



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

9th June 2026

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THE HANSARD**Tuesday, 9th June 2026***(The House met at 2.30 p.m.)**[The Speaker (Hon. Moses Wetang'ula) in the Chair]*

PRAYERS

QUORUM

Hon. Speaker: Serjeant-at-Arms, ring the Quorum Bell.*(The Quorum Bell was rung)***Hon. Speaker:** Hon. Members, we now have quorum to transact business.**COMMUNICATIONS FROM THE CHAIR**APPOINTMENT OF SENATORS TO
MEDIATION COMMITTEES ON VARIOUS BILLS

Hon. Speaker: Hon. Members, I have a Communication on appointment of Senators to mediation committees on two Bills. You will recall that on 15th and 22nd April 2026, respectively, I notified the House of the referral of the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bill No.46 of 2022) and the Cooperatives Bill (National Assembly Bill No.7 of 2024) to mediation Committees. You may further recall that I also informed the House of the appointment of Members to represent the National Assembly in the Mediation Committees on the two Bills and guided that they await the appointment of Senators for the respective Committees to be fully constituted.

I have since received correspondence from the Senate notifying that the Speaker of the Senate has appointed Senators to the Mediation Committees to consider the two Bills as follows:

1. Mediation Committee on the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bill No. 46 of 2022)—
 - (a) Sen. Julius Murgor Recha
 - (b) Sen. Mohamed Faki Mwinyihaji
 - (c) Sen. Lenku ole Kanar Seki
 - (d) Sen. Miraj Abdillahi Abdulrahman
 - (e) Sen. (Prof.) Tom Odhiambo Ojienda.
2. Mediation Committee on the Cooperatives Bill (National Assembly Bill No. 7 of 2024)—
 - (a) Sen. Jackson Kiplagat Mandago
 - (b) Sen. James Kamau Murango
 - (c) Sen. Essy Okenyuri Nyaituga Anyieni
 - (d) Sen. Miraj Abdillahi Abdulrahman
 - (e) Sen. Abass Sheikh Mohamed.

Hon. Members, with the appointment of Senators, the Mediation Committees on the two Bills are now fully constituted in terms of Article 113 of the Constitution. In this regard, I call upon the appointed Members of this House to reach out to their Senate counterparts with a view to expeditiously commencing the mediation process on the respective Bills. The House is accordingly informed.

I thank you.

GUIDANCE ON PRONOUNCEMENT OF BUDGET
POLICY HIGHLIGHTS AND REVENUE-RAISING MEASURES
FOR THE NATIONAL GOVERNMENT FOR FY 2026/2027

Hon. Speaker: Hon. Members, my second Communication is in regard to the event of Thursday this week: Public pronouncement of the Budget Highlights and Revenue-Raising Measures for the 2026/2027 Financial Year.

As you may be aware, the Cabinet Secretary for the National Treasury and Economic Planning is required, pursuant to Article 221 of the Constitution, Section 40 of the Public Finance Management Act, 2012 and Standing Order 244C, to make a public pronouncement of the budget highlights and revenue-raising measures for the national Government every financial year. In this regard, I wish to inform the House that the Cabinet Secretary for the National Treasury and Economic Planning is scheduled to make a public pronouncement of the budget highlights and revenue-raising measures for the Financial Year 2026/2027 on Thursday, 11th June 2026 at 3.00 p.m. in the Main Chamber of the National Assembly. This pronouncement marks a significant milestone in the national budget-making process.

Additionally, as has been the practice within the East African Community, the pronouncement will be undertaken concurrently with similar budget pronouncements in the partner States, underscoring the continued commitment to regional economic co-operation and harmonisation of fiscal policies.

This is an important parliamentary event that is expected to attract various dignitaries, development partners, members of the diplomatic corps and other invited guests. Therefore, I urge all Members to prioritise attendance and be present in the Chamber for the occasion. Following the pronouncement, a reception hosted by the National Treasury and Economic Planning will be held at the Parliament Courtyard immediately after the event.

