is here, tabled.

We had Members of this House going to the USA to follow on the victims of the 1998 bomb blast. We even had budgets for them. They went to the USA, spoke to victims. Recommendations were put and the report was tabled. Nobody is asking why nothing is being done after tabling the reports.

Mr. Deputy Speaker, Sir, even as we are interrogating all these reports by the Budget and Finance Committee and the Energy Committee and all other committees, is our work here in Senate, the ‘Upper’ House, to just table reports?

We have continuously asked that we be given a committee to follow up on the implementation of all the reports that we have in this House. That way we can even know whether the victims of the Mradi explosion, which the Energy Committee has told us is here, were actually taken care of.

It saddens me, as a Member of this House, that all our work will be filed in the basis or in the form of a report and the legacy of this House is just reports that are being tabled. Will we continue to sit and table reports or are we actually going to push that we become part of the implementation of these reports?

Sen. (Dr.) Khalwale: Mr. Deputy Speaker, Sir, I am lost for words. I am speaking on the contributions made in respect of the report on health. I do not know what is biting the former governor of Mandera and what is biting the current Senator of Nandi.

What is wrong with a committee going into a county and having a sitting with the governor and actually affording an opportunity to field questions that will enrich their

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report? It is not the responsibility of the committee to babysit any governor. They should go and ask him hard questions, like what is obtaining in Nandi.

It would be gross failure if the Committee on Health would go to Nandi and fail to interview the governor. It is so serious that in Kakamega, as I speak now, doctors are on strike. It is so serious that in Kakamega, the governor, through his chief officer, Dr. David Alilah, is trying to teach doctors corruption.

When this committee goes there, it is time for them not only to talk to the governor about these issues that I am about to raise, but also afford me an invitation so that I sit through the meeting.

People of Kakamega are wondering how imprest is paid to medical facilities in excess of the requisition made by the superintendent of the hospital. Upon receipt, the medical superintendent is rung by Alilah who then asks for the excess on the authority to incur expense to be taken back to him.

Butere Hospital, Malava Hospital, Iguhu Hospital at Butere and Malava the doctors were asked to remit a refund of Kshs10 million in each of those two hospitals. In Iguhu, Kshs6 million.

The transfer of the money to Dr. Alila was done on 20th October, 2024 in the afternoon. These are things we know. We want the committee to scare these governors for them not to teach my fellow medical professionals an ounce of corruption.

The Deputy Speaker (Sen. Kathuri): Very well. Let us now hear from Sen. Veronica Maina.

Sen. Veronica Maina: Thank you, Mr. Deputy Speaker, Sir, for distinguishing whether my neighbour or I should speak first.

I also thank you for the opportunity. Sen. Kisang' will wait and abide until I finalize. I want to support the report and the statements that have been presented to this House this afternoon.

I want to single out the very elaborate Report that has been presented by the Chairperson of the Committee on Energy, a committee that I am a Member of. I want to single out the issues that have been raised here, especially the issue of the LPG explosion that occurred in the Mradi area where 11 lives were lost and 280 people involved. Many people were actually injured during this incident.

I sit in this committee, but allow me to say this. In many jurisdictions, such explosions are taken to be serious accident incidents. Their policy framework enables people who have suffered from such incidences to be compensated very quickly and very adequately. They do not do that because it is the tidiest position for any country to be in, but they do it because it is only the right thing to do.

The policy framework would ensure that any actors in this sector are adequately insured. It would also ensure that the insurance is responsive. We want to call out the insurance companies that cover companies and institutions dealing with oil and gas. It is high time for us, as a nation to have a full proof policy.

I want to remember an incident that occurred about two decades ago in Mombasa with Kenya Petroleum Refinery. That company was insured by insurance companies based abroad. Those insurance companies came to Kenya and actively hunted for every victim and family that had suffered a loss. They hunted for them to ensure that

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compensation was adequately done and not under calculated. Those insurance companies did that for the victims and their families to feel that the burden is a bit eased off.

Thange village in Makueni County has suffered an oil spill since 2015 which has caused many cases of diabetes, liver and kidney disease among---

The Deputy Speaker (Sen. Kathuri): Let me give you one minute.

Sen. Veronica Maina: Mr. Deputy Speaker, Sir, it is unfortunate that the residents of that village in Makueni County lose their lives because of the social environmental impact of that spillage. My question is; what is Kenya Maritime Authority (KMA) doing? I know they do have very firm policies on how to deal with spillage.

I want to know what has been done. I ask this because from the pictures that we saw from the Members who visited that place, the oil spill is still there. We have a policy that has a dispersant effect of that oil film, which would have been done by now, but that has not happened since 2015.

Reports are not good enough. Action need to be undertaken by the relevant institutions. We call upon KMA to take adequate measures to inform the public what they have done. If they have not done anything to disperse that fume of oil, then people will continue suffering from the rising cases of diabetes, liver and kidney diseases.

An urgent action needs to be done and it should be reported to the Senate. We, as a Senate, should not just visit a place then the implementation mechanism becomes too weak. The residents need to take advantage of legislators having made a visit to that area.

Sen. Kisang’: Thank you, Mr. Deputy Speaker, Sir. I want to make comments on two statements and after that, you will allow me to read my statement.

The Deputy Speaker (Sen. Kathuri): Well, then you can read first.

IMPLEMENTATION OF THE INTER-AGENCY TECHNICAL COMMITTEE REPORT OF 2019

Sen. Kisang’: Mr. Deputy Speaker, Sir, let me read it then they can make their comments on the same. Thank you.

Mr. Deputy Speaker, Sir, I arise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Labour and Social Welfare on a matter of national concern namely the Implementation of the Inter-Agency Technical Committee Report of 2019, which proposes the reduction of hardship allowances allocation from Kshs25 billion to Kshs19 billion and the reclassification of hardship zones across the country.

The implementation of this report stands to affect thousands of civil servants serving in areas previously recognized as hardship zone, including Elgeyo Marakwet County which is proposed for removal from classification as a hardship area despite security challenges that have hampered effective service delivery in that region.

In the statement, the committee should address the following-

(1) The rationale behind the proposed reduction in hardship allowances from Kshs25 billion to Kshs19 billion and the justification for the reclassification of hardship zones.

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(2) The criteria used in designating hardship areas, including the specific indicators or benchmarks used to determine whether a region qualifies as a hardship zone.

(3) The reasons for the proposed removal of certain regions, including Elgeyo Marakwet County from the list of hardship areas despite persistent challenges such as insecurity and geographical inaccessibility that continue to affect civil service delivery.

(4) The intended use of the Kshs6 billion projected to be saved through the reduction in hardship allowances.

Thank you, Mr. Deputy Speaker, Sir. Can I continue?

The Deputy Speaker (Sen. Kathuri): Proceed.

Sen. Kisang': Thank you, Mr. Deputy Speaker, Sir. I will start by making my contribution on the statement that I have just read. Recently there was some reclassification of areas that was released---

The Deputy Speaker (Sen. Kathuri): Do not comment on---

Sen. Kisang': That is okay, Mr. Deputy Speaker, Sir. I will comment on the statement by the Committee on Finance and Budget and the Committee on Energy. I want to thank the Committee on Finance and Budget on the fourth session of the formula on shareable revenue. There are about 10 counties getting less than Kshs6 billion.

I have said many times in this House that if we do not do an affirmative action, some counties, in the near future, will be at the state of Kenya right now while other will be like Singapore. This is because those 10 counties are just paying salaries and other recurrent expenditure. This is because the resources they are getting cannot enable them to undertake any meaningful development.

That is what I was saying. As we discuss this new formula from tomorrow, it is important for us to say that each county should at least get Kshs 6 billion then we subject the formula for anything above Kshs6 billion. If we do that, counties like Elgeyo-Marakwet, Tharaka-Nithi, Isiolo, Lamu and Taita-Taveta can have meaningful development.

I am the Vice-Chairperson of the Committee on Energy and we have talked about seven or so counties that are not on the national grid, namely; Wajir, Mandera, Garissa, part of Isiolo, Marsabit and Turkana. These areas were neglected by successive governments. The committee cannot do anything as of now.

The Deputy Speaker (Sen. Kathuri): Just a minute, Sen. Kisang'. Sen. (Dr.) Khalwale is on a point of order.

Sen. Kisang': But you hold my time.

Sen. (Dr.) Khalwale: Bear with me Senator. I rise under Article 202 and 203 of the Constitution of Kenya. The distinguished Senator from Elgeyo-Marakwet proposes that this House adopt a formula where each county receives an equal allocation of between Kshs5 billion to Kshs6 billion.

Is he in order, given that the letter and spirit of the Constitution does not speak to equality, but equity? How does he intend for such a provision to align with Articles 202 and 203, which says that shareable revenue be shared equitably?

The Deputy Speaker (Sen. Kathuri): I believe that is not what he meant. Sen. Kisang, can you clarify that?

Sen. Kisang: Mr. Deputy Speaker, Sir, I believe the distinguished doctor is slightly older than me. He may have misunderstood me. As we discuss the new revenue-sharing formula, I proposed that each county first receive a minimum allocation of Kshs6 billion to cover essential expenditures such as salaries. For instance, Kakamega and Elgeyo-Marakwet counties have 10 County Executive Committee Members (CECM) and perhaps 12 Chief Officers. We also have a similar number of nurses and county referral hospitals.

My point is that each county should receive a minimum of Kshs6 billion. Then, all additional resources above Kshs200 billion be shared equitably. That means, a county like Elgeyo Marakwet, for example, may receive an additional Kshs500 million, bringing its total to Kshs6.5 billion. Kakamega County could receive an additional Kshs4 billion, making its total Kshs10 billion. I did not propose an equal allocation for all counties. I suggested that the first 20 or 30 per cent be distributed equally, and anything above that be shared equitably.

On energy, I was emphasizing that there are seven counties that have been marginalized, particularly in terms of power supply. As a country, we need to have a conversation about how to effectively deliver electricity to these marginalised counties. We cannot do it using the currently available resources since we do not have enough. That is why we are advocating for the adoption of PPP. If we explore PIPs, we should ensure that the approach follows an international expression of interest. This is because we have seen corruption issues arise with PIPs in the past.

I thank you.

The Deputy Speaker (Sen. Kathuri): Last but not least, let us have Sen. Wakili Hillary.

Sen. Wakili Sigei: Thank you very much, Mr. Deputy Speaker, Sir. I would like to comment on two of the statements. The first one was presented by the Health Committee. It is a matter of public notoriety that the health sector across nearly all counties in this Republic is in shambles. This is an issue we can no longer take for granted, whenever we see reports such as the one tabled by the Health Committee regarding the visits.

The findings from visits to Mandera, Marsabit and Wajir counties, are an example of what happens across the counties. Whether it pertains to expired drugs, inefficiencies in service delivery, or infrastructural shortcomings, there has been a complete failure by county governments to effectively manage the health sector.

Devolution was never intended to cripple the health sector. When the national Government undertakes reforms in institutions such as NHIF, the primary aim is to ensure that service delivery in the health sector reaches the most vulnerable members of society at the county level.

The expectation has always been that devolved governments would manage their health facilities efficiently. This was to ensure that services are delivered effectively to the people. It is, therefore, deeply unfortunate to read the stories that the committee has experienced in their visits.

I have no objection to the Health Committee holding a session with the county governor to address concerns and seek clarifications. However, it is unfortunate when

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such engagements fail to be objective and instead become mere photo sessions, as the Hon. Senator from Nandi has noted. It serves no meaningful purpose to have a session with the governor, when you are unable to inquire and get clarifications on the concerns.

(Applause)

The situation across counties is dire.

We appreciate the prompt visits conducted by the committee. In Bomet County, where I represent, almost every dispensary, let alone the referral hospital, widely reported as one of the facilities stocking expired drugs. It is unfortunate that a posting on every other--- *(technical hitch)*.

An impromptu visit by a section of my office this morning to Soimet Dispensary. It was unfortunate to discover that it has not been stocked for several months. In fact, it does not even have basic painkillers such as Panadol, which should be readily available in every health facility. The only service consistently offered is immunization, which is not the core. We do not have children getting immunised on a daily basis.

(Sen. Wakili Sigei's microphone went off)

The Health Committee's report underscores the urgency of the House to implement mechanisms to hold governors accountable and ensure proper service delivery. We fight daily to enhance county budgets and they do. Governor Barchok in Bomet County has budget exceeding Ksh2 billion in health, yet most facilities remain with no drugs, infrastructure is inadequate and nearly zero services to the people.

We appreciate the committee's oversight visits and encourage additional reviews as part of this House's mandate. This is not about politics. It is part of the mandate of this House.

Lastly, I wish to comment on the reclassification of hardship areas. Regarding the report we received---

(Sen. Cherarkey spoke off record)

Sen. Wakili Sigei: Allow me to conclude, Senator.

Sen. Mariam Omar: On a point of information, Mr. Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Wakili Sigei, would you like to be informed? Your time is over.

Sen. Marima Omar: Mr. Deputy Speaker, Sir, I want to inform Sen. Cherarkey and Sen. Wakili, as well as the House.

(Sen. Cherarkey spoke off record)

I am mentioning Sen. Cherarkey because it originated from him.

The Deputy Speaker (Sen. Kathuri): Whom are you informing?

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Sen. Marim Omar: I am informing Sen. Wakili Sigei. As the Vice-Chair of the Health Committee, I can confirm that during our oversight visits across nearly 14 counties, we routinely brief governors on the findings in health facilities. Some issues can be addressed immediately as was the case in Marsabit County. The governor swiftly resolved some concerns upon receiving our report. That is why we normally go to the governor to brief them on what we encountered in their health facilities.

I thank you.

The Deputy Speaker (Sen. Kathuri): Do you have a courtesy call before or after visiting?

Proceed, Sen. Sigei. You should do that in one minute.

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I appreciate the information by the Vice-Chairperson of the Committee on Health. Even prior to making a courtesy call or a visit to inform the governor, in most cases, impromptu visits provide the actual experience that you would get, rather than having a planned session then they direct you to places where they have programmed the experiences you would get when you visit a facility. Otherwise, I encourage Members of the Committee on Health to continue carrying out visits to the counties.

I was commenting on the issue of removal of hardship allowance as well as reclassification of hardship areas. That is with regard to the statement by Sen. Kisang. That will disadvantage people in some areas that have previously benefitted from hardship classification criteria that were in existence before.

Mr. Deputy Speaker, Sir, I would like Sen. Kisang to pursue that issue. I know that criteria classify and deny other institutions and areas an opportunity to benefit. We have a right to participate in ensuring that areas that previously benefitted remain so because they have created some expectations from civil servants and also residents.

Such areas should not be denied that benefit even if it means doing reclassification. In fact, it should be enhanced rather than reduced, so that we do not have areas that previously benefitted losing that because of this new policy.

I thank you.

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

Hon. Senators, we will now go back to the business of the day. We had gone up to Order No.10. We will defer Order Nos. 11, 12, and 13.

BILLS

Second Reading

THE PROVISION OF SANITARY TOWELS BILL (SENATE BILLS No.7 OF 2024)

(Bill deferred)

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*Second Reading*THE SPORTS (AMENDMENT) BILL
(SENATE BILLS NO.33 OF 2024)*(Bill deferred)***MOTION**ADOPTION OF REPORT ON THE FOURTH BASIS FOR ALLOCATING
SHARE OF NATIONAL REVENUE AMONG COUNTIES

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Fourth Basis for Allocating the Share of National Revenue Among the Counties, laid on the Table of the Senate on Thursday, 17th April, 2025, and that pursuant to Article 217(1) of the Constitution, approves the Fourth Basis for Allocating the Share of National Revenue Among the Counties for the Financial Years 2025/2026 to 2029/2030 as follows-

County Allocation = (Baseline Allocation Ratio*Ksh.387.425 billion) + {[(0.45*Population Index) + (0.35*Equal Share Index) + (0.12*Poverty Index) + (0.08*Geographical Size Index)] *Additional County Equal Share above the baseline}.

Where –

- i. Baseline =Ksh.387.425 billion being the equitable share for the Financial Year 2024/2025;
- ii. Baseline Allocation Ratio = The allocation factor derived from each County's allocation for the Financial Year 2024/2025;
- iii. The Population Index is based on the 2019 Kenya Population and Housing Census (KPHC);
- iv. The Poverty Index is based on the 2022 Kenya Poverty Report by the Kenya National Bureau of Statistics (KNBS);
- v. Geographical Size is capped at 10%.

(Motion deferred)

Clerk, please call out the next Order.

BILL*Second Reading*THE SPORTS (AMENDMENT) (NO.2) BILL
(SENATE BILLS NO.45 OF 2024)*(Sen. Chimera on 17.4.2025)**(Resumption of debate interrupted on 17.4.2025)*

The Deputy Speaker (Sen. Kathuri): On this particular Order, Sen. Cherarkey was seconding. You had a balance of 11 minutes.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, as I continue to second this Bill on establishment of sports academies in our counties, we are struggling with restless and energetic young people who would like to explore their talents. The only way to enhance that in our counties is through establishment of sports academies.

Yesterday in the evening, I was a bit disappointed after Barcelona lost against Inter Milan by an aggregate of six or seven goals. However, I was excited by one prolific player called Yamal Lamine whose roots are Morocco and Equatorial Guinea because the mother is from Equatorial Guinea while the father is from Morocco.

Yesterday Yamal Lamine performed extremely well. In my opinion, he was the man of the match. He is only 17 years old. I wondered looking at the background of that prolific grandmaster of the football game. I found out that Yamal Lamine studied in a sports academy called La Masia. That is the most expensive sports academy in Europe that uses 5 million pounds yearly to run it.

I realised that that sports academy has produced one of the best players, that is, the Greatest of All Time (GOAT) called Lionel Messi. According to me, Yamal Lamine has outpaced Lionel Messi in terms of performance at the age of 17 years. I would have wished to see him in the Union of European Football Associations (UEFA) finals. I hope Arsenal FC will not disappoint me when they play PSG today in the evening from 10.00 p.m. Kenyan time.

For football lovers like me, most players we see playing go to sports academies, but the situation is different here. For example, Nandi County is the source of champions, yet we do not have a functional sports academy or even a stadium.

When you look at most performers such as those who train at Kamariny Stadium, 64 Stadium in Eldoret and Kipchoge Keino Stadium--- In fact, the worst that Governor Sang has done is to convert Kipchoge Keino Stadium to some forest, yet that is the landmark of athletics in that region.

We should have sports academies in the North Rift, including areas such as Meru and Kisii. There is one called Chagaiya High Altitude Training Camp in Uasin Gishu which is undergoing construction. We need to have sports academies. Most young people in Nandi County depend on sports, especially athletics and volleyball.

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I thought Sen. Boni was still here. Kakamega and Vihiga counties produce the best footballers. In fact, we do not need a law for counties to get opportunities.

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

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

Mr. Temporary Speaker, Sir, we like watching football. The other day when Shabana and Gor Mahia were playing, there was chaos in Gusii Stadium. There is a huge potential.

It is sad that most of the talents we see during Kenya secondary school sports competitions disappear after Form Four. We need to tap that. The same case applies to music festivals. Where do top performers go after Form Four? There is one called Kibet and three others who were lucky to join a Spanish sports academy after secondary school sports competitions in Kakamega, but where do our young sports people go?

Looking at the Senators seated here, some of them were great footballers during their time while some were athletes. However, since they did not have an opportunity to be professional sportsmen and women, they ended up in the Senate. The calling of some of these people here is totally different.

Mr. Temporary Speaker, Sir, the issue of establishment of sports academies must be looked at. We need to ensure that counties set them up because sports are a function for both.

I want to thank His Excellency the President. As I was driving along Ngong Road, I saw Talanta Sports City Stadium taking shape. Moi International Sports Complex Kasarani is also being renovated. The President has made a commitment that at least every county should have a stadium.