Consequently, Members, the parking spaces at the Parliament Courtyard shall not be available for use on Thursday, 11th June 2026. Hon. Members will be dropped off at the main entrance, after which drivers will be directed by Parliament security officers and the Serjeant-at-Arms to designated alternative parking areas within Parliament Square.

In this regard, all Members are requested to ensure that all vehicles parked within the Parliament Courtyard are moved by 3.00 p.m. on Wednesday, 10th June 2026 to allow for the requisite preparations and security arrangements.

The House is accordingly informed.

(Several Members stood at the Bar)

Hon. Members at the Bar, take the nearest seats.

Hon. Members, I wish to recognise a delegation of five officers from the Parliament of the Republic of Uganda who are seated in the Speaker's Gallery. The delegation, drawn from the Uganda Parliament's Department of Information and Communications Technology (ICT), is undertaking a training programme with their counterpart Department of the National Assembly to enhance knowledge-sharing, foster innovation and strengthen operational

efficiency in the management and delivery of ICT services. On my own behalf and on behalf of the House, I welcome them to Parliament and wish them fruitful engagements.

I also wish to introduce to you a delegation of ten officers from the National Assembly of Zambia who are seated in the Speaker's Gallery. The delegation, led by Mr Sage Samuwika, the Acting Deputy Clerk in charge of Administration, is on a visit to the National Assembly to learn best practices and exchange knowledge in the areas of strategy, risk management and modernisation, procurement, parliamentary broadcasting, research, parliamentary training, human capital and administration and public and international relations.

On my own behalf and on behalf of the Assembly, I welcome them to Parliament and wish them fruitful engagements.

Equally, Members, in the Speaker's Gallery, we have Chebonei Girls High School, Bomet Central Constituency, Bomet County. In the Public Gallery, we have Kanjinji Secondary School, Mwea East Constituency, Kirinyaga County, Arnesens High School, Ainabkoi Constituency, Uasin Gishu County and Anderson High School, Endebess Constituency, Trans Nzoia County.

Again, on my own behalf and on behalf of the House, I welcome all the students, their teachers and those accompanying them to the House of Parliament.

I have been requested by Hon. Mary Maingi to welcome Kanjinji Secondary School. On behalf of the House, she can welcome all the students in the Galleries.

Hon. Mary Maingi (Mwea, UDA): Thank you, Hon. Speaker, for giving me this opportunity to welcome the students of Kanjinji Secondary School, other students and teachers to this honourable House. I urge the students to work hard, focus on their education, remain disciplined and morally upright so as to become future leaders. I hope, at the end of the day, they will learn something from parliamentary proceedings and that they will return one day to this House as Members of Parliament.

Thank you.

Hon. Speaker: Hon. Chepkonga, Member for Ainabkoi Constituency.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Speaker. I wish to welcome the students from Arnesen's Boys High School which is one of the biggest boys' secondary schools in the Ainabkoi Constituency and also in the entire Uasin Gishu County. They are here on a learning tour. They want to see what happens in Parliament, and I want to welcome them to learn from here. This is a clarion call to them, echoing the words of the late former President of South Africa: "Education is the most powerful weapon which you can use to change the world". They are here together with the students from Chebonei Secondary School and the rest. I hope whatever they will learn here will change their world. I thank them for coming and wish them the best.

(Hon. Lilian Siyoi and Hon. Mishi Mboko stood in the gangway)

Hon. Speaker: Hon. Member for Trans-Nzoia County and Hon Mishi, take your seats quickly.

PETITIONS

Hon. Members, I have two petitions to present to the House.