I am happy that construction of Kinoru Stadium in Meru is going on. It needs to be upgraded to international standards. There is also another one in Nyeri. We also have Kiprugut Chumo Stadium in Kericho.

We see our young people full of energy on social media. Most of the young people use their energy on social media to write unpalatable things. They can use the same energy to play football.

It is unfortunate that my county is a source of champions. However, Governor Sang has changed it to be a source of corruption because of lack of sporting facilities. He even converted a whole facility into a marketplace, yet Nandi County is synonymous to sports.

We also have the doping menace affecting our young people. I want to make an appeal because Kenya might end up on the radar of doping. I appeal to our sportsmen and women and the Anti-Doping Agency of Kenya (ADAK) to be on the lookout and ensure that we arrest the doping menace in our country. Even as we establish sports academies, we must vet trainers and coaches.

Mr. Temporary Speaker, Sir, I want to take this opportunity to congratulate Deacon Mike Songok and a number of deacons and seminarians who graduated today at St. Thomas of Aquinas Seminary in Karen, a function that was presided over by His

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Grace Lord Bishop Oballa Owaa, Bishop of Ngong Diocese. He talked about the formation process.

You have to agree that the Catholic Church has a unique way of doing formation of their priests, sisters and brothers. He was talking about the vetting of the trainers. They must be people who are beyond reproach because they are the ones who are teach the doctrine of the church. For example, he was using the Catholic Church, that was being presided today by Bishop Owaa of Ngong Diocese. The same should be the case with the vetting of our sports academies.

Mr. Temporary Speaker, Sir, are you aware that some people walk in, through Jomo Kenyatta International Airport (JKIA), using tourist visa and two weeks later, they are training athletes in Iten? Which country are we in?

In fact, if you are in Tanzania and do not have a visa, you will not finish two hours before being deported. However, in Kenya, somebody lands in JKIA as a tourist, goes to high altitude training areas like Iten, Nandi Hills and Kaptagat, Nakuru, Keringet and starts training.

Sadly, at the end of the day, they make sure that they promote doping. It is very unfortunate. That the Government and the anti-doping agents must come out and condemn this strongly.

Mr. Temporary Speaker, Sir, I am happy Sen. Kisang' is in the House because I know he suffers most, especially with trainers that are not appropriately trained and vetted. Even on the issue of hardship allowance, I do not support hardship allowance to be removed. In Nandi County, we want places like Terige, Kapchorwa and Sobasongo and Chepterwai to be categorized as part of the hardship areas so that teachers and civil servants can earn hardship allowances.

Even in Bomet County, in areas like Chepalungu, where you come from, they must be given hardship allowance. That comment was made in bad faith by the Cabinet Secretary for Education and he must retract it.

Mr. Temporary Speaker, Sir, I saw the Deputy Minority Whip today in the House saying that there is no broad-based government. We have a broad-based government. This broad-based government has brought equity and equality in terms of service provision under President William Ruto and Raila Amollo Odinga.

It is unfortunate that Sen. Sifuna can use the Floor of the House to say that, yet he is the Secretary-General of the Orange Democratic Movement (ODM) when we signed in the broad-based government at the Kenyatta International Convention Centre (KICC).

If he has a problem with Cabinet Secretaries Opiyo Wandayi and John Mbadi, those are political differences that they should do in funerals and rallies during the weekend. He should respect the President.

Sen. Oburu Odinga spoke eloquently and powerfully before President Ruto in Migori and said that the ODM and United Democratic Movement (UDA) are working through broad-based arrangement, including establishing sports academies in our counties. Where does he get the audacity of lecturing and saying there is no broad-based government?

If you want to know what Raila thinks, listen to Sen. Oburu. If you want to read the body language of Raila Odinga, listen to John Mbadi. It is very critical. I am making a very pregnant point. Can you add me one minute so that I can conclude by seconding?

So if you can see the body language of Oburu, Mbadi, Junet Mohammed, you know that is Raila speaking. I am warning Sen. Sifuna to tread carefully. His future in ODM looks bleak.

Mr. Temporary Speaker, Sir, with those many remarks, I beg to second.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, I now propose the Question.

(Question proposed)

I will allow Sen. Kisang' to contribute.

Sen. Kisang': Thank you, Mr. Temporary Speaker, Sir. I rise to support the Sports (Amendment) Bill that is before the House, to set up sports academies in our counties. If you scan across the country, the only sport that is still booming or doing well in the country is athletics. The reason why athletics is doing well is because it is individual-based. It is up to the athlete to train maybe with the team managers and coaches. They work out on their own.

Mr. Temporary Speaker, Sir, if you check the other sports, for instance, tennis, cricket and football, you will realize that we are doing badly because of mismanagement by either the Ministry of Youth Affairs, Creative Economy and Sports or those who are basically elected to steer and drive these particular sports.

Mr. Temporary Speaker, Sir, with the proposal to set up sports academies in our constituencies, it will basically promote, enhance, professionalize and nurture talent at an early age for our youth, because we have a big problem of unemployment. Sports is one of the areas where talent can be nurtured, yet our youth and sports women and men cannot make money and get resources to build themselves.

I remember, when we were in primary and high schools, schools like St. Patrick's High School, Iten, used to have a particular teacher who was in charge of sports. For instance, for St. Patrick High School, Iten, we had Brother Colm, who used to go around during the second term when they had athletics across the country. He would spot talent and pick boys who were doing well and they would be admitted to St. Patrick High School, Iten and pursue the line. This was the same also with other schools.

Mr. Temporary Speaker, Sir, we need to go back to that, spot talent early. We can take these youths to a sports academy so that we can have Kenyans playing professionally, both internationally and locally.

We have the likes of Yego who was playing javelin. It is because we do not have sports academies. We are losing a lot of talent because we do not have a programme on how to spot and nurture a talent, so that it can progress.

Mr. Temporary Speaker, Sir, I support this Bill. I would like to urge our governors, that, since sports is devolved, to partner with the Ministry of Youth Affairs, Creative Economy and Sports and set up sports academies across the country. They have the resources.

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Mr. Temporary Speaker, Sir, we want to encourage also our members of the National Assembly because in the National Government Constituencies Development Fund (NG-CDF), which we are now doing public participation on to ensure that we entrench it in the Constitution, there is a percentage dedicated to sports. They could start with 2 per cent as suggested here. Perhaps, we need to enhance it to 5 per cent so that they can partner with the governors to build up sports grounds. The governors can also partner with national Government to ensure we have stadia across the country.

Kipchoge Stadium was supposed to be rebuilt to a modern stadium with a gymnasium and a sports academy attached to it. The same applies to Kamariny Stadium. Luckily, the other day things, the tenders were awarded. I hope the contractors who will be put in place will do a good job so that our athletes can have somewhere to train from.

Mr. Temporary Speaker, Sir, there is something that Sen. Cherarkey brought up. That there are many foreigners who are training in our high altitude grounds, especially in Iten. There are those who are training in Kapsabet and across the country, in Nakuru and Nanyuki. However, some of them are coming into the country without proper paperwork. Some come as tourists and train, yet, training is not tourism.

So, we need to put in also mechanisms in place so that the counties and the country can get revenue when these athletes come to train in our country. Some of them have even come and trained. Somehow, when they go to compete internationally, have beaten our athletes.

Mr. Temporary Speaker, Sir, it is important that when the country is planning on issues, they need to be careful. We should not rush some matters. In fact, I was surprised. In the North Rift region, Turkana, West Pokot and Elgeyo Marakwet counties, and in some areas they have talked about the area in Chepalungu, I do not know whether the Executive, especially the Cabinet Secretaries, just came up with some funny policies in the morning and said, "From tomorrow, we are not doing this."

I do not know whether the Executive, especially the Cabinet Secretaries, just came up with some funny policies in the morning and said, "From tomorrow, we are not doing this." They need to know that the country is in a different era. We have a new Constitution where public participation is paramount.

As we do these sports academies, we urge the Ministry responsible to do proper public participation so that the people are involved. The people should decide where the sports academies are located in the counties.

For Elgeyo Marakwet County, we have had academies in Moi Kapcherop Girls in the Sengwer Ward and we have some in Iten. So, basically, we are asking the Ministry and the counties to sit down, do public participation so that we can identify areas where these sports academies will be, so that we nurture talent. Let our youth make money.

Even as they do this, we are sending a warning to those who are responsible for this particular reclassification of areas from hardship to non-hardship. They say moderate hardship and then severe hardship.

Elgeyo Marakwet County has been affected severely by insecurity. There is a lot of drought. We have three regions. We have a hanging valley in Elgeyo Marakwet County where there are no roads. How do these people expect the civil servants, teachers and our nurses not to benefit from hardship allowances?

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I do not know how they arrived at saying that Elgeyo Marakwet County does not deserve to be a hardship area or region. Was there any public participation? There was none.

So, we are giving a warning that as leaders from regions they want to remove from hardship; we are watching you. They need to rethink what they have done and rescind their decisions because we do not want our people to go back to the streets. The payslips are already suffering. We have the Housing Levy Fund, SHA and NSSF deductions. Yet they want to remove the hardship allowance for God's sake? I do not think that people will accept this.

Thank you, Mr. Temporary Speaker, Sir. I support the Sports (Amendment) Bill.

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

I will now call upon Sen. Mungatana to make his contributions.

Sen. Mungatana, MGH: Thank you, Mr. Temporary Speaker, Sir. The Sports (Amendment) Bill, (Senate Bills No.2 of 2024) seeks to amend the main Sports Act by inserting an amendment after Section 38, which seeks to make it mandatory that each county shall establish a sports academy.

I am fortunate to have a daughter who is studying in Madrid, Spain, right now, in one of the universities that is sponsored by one of the biggest football clubs in the world. They not only have a sports academy or a football academy; it is a university that is dedicated to sporting activity. So, I have a little experience of how a sports academy should look like.

This law has come at a good time in this country because many of our youths have not been supported in their talents. Those who have musical talents have gone into the digital space and they have made a living out of it. However, those with football, athletic, volleyball and swimming talents, it has been very difficult and unless you come from a privileged family, you cannot make it.

When I had an office practicing as a lawyer somewhere up the road in Kikuyu, I remember one young man coming to see me. He told me, he had a running talent, but did not have anybody to stand with him.

We got to know each other when he was washing my car. I saw something different in him. When I was engaging him, he told me he would come to see me in my office so that he would explain to me his predicament and why he cleans cars.

He told me that he cleans cars because he was trying to raise money so that he can run in a paid race. As he cleaned these cars, he was also trying to get good food to eat so that he could eat the required food. He could hardly pay his coach.

He ran away from the first person who sponsored him because he was exploiting him. He made him sign a contract that when he runs and becomes number two, he would take almost everything. He did not know anything about the sports business when he started running. So, he lost and did not make money. Therefore, he terminated that contract and was trying to freelance while looking for people to support him. I did what I could with that young man.

Mr. Temporary Speaker, Sir, first of all, let us state that when this Bill becomes law, we will have sports academies, not football academies. Most people in Kenya confuse sports with football or athletics. No, no, no, it is not running and footballing

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alone. A sports academy is a place where all the talents in various sporting activities will be congregating and training.

This law will require that counties establish at least one sports academy. The law is amending the Sports Act with the requirement that counties set up a county academy management committee for sports.

For the first time, when this law takes effect, we will see even in a place like Tana River County, a centre where people with talent, people who can run, people who can swim, people who can play volleyball, people who can do archery and other talents gathered at the cost of the county so that the sports and the talents that are in that county are exploited. The talents that exist amongst our youth can be developed.

I have just given an example of that young man who was running. He wanted a sponsor who would help him to go outside the country and make a living. I tried to help him. However, when help is not institutionalised, then it is a one-off and it is not sustainable.

This Bill provides an opportunity where people or young men and women who have talent can be given opportunities to grow their talent and make a living out of their talents.

Mr. Temporary Speaker, Sir, when these sports academies are being set up across the counties, as is proposed in this Bill, it is not just the young people who are running, the young people who are talented in football, volleyball, netball, basketball and so on, who will benefit. Sports is a very big economy.

The provisions of this Act, it says there will be, as an objective of the academy in the county, the need to collaborate with the academy in talent development within that county.

I have come to discover that those talented people do not just need the coach who takes them for an early morning run and tells them you have to go to the boardroom to read the tactics of what happens in the field. They do not just need the coach who tell them that to be in the field and shoot these amount of baskets, you have to keep on practicing until there is a muscle retention of memory through practice.

The economy of sports is very wide. There are psychologists in sports who study the psychology of sports and they are there to talk to athletes. It will provide employment opportunities to those people who are specializing in those areas. It would open our economy to those capacities so that they can be built within this Republic of Kenya and maybe exported to other places.

Mr. Temporary Speaker, Sir, some of these sporting talents, the talented young men and women, get injured not just in the field physically, but some are injured emotionally. Others suffer the normal problems we all suffer. Societal problems affect them and affect peak performance.

A sports psychologist sits with you and helps you to recover. You may have gone through grief, you may have lost a very important game that has made you feel so low, so you are nursing depression. The sports psychologist is telling you that you can recover and regain your form.

They have all this technology that they use on these sports people, and they help them to perform to their peak. Sports psychologists will have opportunities in 47 counties.

Even those who are not necessarily having any problems, there are those who, for one reason or another, their performance has dipped and this we experience everywhere. Even in our academics, when we were growing up, sometimes things happen. For whatever reason, you are not able to hit your number one or number two or number three as is you usual do. You sit with someone who talks to you, who understands you.

These academies in 47 counties will create a whole new capacity in the sports economy in this Republic of Kenya.

There are also physiotherapists. I am speaking as the Chair of the Senate Sports Committee. We have many members here who participated in the games and some suffers injuries. In fact, I know of a friend, a member of the National Assembly, who has since December last year has undergone at least four surgeries on his knee for purposes of recovering from the injury he suffered in football.

Forty-seven counties will open up for physiotherapists, sports therapists and people who know about how to deal with sports injuries. The sports economy in this country will start to develop at a tremendous rate.

Mr. Temporary Speaker, Sir, this will give us a huge edge because there is no such law within our neighbouring countries. For teams that believe in God or they have put God in their whatever, there will be job creation for chaplains, for those of us who are Christians.

Teams especially in West African countries hold to the African traditional religions. They bring their mascots and pray. That is job creation within the sports academy.

We shall develop capacity and grow the whole sports economy within the Republic of Kenya. We shall even be able to export sporting management capacity. We have said within this county sports academy, there will be management created

. Once you have managed a sports academy in Kenya, especially in some of these big counties, you can manage even a sports academy in any other country across Africa. I believe that this law will create great opportunities that will be used to grow the entire sports economy.

This Bill is also seeking to involve the local community in county academies activities. It means in various villages in a county such as Tana River, you will be having local communities being called to support that academy.

How do they support the activities of that academy? If that academy is set up in one of the constituencies, the people who are camping there will need food, clothing, water and even medical supplies. These are business opportunities for the local communities surrounding those sports academies.

Mr. Speaker, can you imagine all the suppliers across the 47 counties will be having a place where they are taking foods? Employees associated with sports, for example, nutritionists also will be in those academies.

I believe that this is a good Bill that the Senate has brought. I congratulate the committee and Senators that have come together. I think it is Sen. Chimera and Sen. Tom

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Ojienda who have come together to put up this Bill and help develop the entire sports economy across the 47 counties.

This is one of those Bills that will be a game changer once it becomes law. As I sit, I appeal to Members of the Senate who will be speaking to this Bill to support and pass it without much ado.

Sen. Nyamu: Thank you, Mr. Temporary Speaker, Sir. This Bill proposes to create sports academies in all our 47 counties.

For a long time in this country, we have decried the quality of players and the quality of performance by our national teams. So, this is an opportunity for Kenya to scout sports talent from quite an early age from the grassroots level where sports is.

Talent is mainly found in the slums and in our villages. Sports academies have been a preserve of the rich, owing to the fact that they are run as money-making entities. Therefore, someone who comes from the slums or the village stands no chance to join a sporting academy.

In Nairobi, we have a model of what this Bill proposes, what it can do and the impact it can have in society. The Mathare Youth Sports Association, popularly known as MYSA, formed by a Canadian, Bob Munro, who passed away recently, has had far-reaching impact in Nairobi. Children from the slums join this sports association as early as six years. It majorly targets or majors on football.

The impact of MYSA in the young people of Nairobi is something that we would want to see replicated in the villages once this law comes into force. It is worth noting that this sports association has produced players that made our national team. We have people like Dennis Oliech, Titus Mulama, Jamal, Malo and many others.

We need to support this amendment as a House because it will have an overall impact on the quality of players even at the national level. This is because we will create a larger pool right from the grassroots level.

I, therefore, support. Thank you.

Sen. Osotsi: Thank you, Mr. Temporary Speaker, Sir. This is a very progressive Bill. It is a Bill on Sports Act and it seeks to amend the Sports Act for us to have county sports academies.

A few days back we passed the Bill by Senator of Nairobi City County, Sen. Sifuna, to provide for county sports association in the Sports Act. Right now we are debating the Bill by Sen. Tom Ojienda and Sen. Chimera to amend the Sports Act so that we can have county sports academies.

This is a clear indication that there is need to do an overhaul of the current Sports Act. The current Sports Act was actually enacted in February, 2013 during the last days of Hon. Mwai Kibaki. That Act was seeking to actualize the proposals that are contained in Vision 2030.

Vision 2030 provided for the sports academies as part of the social pillar of the Vision 2030. That did not take into account the provisions of the 2010 Constitution that provides that sports is one of the shared functions of the county government and the national Government.

While serving as a nominated Member of the National Assembly, I sponsored a Motion which was overwhelmingly passed to create sports academies in all the 290

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constituencies in Kenya. I am happy that my Motion was passed and the Ministry of Sports made some steps to try and implement the vision that I had in it.

Mr. Temporary Speaker, Sir, it is taking a long time to fully realize that vision. I know we have the Kenya Sports Academy, which is in Kasarani, but the plan was to have regional sports academies and thereafter, have county sports academies and constituency sports academy.

I know some budget has been appropriated in this programme, but very little is happening on the ground. In my county, we had a fanfare and launched the Joe Kadenge Sports Academy. However, if you go there right now, very little is happening there.

We must remove the notion that a sports academy must be an issue of brick and mortar, putting up structures and all that. We need to focus more on the soft side of the sports academy. We have schools which already have facilities for sports. These can naturally become sports academies.

In our Western region, we have Kakamega High School, Chavakali High School, Musingu High School and Kamusinga High School. These schools are known for excelling in sports and can naturally be identified as centres of sports excellence. The Government can then provide coaches, trainers, sports medics and psychologists. They can also provide other facilities like training kits and all manner of merchandise that is used in sports.

The fixation with the idea that a sports academy has to be brick and mortar, where buildings have to be set up and all that is what is delaying us from actualizing the good idea of having a sports academy. We need to use the facilities which exist at the moment. We should only provide the software required in these facilities then we will make progress.

If you go to countries that have excelled in sports academies such as the West African countries like Ghana, Nigeria, Ivory Coast and Cameroon, you will realise that they do not necessarily have places that they call sports academy. They use the existing facilities. Sports academies should not just be about sports alone. We need to have some formal learning happening in those academies.

Mr. Temporary Speaker, that naturally means that we adapt existing schools into sports academies by providing the necessary facilities and resources. This approach would be the most convenient and speedy way to implement sports academies.

As we discuss amending the Sports Act to incorporate sports academies, we must ask ourselves: how will these academies be funded? When I previously contributed to the Bill by Sen. Sifuna, I said that it was so unfortunate that the Uhuru Government decided to delete the entire Section 12 of the original Sports Act, which provided for the National Sports Fund. It was replaced with the Public Finance Management Regulation 2018, through Legal Notice No.194.