UNPAID SALARY ARREARS AND TERMINAL DUES TO
FORMER EMPLOYEES OF UCHUMI SUPERMARKETS PLC

Hon. Members, Article 119 of the Constitution accords every person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225 (2)(b) requires the Speaker to report to the House any petition other than those presented by a Member. In this regard, I wish to report to the House that my office has received a petition from Philomena Oburenyi and Alois Mukoma, the Chairperson and Secretary, respectively, of the former Uchumi Staff Welfare Association, regarding the inordinate delay in the payment and settlement of salary arrears and terminal dues owed to former employees. The petitioners aver that despite numerous engagements with appointed administrators, courts and processes established under the Company Voluntary Arrangement (CVA), their claims for unpaid salary arrears, gratuity and other terminal benefits remain unresolved.

The petitioners further state that the commitments made under the CVA to settle staff claims have not been honoured despite repeated reminders and demonstrations by former employees. Additionally, the petitioners allege that lease proceeds from tenants occupying the company's premises, including payments reportedly made by China Square, have been diverted to other projects instead of being applied towards the settlement of staff claims. The petitioners also cite a lack of transparency and accountability in decisions affecting staff welfare. They contend that certain directives issued during the last Annual General Meeting by the CVA monitor have not been implemented and that affected employees have not been adequately consulted.

The Petition further highlights the difficult circumstances faced by many former employees, some of whom are unable to provide for their families, meet medical expenses or support their children's education. It is also reported that some former staff have passed on before receiving their rightful dues.

Hon. Members, in light of the foregoing, the petitioners seek the intervention of the National Assembly to ensure transparency in the management of lease proceeds and other company assets and to facilitate the establishment of a clear timeline and mechanism for the resolution of all pending CVA obligations relating to former staff claims.

Having established that the matters raised in the Petition fall within the authority of this House and that they are not pending before any court of law or constitutional body, I hereby commit the petition to the Public Petitions Committee for consideration, pursuant to the Standing Orders. The Committee is required to consider the Petition and report its findings to the House and to the petitioners in accordance with Standing Order 227(2).

Hon. Members, I have a second Communication.

STRENGTHENING OVERSIGHT, TRANSPARENCY AND
INTERGENERATIONAL EQUITY IN PUBLIC DEBT GOVERNANCE

Hon. Members, Article 119 of the Constitution accords every person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225 (2)(b) requires the Speaker to report to the House any petition other than those presented by a Member. In this regard, I wish to report to the House that my office has received a petition from Ms Beatrice N Waiyaki and others representing Kiambu County Empowerment Network and the Bunge Mashinani Initiative.

The petitioners are calling for the enhancement of oversight, transparency and the integration of intergenerational equity in the governance of public debt. The petitioners contend that public debt has emerged as a critical governance challenge with profound implications for Kenya's fiscal sustainability, delivery of essential services and the economic prospects of future

generations. They express grave concern over the escalating debt burden and the attendant risks to the country's long-term development trajectory.

Hon. Members, the petitioners underscore the necessity of robust parliamentary scrutiny over the contracting, management and reporting of public debt. They aver that such oversight is vital to ensure that borrowing remains prudent, transparent and strictly aligned with the national strategic priorities, thereby safeguarding public resources.

The petitioners further observe that the absence of a comprehensive and periodically updated public debts registry impedes effective scrutiny by both the public and relevant parliamentary committees. They argue that a centralised public access registry detailing domestic and external debt borrowing terms, creditors and repayment schedules is indispensable for debt sustainability analysis.

The petitioners also highlight a deficiency in structured mechanisms for intergenerational dialogue. They note that discourse on fiscal policy remains largely confined to technical and national forums, effectively excluding local communities and the youth who will bear the long-term cost of today's borrowing from the decision-making process.

In light of the following, the petitioners seek the intervention of the National Assembly to:

1. Strengthen the institutional framework for the oversight of public debt management.
2. Enhance transparency through the legislative establishment of a comprehensive and mandatory public debt registry.
3. Institutionalise the utilisation of independent expert analysis during debt-related deliberations in the House.
4. Promote structured engagement between Parliament, civil society and the citizenry to ensure intergenerational equity is a primary consideration in public debt policy.