This happened because the then Government's realized that the Sports Fund had attracted a lot of money, from taxes and levies on betting, lotteries, and other sources. Consequently, the Government decided to come up with an amendment to delete the entire Section 12 that called for the creation of the National Sports Fund. Instead, they introduced a new entity; the Sports, Arts and Social Development Fund, through regulations under the Public Finance Management framework, 2018.

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If we examine the proposal to share the proceeds of that fund, it is surprising to see that 60 per cent is now directed towards UHC. What does UHC have to do with sports? Only five per cent of the funds are allocated to sports development and promotion, while 20 per cent goes toward arts development and five per cent is set aside for strategic interventions by the Cabinet Secretary.

This is why some of us believe that President Kibaki had a strong vision for this country. However, those who took over from him were visionless. How do you divert funds originally intended for sports to sports unrelated sectors? One of the urgent steps we need to take, even as we work to amend the Sports Act, is for the Committee on Delegated Legislation to review and annul the Public Finance Management Regulation 2018, as it fails to serve its intended purpose.

This regulation is against the youth of this country and an obstacle to the development of sports. We cannot be appropriating 60 per cent of this money for UHC, while at the same time going for peoples' payslips to tax them for Social Health Authority (SHA) and Social Health Insurance Fund (SHIF). Now that SHA taxation is in effect, this is the right time to annul the existing allocation and redirect the 60 per cent back to sports where it rightfully belongs.

Mr. Temporary Speaker, another issue that is important apart from funding is the development of sports federations. We cannot have a vibrant sports academy in this country if we do not develop the federations. That is why Sen. Edwin Sifuna's Bill is timely. We need to develop federations to ensure they are self-sustainable. These federations should be capable of sponsoring athletes for international and regional competitions. The funds meant for sports development are available, but being channelled to other things that are not sports related.

Another concern is the need to support our local clubs. Some of them are struggling financially. Clubs like Gor Mahia and AFC Leopards, both rich in heritage, are facing significant financial challenges, yet the funds exist. It is imperative that clubs qualifying for leagues each year, from Division One up to the Super League, receive substantial financial support from the Sports Fund to sustain their operations.

Every weekend, many of us receive requests from clubs in our counties seeking sponsorship. They inform us that are stranded, unable to afford travel expenses for matches in Mombasa, for example. We cannot have a situation where we have done so well in established sports academies, but there are no clubs to absorb the youth graduating from these academies. We should have clubs that are ready to absorb them. We also need strong federations to support the growth of sports in this country.

I, therefore, want to remove the notion that sports academy is about brick and mortar. I also want to remove the notion that the sports academy should be separate from the schools. If you go to countries like Spain and Britain, you find that the sports academies are also schools. I know some of us have taken our children to go and learn in those academies. They have an academic programme and a sports programme as well.

What I am emphasizing is that our decision-makers must think well. They need to assess existing schools in each county, identifying those that can serve as centres of sports excellence and equipping them with the necessary facilities to transform them into great sports institutions.

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I am not sure whether Members have had the opportunity to watch the ongoing Under-20 tournament in Egypt. The quality of play has been remarkable. Today, Kenya is facing Nigeria in a crucial match. I urge you to watch that game. You will be surprised by the immense quality of talent across Africa. This is largely due to the fact that many of these countries have established and developed sports academies.

Kenya, too, has the potential to excel. If we manage our sports sector effectively and establish a properly organized, structured and well-funded sports academy system, we will be able to tap the talent from the villages. When visiting villages to watch local soccer matches, one often witnesses remarkable skill, yet these players remain undiscovered. This is largely due to the absence of a structured scouting system that can identify and nurture talent, allowing players to advance to major clubs or represent the country at higher levels.

Moreover, when discussing sports academies, we must not be fixated solely on soccer. Let us explore other sports. Rugby, for example, is a natural sport in the region where I come from, given the muscle we possess. Therefore, we need to identify different areas and determine which sports are best suited for them. For example, I know that high jump is particularly strong in certain regions. The Maasai can do better in that, making it an ideal region for establishing a sports academy dedicated to such events.

Similarly, other areas should be identified based on their natural strengths. For instance, Rift Valley is widely known for its dominance in athletics. We need to go to that region and establish athletic sports academies. This is to ensure we have a diversity of sports and not just football.

If we do so, this country can earn a lot of money in foreign exchange through sports. There are countries which have developed because of sports. If you want to know the importance of sports, look at the growth of Eldoret town. Its growth is because of the influx of money from sports such as athletics. You can imagine if that was happening all over the country, for example, in Vihiga where people are very good in soccer. We would have serious development because of sports.

Let us look at sports as a matter of economic growth and dealing with the youth problem in this country such as unemployment, crime and such. If we organise ourselves well, we will become a sports giant not just in Africa, but in the world.

Mr. Temporary Speaker, Sir, even as I support this Bill, I want to call for an overhaul of the entire Sports Act to align it to the Constitution and realities of our time. We should provide a proper financial model on how sports will be funded. We should also annul those regulations, which were designed to support the big four, without looking at the initial vision that President Kibaki's Government had to support sports and implement the Vision 2030

Mr. Temporary Speaker, Sir, with those views and remarks, I support and ask other Members to also support this progressive Bill.

I thank you.

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

Sen. Tabitha Mutinda: Mr. Temporary Speaker, Sir, allow me to start by appreciating---

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(Sen. Osotsi spoke off record)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Osotsi, please allow Sen. Mutinda to be heard in silence.

Sen. Tabitha Mutinda: He is my former Chair and the way I was so keen listening to the party leader?

Mr. Temporary Speaker, Sir, I want to start by appreciating Sen. (Prof.) Ojienda and Sen. Chimera for coming up with this Bill. This Bill is important looking at it from the perspective of both academics and the talent point of view, whereby our young people will nurture their sports talents.

Last time when we were looking at Sen. Sifuna's Bill as far as the issue of funding is concerned, I gave an example of Mutei Grannies FC. That is football club of women aged between 52 and 75 years who have been playing. They went to South Africa and they were so excited. This is what you ask yourself; if they had an opportunity to start at a young age and get an institution or academy to nurture their sports skills at an early age, we would have imparted them a lot.

Sports are looked at as a male-dominated field. The girl-child can also play different sports. I encourage young girls to come out when these academies are in place, so that they also get adequate training and skills to nurture their talents. Nowadays girls are also coming up.

I am the patron of Kayole Starlets and I am very proud of them. Three weeks ago, I met them with the Football Kenya Federation (FKF) President, Mr. Mohammed, and we supported them both financially and with kits.

I look at the energy that those young girls have. Apart from school and academy work, they have decided to play football at the premier level and they started early. If we have a bigger number of young girls, definitely they will take our younger generation to greater heights.

Mr. Temporary Speaker, Sir, I have looked at the Bill. Clause 381(1) states that a person shall be qualified for appointment as the manager of a county academy if that person has a degree from a university recognised in Kenya. This is where I defer or my eyebrows get raised.

When we keep on talking about a degree from a recognised university in Kenya, it is one thing to recognise a degree, but it is another thing to have skills and knowledge pertaining to a specific industry or sector. I wish Members were here. However, since they will have access to the HANSARD, it should not just be a degree from a recognised university, but specifically a degree in management because we are talking about a manager. If you have a degree in theology, how does that relate to sports and management skills that are needed?

It is good to specify because Clause 38C(2)(a) states that there shall be a chairperson who shall hold a degree from a university recognised in Kenya and is knowledgeable in sports, finance, commerce or law. That person will be appointed by the respective county governor. This one is specific. If that is the case, even Clause 381(1)(a)

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should be specific. When you do your degree, there is specialization and there is a reason for that. Therefore, that is important.

Sports is not just about football. When you talk about sports, what comes to people's minds is football and other main sports. There are many other different sports apart from volleyball, basketball and others. We have other sports in place that should be encouraged. They could be indoor or outdoor games. Our young people should be encouraged through the sports academies to continue nurturing their talents.

I listened to Sen. Osotsi when he talked about buildings. Passing knowledge and skills does not need you to be confined in specific spaces. Knowledge and skills are passed by qualified persons and people who are being imparted should be ready to receive that.

What am I trying to say? We have our learning institutions such as primary schools. Like in Nairobi, we have over 100 primary and high schools. When schools close especially during April, August and December holidays, those classrooms are not utilised. When this Bill passes, we can start with our public institutions to be used for passing of skills to take place.

Learning institutions, including universities and technical institutions, can be utilised to kick-start sports academies. We do not need to wait for funding to build big institutions with big rooms. We can start with what we have. We have classrooms, which can be used, especially during school holidays.

The Bill also talks about protection of minors in sports and that has been covered well. Young people are coming up, but at times they do not have guardians or older persons to guide them well. Sometimes they do not get agents who are qualified and have the same ambitions in matters sports.

Sometimes we have young talents starting well, but at some point they lose it. One reason could be poor management. We should have thorough scrutiny even when managers are the ones helping those young people to enroll in sports. They should be genuine and having the same vision and goal, with a minor who is talented to be able to perform the different sports activities.

Mr. Temporary Speaker, Sir, at the same time, there is the issue of the mental health cases. We have seen people who have engaged in different sports like the boxing activity, whereby after some time, someone is not even able to focus or continue with normal life. This could be because of the injuries.

The Bill should also bring about the element of how minors who have guardians should be protected, even when they are signing these contracts. There should be guidelines.

The movers of the Bill should also instill the issue of mental health cases, where we have seen some people started very well and at some point, they lost it. You are told that this was a champion, but years later down the line, either the manager misappropriated the funds, there was no correct management and they lose it. What happens with the younger people who want to emulate and walk the journey? It becomes very discouraging. So mental health should be addressed in this Bill, so that sports do not just end at a certain level.

We have also seen poor financial management at times with the people who have excelled in sports because of probably big amounts of payments. After some time, they just lose it on the way. So, the academy should also have a facility that offers counseling, mental health and financial management discussions, so that people are able to move to the next level with the right guidance.

All said and done, this is a Bill that I, as an academician, fully support. I hope that the right people, the committee members and managers will put the passion, as far as sports is concerned, not any other thing ahead, so that we continue nurturing more and more talents.

Thank you.

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

Sen. Kibwana: Thank you, Mr. Temporary Speaker, Sir. First, I would like to appreciate my two colleagues, Sen. Ojienda and Sen. Chimera, for this Bill. It is a good one and looking at the overview, it is meant to amend the Act, Cap.223, by establishing County Sports Academies and providing legal protections for minors in sports

Mr. Temporary Speaker, Sir, looking at Section 2, key provisions and the relevance of County Sports Academies, Sections 38(a) to 38(m), the provision mandates each county to establish at least one sports academy, with structured training programmes, technical staff and linkages to local communities and international bodies.

Mr. Temporary Speaker, Sir, the issues here are many. One, for example, rising stars from counties like Kericho and Elgeyo, Marakwet, often move to Nairobi for opportunities. The problem is, many counties, especially in northern Kenya, lack basic sports infrastructure. Consequently, talents and remote areas remain untapped. It is unfortunate, looking at how these young people struggle moving from one county to another, searching for such and looking at the rising stars. Sen. Tabitha Mutinda just mentioned about the old women footballers. You can imagine their talents. So I am asking myself, were those talents nurtured early enough or it came with an old age?

Section 2 talks about local management and oversight. Section 38(c) and 38(f), the provision that each academy is to be managed by a multi-stakeholder community with expertise in sports, finance and administration. The real issue here is that there is mismanagement of county funds that leads to failed youth programmes. In addition, it is never structured in a way that it can be oversight and be enhanced with transparency and accountability.

On inclusion of Persons with Disabilities (PwDs), Section 38(b) 2(a) stipulates that the academies must accommodate PwDs. The problem here is that Kenya's Paralympic athletes often face expulsion despite the international success. It promotes inclusivity and aligns with the constitutional mandates.

Clause 54(a) to 54(f) caters for protection of minors in sports against abuse. The provision is that institutions must vet coaches, enforce child protection standards and establish abuse reporting procedures. Looking at allegations of abuse by coaches in football academies in Nairobi, the impact is that it will establish accountability and professional standard. So, we have many challenges out of this.

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I would like another amendment on education guarantees as cited in 54(b). The minors must have access to basic education even in residential academies. The problem is the young athletes sometimes drop out of school hoping for trials abroad. Therefore, the impact would be to prevent exploitation and ensure fallback options.

Number three is contractual protection, as cited in 54(c) to 54(e). These contracts, under the provision, involve minors and must be signed by guardians and only valid from age 17. Agents must be accredited. In such cases, there are scam cases from fake international trial offers conning athletes. The impact of this aligns with international best practice.

Section 4 is on constitution and county linkage. It confirms that sports and cultural activities are county functions under the Fourth Schedule. Many counties lack harmonization with national policies and the Bill provides a national structure.

There are many challenges that face the implementation such as potential challenges for funding gaps, capacity issues and oversight risks. On funding gaps, the counties may lack resources. On capacity issues, there is scarcity of skilled personnel, while on oversight risks, the possibilities of nepotism or mismanagement.

Mr. Temporary Speaker, Sir, my recommendation on this is to ensure conditional grants from the national Government to support academy rollout. We always hide under capacity building, but then most of the grants are always under capacity building, whether the funding has been utilized or not.

Mr. Temporary Speaker, Sir, looking at the county staff in sports management through a partnership with instructions, that is, for example, what the Kenyatta University (KU) and Strathmore University do, and then establishing a monitoring and evaluation framework under the Ministry of Sports to ensure compliance, integrate digital scouting and performance analytics to improve talent identification and prioritizing public participation to align academy programmes with youth interests.

Now, my final recommendation - and I can see Sen. Eddy wants to have his share and introduce his Bill - is to introduce conditional national funding support to counties to set up academies quickly; use the Kenya Academy of Sports to develop a standard curriculum for coaching at least have academy management to digitize scouting through mobile apps and national database and promote PPP, especially in underfunding counties.

This also includes looking at the Monitoring and Evaluation (M & E) Index, to assess each academy's performance and hold annual inter-county academies and talent showcases.

I am also looking at socializing these young souls, just having a social time. I remember during our days, we had the time to play *Kati*, Netball, that football, and even *Tapo*. So, we had time to socialize. However, looking at these young people nowadays, they hardly have time, they only have time for their phones. So, I feel strongly that with such, it will give them time to discover themselves.

I am one of those who found myself in sports quite early and I played basketball. I even found myself playing for the Kenya basketball team. Now I am the most valuable player in the Senate, playing basketball. Not in the Senate actually, playing basketball. So, I feel seriously that this talent should be nurtured early enough and I started while I was still young. This will also support that early talent identification and nurturing. It will

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allow talented athletes at least to be discovered early, professionally and be given better career pathways.

In universities, you realize, even in sports, you find our young people who are in international universities find themselves getting scholarships. Just the other day, my daughter told me that she got a scholarship for her master's degree, so we do not have to pay her fees, just because she got involved in some curriculum activities and sports.

Even the club that I was playing for, Barclays Bank, created space for young people to get jobs and so many of us were employed by the Barclays Bank. I feel that this is a good Bill and those amendments should be done as soon as possible, so that it can pave way. The Bill is also going to pave way for equal access to opportunities for all counties. Even the marginalized would have formal structures. So, this means that someone from north eastern will have the same support system as a person in Nairobi.

Also, the structured education and dual careers that the academies will integrate academic education with sports training, helping young athletes to develop both skills and academic qualifications. I talked about job creation. It shall definitely create local employment and economic activities for our children.

Also, it is going to improve local and international sports careers for our children. Sen. Nyamu has named a few, those who started with Mathare Sports; they were quite talented and most of them moved to greater places. So, it will create a stronger grassroots system that would eventually improve the performance of Kenyans in a wider range of sports internationally for our athletes.

Mr. Temporary Speaker, Sir, I have done enough justice to this one. I hope that my colleagues were here to hear our amendments and to take them into consideration, so that at least it will nurture our young people.

I support the Bill.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Hamida, you will definitely get a copy of the HANSARD and what I would urge you to do is to interest them, so that they do so, and introduce the amendments. However, in the event they do not do so, you can as well introduce them as a Member. Remember, you still have an opportunity at the Committee of the Whole stage.

Proceed, Sen. Eddy.

Sen. Oketch Gicheru: Mr. Temporary Speaker, Sir, I want to thank you for giving me this opportunity to share some thoughts on this Bill. Right from the start, this Bill is well-motivated because we have seen the place of sports academies around the globe that certainly, as a country, we need to start emulating.

There is no doubt that sports has become one of the biggest employers, both directly and indirectly. It is one of the biggest employers because today we have got sports journalism. Today we have got economies that are thriving because of sports. We have got the creative economy, where artistic elements like jerseys that people use in sports or any other materials that are attached to different clubs are tied to economic gains. If you think about the entertainment industry today, you will find that it thrives on the basis of sports.

I can argue that probably what Europe and specifically Britain exports the most into the continent of Africa is sports. If you look at the English Premier League as well as

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other leagues like the Champions League or the Spanish *La Liga* League on the football front alone, you will find that the related economies that come with this sport as an industry, is such a big opportunity for employing young people. So, the intent of the Bill, in terms of just creating opportunity for economic wellness for young people in this country is indeed one that warms my heart.

I know that the authors of the Bill have also seen the Bill from an angle of being able to deal with a myriad of issues that comprise social problems that we face with our young people. Things like drug abuse and other forms of idleness lead our young people to things like crime in their neighborhoods. This is indeed a very warmly welcomed vision cast upon this Bill.

Mr. Temporary Speaker, Sire, for us to think that academies can be run by counties, it would be a big challenge; it is an outstretch. I wish that the movers of this Bill were in these conversations because sometimes it is very difficult to go back to the HANSARD and listen to what Members have said about this Bill.

If you want to start thinking about sports academies in the country, the first thing you must ask yourself is, who do we want to compete with? Do you want to compete with ourselves who do not have sports academies or countries that have made strides in terms of having properly run sports academies?

Sports in itself is such a big area, but also a very small area in terms of opportunity that you can get for young people. Think about the clubs that are playing the Premier League, there are only 20. If you think about the clubs that are playing *La Liga*, there are only 20. If you think about any top clubs, I think about in the world that are playing any leagues in those respective continental programmes of sports, they are so small that it is very difficult for young people to make it and be able to play in those major clubs.

Mr. Temporary Speaker, Sir, our first understanding about such a Bill must be understanding how the concept of academies are run within the excellences of sports in those particular regions that have made sports such a big economy. I think this is a critical part of structuring the Bill, so that when you talk about sports academies then the structure of ownership must be right from onset. Which is why the first place I would want to have a serious amendment on is in the structure of ownership of these clubs.

Mr. Temporary Speaker, Sir, what is proposed here is that counties will seek to establish these sports academies. After that Clause 36C then it establishes something called the committee, which is run by regulation from the national Government and the appointments made by the respective counties' sports committees to run these clubs.

This is like building a house, starting from the wall going up instead of starting from the foundation. I think that the authors of this Bill are admiring the successful sports academies in Europe and America, which are doing very well.

The sporting programmes, schemes and youth programmes that are structured within what is called academies are actually attached to successful professional clubs in these different countries. So, the first element of a great sporting academy is a successful club. That means that the stopgap we must start with is to make sure that our clubs, for whichever sport we have, are being run properly. You and I know that the clubs that we have in the country, whether it is for soccer or for netball for women, or for volleyball

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where Senator Hamida thrives cannot be run by counties. Those clubs must be run in a semi-autonomous way that appreciates the doctrines of corporate structure that allows them to thrive as academies.

I wish that the authors of this Bill could sit down with Sen. Sifuna who had authored a Bill also, which we discussed here a few weeks ago. His Bill sought to make sure that counties can seclude about one per cent of their budgets and then invest it into a sports fund that enables the elements of clubs to thrive in our communities.

That way we allow for an ownership structure that makes the clubs in our communities very well run, registered and think about management that can make them be competitive at a global stage. The idea here is to build talent not for talents sake and just for dealing with problems of social nature in our communities, but build talents that can compete at a global stage.