Having established that the matter raised in the Petition falls squarely within the mandate of this House, and being satisfied that the issues are not *sub judice* or pending before any other constitutional or legal body, I hereby commit this Petition to the Public Petitions Committee for consideration. This Committee is required to consider it and report its findings to the House and petitioner, in accordance with Standing Order 227(2).

I thank you.

Next Order.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Draft Regulations from the Ministry of Public Service, Human Capital Development and Special Programmes—
 - (a) The Gambling Control Licensing Regulations 2026.
 - (b) The Gambling Control (Conduct of Gambling Operations) Regulations 2026.
 - (c) The Gambling Control Advertising Regulations 2026.
 - (d) The Gambling Control (Foreign-Based Operators) Regulations 2026.
 - (e) The Gambling Control (Gambling Appeals Tribunal) Regulations 2026.
 - (f) The Gambling Control (National Lottery) Regulations 2026.

2. Legal Notice No.73 of 2026 relating to the Public Finance Management (Prisons Enterprise Fund) Regulations 2026 and Regulatory Impact Statement Report on Public Participation Comments and Memorandum on the Public Finance Management (Prisons Enterprise Fund) Regulations and the Explanatory Memorandum from the National Treasury.
3. Reports of the Auditor-General and financial statement for the year ended 30th June 2021, 30th June 2022, 30th June 2023, 30th June 2024 and 30th June 2025, and the certificates therein in respect of the following schools—
 - (a) Aremiet Mixed Secondary School
 - (b) Chaani Secondary School
 - (c) Dadachabasa Mixed Day Secondary School
 - (d) Kajire Girls' Secondary School
 - (e) Karongoi Girls' High School
 - (f) Namuela Secondary School
 - (g) Timbila Boys' Secondary School.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Chairperson of the Mediation Committee, Hon. Samuel Atandi.

He is not ready yet. We will stay that.

Chairperson, Committee of Powers and Privileges, Hon. Samwel Chepkonga.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Committee of Powers and Privileges on the inquiry into allegations against the Member for Bumula and Chairperson of the Public Investments Committee on Governance and Education, Hon. Jack Wanami Wamboka.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Next Order.

NOTICE OF MOTION

Hon. Speaker: The Chairperson of the Budget and Appropriations Committee, Hon. Samuel Atandi, is not ready. Anytime he comes in, we will accommodate him to lay the document on the Table and to give notice of the Motion.

Next is the Chairperson of the Committee of Powers and Privileges, Hon. Samuel Chepkonga

ADOPTION OF REPORT ON INQUIRY INTO ALLEGATIONS AGAINST HON. JACK WANAMI WAMBOKA

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Committee of Powers and Privileges on the inquiry into allegations against the Member for Bumula and the Chairperson of the Public Investments Committee on Governance and Education, Hon. Jack Wanami Wamboka, CBS, laid on the Table of the House on Tuesday, 9th June 2026.

Thank you, Hon. Speaker.

Hon. Speaker: Next Order.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

Hon. Speaker: Let us have Hon. Umulkher Harun, Nominated Member.

INSECURITY IN LAGDERA CONSTITUENCY

Hon. Umulkher Harun (Nominated, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding security incidences in Kambi Samaki, Lagdera Constituency in Garissa.

Over the past few years, Kambi Samaki Town has experienced recurrent boundary disputes among communities within Garissa and Isiolo counties. They often escalate into violent confrontations, resulting in loss of lives, theft of livestock and destruction of property. The insecurity adversely affects the education sector as non-local teachers who form a significant portion of the teaching workforce face threats to their safety, leading to frequent evacuation. This results in acute teacher shortages which severely disrupt learning and disadvantages learners in the affected schools in the enjoyment of their right to education. The situation in Kambi Samaki calls for urgent intervention to restore security, safeguard lives and property, and ensure a conducive environment of learning.