Mr. Temporary Speaker, Sir, how does this look like in Europe? This is not just the idea of having the knowledge of the game that then you want the county to invest in in terms of putting on an academy. It is about being able to have the technical know-how of being able to make a corporate or, if I may, a commercial case for that game to be able to thrive both at our national stage and internationally.

For instance, think about it. If you want to give counties the burden of thinking through the schedule of classes for an academic curriculum, you start facing a big problem in terms of even just scheduling those classes, where a young person who needs to go through a sporting academy might also be required to go through a formal schooling system. That will be a problem if the ownership structure is within counties.

Think about management bookings. When people in community organizations are playing in the different leagues that we have within and without our borders the idea of just even settling up on those bookings cannot be done by counties. If you think about just tracking attendance of students within an academy and balancing it out, it cannot be done by county committees.

Mr. Temporary Speaker, Sir, Sen. Osotsi had talked about the idea of financing. How do you ensure that you have got a sustainable financing platform for which you run these academies? You cannot have a sustainable financing platform if you are going to depend on county governments to dig deep into the small amount of money that we send them to fully finance this curriculum.

What you are going to have to face immediately in ownership structure is that you will have to start expecting that students do some form of payment to these academies. That form of payment is a progress that counties will find themselves battling because a county is a political structure where the payment that you start requiring for students to pay for this will become a problem.

We have seen it even in programmes such as even feeding programmes in Nairobi City County where the portion that students need to pay starts becoming a problem. When it is owned in a private setting, but then enabled by a county by facilitating proper running of clubs then we will have some form of subsidies that then go into these private academies that are striving in counties because their clubs are being run properly.

I am talking about this ownership structure that must be predicated upon proper running of our clubs, proper running of Gor Mahia, Shabana FC, Police FC and even the volleyball that we are seeing in the country run by amazing women.

If you think about sports the counties will be confronted by either developing or renting proper facilities for these sports. The recurring budget in that will be so humongous that the counties will not even be able to manage.

Now, the Bill here proposes a management structure that is ordinary. Basically get somebody with a degree that then can run and manage this club just like you are running any other county entity that is established under PFM Act Section 184. If we did that how can you guarantee quality and valuable time for the athletes that you want to invest in to compete at a global stage? It will be very difficult.

Mr. Temporary Speaker, the overall comment that I am making here for the owners of this Bill - and I am glad that Sen. Chimera just walked in - is that this Bill must be reviewed within starting from the ownership structure that allows the clubs to put a scheme that allows young people to be able to engage in sports.

Why this is very important for us? We have seen it thriving in other places is because by clubs owning the structure of academies, number one, they will be very clear in terms of their mission and vision. The Bill says that there will be a requirement for every single county government to establish at least one sports academy. How do you vision and mission that?

For instance, in Migori County, where I come from, we have got very many young women who are very good at netball. We have many good young men who are very good at volleyball or even soccer. How do you vision a county being able to put up a soccer structure at the expense of a netball structure? You can allow netball to be a club by itself and have it well run, but supported by counties in terms of resources given in subsidized form.

With that, you will have a netball structure that has a clear vision and the same can apply to a soccer club. You can also have an athletic club that has a clear vision and mission, which will then build a competitive team.

I hope Sen. Chimera will look for me in order for us to have a sit down and look at the minimum viable option of running these sports academy. It will not be right to get an employee to run or manage these committees. This is because sports runs on passion. A number of managers are actually coaches. They do not just coach the technical bit of the sport, but they also coach the mental bit. They have an understanding of the athletes as they work on developing their talent.

Mr. Temporary Speaker, Sir, the technical aspect that is required in sporting might not necessarily be the degree that is prescribed here. It might not be necessarily the qualification prescribed here. It is more of the technical connection, passion and the valuable time that somebody has spent in sports that allows them to connect on the same level with the athletes.

That enables the proper crafting of a compelling curriculum, which then constitutes a sports academy. A sports academy will not have a typical curriculum like that of a normal education system. It will require a curriculum based on the technical understanding of the management.

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What is lacking here that needs some amendment is investment in safety. When a sports person gets injured and does not get proper treatment--- Sen. Chimera, you remember when I got SEL problem, I was on clutches for almost 12 months yet I am not a professional player. Therefore, you need to think about safety. The investment for safety is humongous. It is for this reason that ownership structure has to go back to clubs.

It is in the clubs where you can ensure that there are resources, quality facilities and technological know-how. If you go and look at how Arsenal or Manchester United play, you will realise that the players have things that monitor their heart rates, performance in the field and endurance in the field. All these are technologies that can make help you start making waves in the sporting area.

With that, you will be investing in the overall health and wellness of an athlete, which can make you competitive in terms of fostering a more collaborative community where athletes feel respected. When athletes do not feel respected in a space, where this county structure might put them or feel valued, their morale is always down hence they cannot compete at a global stage.

So, the authors of this Bill should think about the ownership structure. We can work on some amendment that allows us to think about that ownership structure. However, I feel very strongly that the ownership of academies must be structured within our clubs and the county structure can support that in terms of capacity building of those clubs.

Mr. Temporary Speaker, Sir, the marketing element can also be buoyed because we will not only be thinking of having our athletes in these academies, but we will also invite people from outside who might have the same talent just the same way we have seen Mariga leave Kenya to go and play for Inter Milan in Italy. That has given him an opportunity to meet people from Cameroon, Zambia and other places in the continent.

One is then able to build a proper competing academy with that natural diversity pool in a corporate setting. You can then be able to market those academies and compete at a global stage.

Otherwise, this is a brilliant idea, intention and motivation, but it must be informed by the science of sports of countries that have made strides within the domain of sports in general. I support this Bill, but there should be well drafted amendments to augment the ownership structure. I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Eddy. Sen. Gloria, you had put in a request. I do not want to take it to mean that you want to speak to this Bill.

Proceed.

Sen. Orwoba: Thank you, Mr. Temporary Speaker, Sir. I rise to support this Bill. I know that many people imagine that we do not know much about sports, but we are mothers of sons who are sportsmen. Our boys play football and are interested in understanding how they can even join the national teams.

When I read this Bill and looked at what is currently happening, I realized that now more than ever, we, as women, have to come on board and support some of the things listed in this Bill. There is always an assumption Kenya does not know how to organize sports.

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The other day, we had our team playing at Nyayo Stadium and I decided not to sit at the VIP section because I wanted to get the authentic experience of what it means to be at Nyayo Stadium. I wanted to feel the patriotic Kenyans who had come out to support our team. I heard them say that they know so and so who was playing. Some even said they were in school with certain players.

I appreciated that sports is a unifying factor in this country. I support this legislation because it will ensure that we encourage the youth, from the grassroots level to join the teams, compete and bring unity. I also want to congratulate Sen. Chimera because he drafted this Bill and there was some input by Sen. Sifuna. Sen. Chimera should not leave us out when drafting a Bill like this. He should ask for our views because we also have things that we would like to add here and there.

Congratulations, Sen. Chimera and I hope that this Bill is passed. I have a son who is 17-year-old and he wants to join the national football team. I hope that he will be a beneficiary of this piece of legislation.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, there being no other Member interested in contributing to the Bill, I ask Sen. Chimera to reply.

Sen. Chimera: Thank you, Mr. Temporary Speaker, Sir. I wish to reply. Let me begin by appreciating Sen. (Prof.) Tom Ojienda for his invaluable contribution to the drafting of this Bill. I spoke to him when I got here to inform him that he has not had a chance to contribute to this Bill. Having been my law lecturer, he assured me that he has full confidence in my ability to prosecute this Bill. As such, I want to appreciate and thank Sen. (Prof.) Tom Ojienda.

I also want to thank the Senators who have spoken to this Bill. They are Sen. Mungatana, Sen. Osotsi, Sen. Tabitha Mutinda, Sen. Nyamu, Sen. Hamida, Sen. Eddy, Sen. Kisang' and my very good friend, Sen. Orwoba.

I did not imagine that Sen. Orwoba would be interested in matters sports until she confirmed to us that. I met her son in Addis Ababa and the young man looks very sporty. I am happy to say that he has a mother who has an interest in matters of sports.

Sen. Orwoba, I want to tell you that it is not just a question of unifying the young men of this country. I know you are very passionate about women and the women's agenda is close to your heart. This particular Bill, by dint of its operation, when it becomes law, will equally unify many women, who are your greatest constituency. I urge you to join us in ensuring that it sees the light of day.

Mr. Temporary Speaker, Sir, let me also congratulate and speak about the Bill proposed by Sen. Edwin Sifuna. The said Bill addresses Section 38(M) of this Bill concerning the funding of county academies. I had the opportunity to contribute to the Bill framed by Sen. Sifuna regarding the need to ensure our county sports associations receive the necessary funding. This would enable individual clubs within those associations to benefit from Government funding, helping them meet their regular weekly budgetary requirements.

For instance, in Kwale County, we have a club called SS Assad, which participates in a nationwide league. From time to time, this club calls me or my colleagues, seeking financial assistance every week. This is to enable them to travel to

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places as far as Migori and Kisii to participate in the National Super League. Unfortunately, they are cash-strapped and lack funding. As we work to entrench the culture of academies in our country, it is essential that we guarantee funding to these clubs.

I thank you, Sen. Eddy Oketch, for your very enriching contributions. For your information, my brother, I was on Thika Road keenly following the discourse in this House because I knew I might be required to reply. Therefore, I took it upon myself to listen to the conversations.

To be frank, we had not considered modern football academies as they exist in London, Spain, Germany and other developed nations. Our initial thought was simply to draft a law that would secure the place of an academy in our local areas. This is to ensure we have a platform where young, sports-talented men and women in this country could have a place to showcase their talent, a place that is readily available, equipped with the necessary facilities, technical expertise in the form of coaches, and, most importantly, a place where scouts could identify football and sports talent.

Sen. Eddy, the idea is simply to guarantee a dedicated space instead of waiting for tournaments such as the Sen. Alan Chesang's or the Sen. Mungatana's Super Cup. This, in my view, merely politicize sports rather than addressing real talent and opportunities in the sporting world. I thank you for construing this Bill as one that speaks to the establishment of football academies that function as clubs.

We had not initially viewed it from that line of thought. However, I assure you, we must begin somewhere. That starting point is embedded in the very nature of this Bill. I appreciate the valuable line of amendments you have proposed. However, in the interest of time, allow me to proceed with the Bill as it is. I understand that laws are never made in finality. You will have the opportunity to push forth amendments in due course.

Additionally, you may have noticed that the Government, through the Ministry of Youth Affairs, Creative Economy and Sports, led by my able governor emeritus, the Hon. Salim Mgala Mvurya, has already gone ahead with launching sports academies countrywide.

In fact, during my conversation with the sports mandarins in the Ministry, I was informed that the plan is to establish these academies in every constituency. While we are currently discussing county sports academies, the Government has seen the need to further devolve them to the constituency level. This move will speak heavily on funding and matters management of the same. It will also speak heavily on matters running sports academies in the counties.

Mr. Temporary Speaker, Sir, I wish to take this opportunity to thank everyone who contributed to this Bill. We do not take your contributions for granted. I know Members have spoken about enriching this particular Bill. It is my sincere hope, belief and trust that as a House, we will consider those wonderful and amazing amendments, so that we make this particular law proactive and aggressive in nature, but more importantly efficient and lean on implementing the same.

We do not just want to legislate laws that become problematic when it comes to implementing, especially when we are strained as county governments. I understand that

a governor would be torn between pushing for funds for road maintenance and bursary programmes.

Mr. Temporary Speaker, Sir, I am happy that we had a robust discussion in the morning during debate on a Motion proposing to harmonise bursaries. Allow me to take this chance to remind those of us who are in leadership running such programmes that first, the Senate is not opposed to you running scholarship opportunities and bursary programmes.

Secondly, Sen. Chimera is not opposing those bursaries because that is what is available in the meantime. I know you will be torn between pushing for funding to pay school fees---

(Sen. Oketch Gicheru spoke off record)

Mr. Temporary Speaker, Sir, Sen. Eddy seems to be having a burning issue. Perhaps you should allow me to finish.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Eddy, allow Sen. Chimera to conclude his reply. You will have your time.

Sen. Chimera: Thank you, Mr. Temporary Speaker, Sir. I just wanted to let the CoG know that it should be a balance. When you receive funding from the exchequer, it is a huge balance between how you put those funds to use and how the citizens want the funds to be applied.

It is wrong for certain leaders to purport that the Senate or individual Senators are against certain programme. It is foolish of a leader to ever imagine that we are against what they are doing in the respective counties.

We send money to the counties because the whole hallmark of Government expenditure, especially matters county financing and expenditure, is premised on the public participation principle. If people decide that they want to set aside a certain allocation to run a certain programme, be it road maintenance, healthcare or provision of bursaries, we have no business as Senators.

I also have no business as Raphael Chimera Mwinzagu, Senator from Kwale County, to say that I am opposed to that particular idea. I want to make it clear. Let it go on record that I support what governors are doing. I support governors running bursary and agricultural programmes. I support the Financing Locally-Led Climate Action (FLLoCA) Programme. I also support climate change and resilience programmes.

We support them because the people of Kwale and many other counties have put their voice to make sure that funds are expended in a particular manner. For somebody to say that we are against is not true. There is a conversation about making sure that there is free education for everyone but I do not think it is right. When this Bill becomes law, do not feel that Sen. Chimera and Sen. (Prof.) Ojienda brought forth a law that strained the resources to manage these academies. I am happy that Sen. Sifuna has given that cure. There will be one per cent from the shareable revenue that will make sure that monies are available for our county sporting activities.

I know they will ask why we are burdening them with more duties and roles, especially the financial burden, because those academies must have committees as

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proposed in Clause 38C, which talks about management of those academies. Therefore, those committees will draw allowances and members will want maintenance and that will be a strain on their budgets.

What we are saying is this; let the young men and women of this country have an opportunity to showcase their sporting talent. I know we can always raise finances. I know people like Sen. Karen Nyamu and Sen. Gloria Orwoba here have very good networks and they can make sure that we attract donor funding, donations and gifts, and support in terms of financial support to sports clubs in Nairobi, Kisii and other counties. I do not know why the conversation will largely be touching on how best we finance our academies.

Otherwise, I want to also take this opportunity to thank the Government for jumping off the gun and going a step ahead by implementing what we are proposing to be law. I am happy that for the first time in this great nation there will be a legal framework that allows and governs how sporting activities are regulated and run. I know Sen. Eddy equally has an amendment on matters of sports as well. I look forward to contributing to your Bill. I thank you, my brother, for those kind words.

As I finish, and pursuant to Standing Order No.66(3), I request that putting of the Question be deferred to a later date.

With those many remarks, I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Chimera, putting of the Question on this particular Bill is deferred to the next Sitting of the House.

(Putting of the Question on the Bill deferred)

Before we call out the next Order, while you are replying, Sen. Chimera, you made a comment to the effect that you came in with the mindset that you would be forced to reply to this particular Bill. I am sure it was not intentional to that extent, because it is part of process. So nobody would have in any way forced you, the Chairperson, or any other person. However, you have replied because it is part of processing the legislation.

Clerk, let us call the next Order.

Hon. Members, we shall defer Order Nos.15, 16, and 17 to the next Sitting when we have Quorum to transact the Bills on the Committee of the Whole.

COMMITTEE OF THE WHOLE

THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL
(SENATE BILLS NO.54 OF 2023)

THE LOCAL CONTENT BILL
(SENATE BILLS NO.50 OF 2023)

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THE STREET VENDORS (PROTECTION OF LIVELIHOOD)
BILL (SENATE BILLS NO.41 OF 2023)

(Committee of the Whole deferred)

Clerk, please call Order No. 18.

BILL

Second Reading

THE CREATIVE ECONOMY SUPPORT BILL
(SENATE BILL NO.30 OF 2024)

The Temporary Speaker (Sen. Wakili Sigei): I call upon Sen. Eddy to move this particular Bill.

Sen. Oketch Gicheru: Mr. Temporary Speaker, Sir, it is an honour to be back on this Dispatch again. Through your honour, I beg to move that the Creative Economy Support Bill (Senate Bill No.30 of 2024), be now read a Second Time.

Mr. Temporary Speaker, Sir, it is a big honour to move this Bill, because the creative economy is an economy that has been very elusive to our country. It is one of the economies that is greatly misunderstood and yet got the biggest opportunities for our youth as far as I am concerned.

Indeed, the needs of the persons in the creative economy have traditionally been taken aback in terms of priorities of the state, if you think about it, in terms of the structure of the state support that has been there. To begin with, the creative economy is housed in the Ministry of Sports and Culture, when we know that the creative economy is a serious case for business.

If you think about all the clusters that construe the creative economy they include music, creative arts, publishing books, performing arts – the list goes on and on. We have seen an increasing misguided priority by the state, starting from how the state understands the creative.

Mr. Temporary Speaker, Sir, this a Bill seeks to have us think about the creative economy as a place to leverage, not just the human creativity that makes it a question for culture, entertainment or decorative elements of facets in different economies that we have in the country, but a place for innovation and a place for ideation that can contribute to economic development.

What I am talking about here is whether there is a possibility of the creative economy bringing us a proper and viable investment. Is there commercial viability in the broader and the narrow aspect of the creative economy? This is what this Bill seeks to create an understanding for us in Government and allowing the creative economy to grow into an industrial sector that it should be, not the amorphous sector that is there currently.

This Bill is essentially rethinking the idea of policy because what is lacking in the creative economy is what I will call industrial policy, whereby creatives themselves do

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not influence or do not inform the action or inaction of the county or the national Government. Therefore, even though they contribute to the Gross Domestic Product (GDP) by creating employment, the citizens working in the creative economy, opportunities, both short-term and long term and even sometimes midterm, are still exposed to the vagaries of inadequate public policy.

We have seen several places where the young people are running gigs here and there or are encapsulated in music, they are in the arts and all these other places. They pay taxes as a result of the activities in the creative economy that they are involved in and they contribute to the GDP in a variety of ways. However, there is no investment support that ensures that the creative economy can grow.

Some of these things happen due to the fact that the Government is sometimes misinformed on what the creative economy entails. This Bill will seek to define what we think the creative economy is. That definition will inform the proper housing of this creative economy.

Currently, as I said, the creative economy is housed under the Ministry of Sports and Culture, because people in the creative industry are not seen as the traditional areas of professionalism. They are not seen as doctors, lawyers or the traditional industries where the finance people, medics and engineers are. They are sometimes seen by culture as people who might have failed in life, so the creative economy has been left as an economy of the last resort.

If you have failed in other cultural opportunities or other traditional industries, if you fail to be a doctor or a lawyer, like my good friend, Sen. Chimera, who is a very good lawyer--- I got to realize this when I went to Diani. He has a very good law firm--- or an engineer, then automatically you are seen as someone who should go into the creative industry.

I am imagining a conversation between young people like what Sen. Orwoba was talking about with her 17-year-old son. When you tell your mum or dad, “Hey, Mum, I want to become a musician.” That can be a very traumatising conversation between a mum and her son. Or “Hey, Dad, I want to leave school and become a comedian.” It will be a very big problem and a very big conversation.

There is one comedian that I followed for a while from South Africa called Trevor Noah. He had this kind of conversation with his parents and they were very concerned that he was going to become a clown.

The opportunity in the creative industry is humongous for young people. We must structure it right. What this Bill wants for the first time is to take it from the Ministry of Sports and Culture and put it in the Ministry of Trade and Industry and bring about the investment culture in it.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Eddy, you will have to stop there. When the House resumes, you will have 53 minutes to continue moving your Bill.

ADJOURNMENT

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, it is now 6.30 p.m., time to adjourn the Senate. The Senate, therefore, stands adjourned until tomorrow, Thursday 8th May, 2025, at 2:30 p.m.

The Senate rose at 6.30 p.m.