Hon. Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. Measures taken by the Ministry of Interior and National Administration to urgently enhance security, protect residents and restore normalcy to school operations in Kambi Samaki.
2. Steps being taken to resolve the boundary disputes between Garissa and Isiolo counties, including any interventions made in collaboration with relevant government agencies and the county governments, and the strategies being implemented to ensure that teachers, students and schools are provided security so as to guarantee a conducive environment for uninterrupted learning.

I thank you, Hon, Speaker.

Hon. Speaker: Thank you, Hon. Harun. Hon. Raso, when will you bring a response to that? Give him the microphone.

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

Hon. Speaker: That is all right.

Next is Hon. Lillian Siyoi, Member for Trans Nzoia County.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Speaker. I wanted to welcome the students from Trans Nzoia, but they have already left. I do not know if I can go on and request for a Statement.

Hon. Speaker: You can go on and request for a Statement.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Okay.

DEMISE OF MR BRIAN SIMIYU
IN TRANS NZOIA COUNTY

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson

of the Departmental Committee on Health regarding the death of Mr Brian Simiyu in Trans Nzoia County.

On 17th May 2026, Mr Brian Simiyu, a resident of Trans Nzoia County, reportedly lost his life following a surgical procedure allegedly conducted at Samor Chemist, situated opposite Dr Michuki's Plaza building in Trans Nzoia County. It is further alleged that the medical practitioner involved in the incident, Dr Alex Barasa, was unfit to practice, with reports indicating that he has been in and out of rehabilitation programmes for substance abuse. The procedure is said to have been conducted in an unsafe place and unprofessional environment. Reports allege that the patient's hands were tied to a window in a manner that violated his dignity.

(Several Members stood on the gangways)

Hon. Speaker, protect me from these Members.

Hon. Speaker: Order. Members gravitating around Leader of the Majority party, take your seats.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Speaker. This incident has raised grave concerns regarding professional negligence, patient safety and the continued operation of apparently unlicensed medical facilities.

The circumstances surrounding the death of Mr Simiyu raise serious questions regarding regulation, inspection and licensing of health facilities as well as enforcement of professional standards among medical practitioners. The incident further points to possible gaps in monitoring private chemists and protection of the public from unsafe and unlawful medical practices.

Hon. Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Health on the following:

1. The circumstances that led to the death of Mr Brian Simiyu following a botched surgery conducted at Samor Chemist in Trans Nzoia County.
2. The registration and professional status of the medical practitioner involved including whether any complaints, disciplinary proceedings or concerns had previously been raised against him.
3. The steps being taken to strengthen inspection, supervision and enforcement mechanisms of private health facilities and chemists.
4. The measures being taken to ensure that the family of the late Brian Simiyu receives justice and that those found culpable are held accountable.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Nyikal. Did you hear what I heard?

Hon. (Dr) James Nyikal (Seme, ODM): The Statement requested is of a very serious nature.

Hon. Speaker: It is of a grave nature.

Hon. (Dr) James Nyikal (Seme, ODM): Yes, it is of a grave nature.

First is the fact that the procedure was performed in a chemist. Secondly, apparently, somebody known to be mentally unwell did it. We will strive to get as much information as possible and still try to respond within two weeks. It looks like it may be a much broader issue.

Hon. Speaker: Bring a preliminary report next week on Thursday. Hon. Raso, that Statement also discloses matters of criminal nature. You may also get involved and inform the agencies in charge of criminal investigations to take it up.

Thank you.

The next Order has responses to Statements, including a response to a request for Statement by the Member for Bumula Constituency. Hon Raso, are you ready?

Hon. Ali Raso (Saku, UDA): Yes, Hon. Speaker.

Hon. Speaker: Go ahead.

STATEMENTS

SECURITY SITUATION IN BUMULA CONSTITUENCY

Hon. Ali Raso (Saku, UDA): The Member for Bumula Constituency, Hon. Wanami Wamboka, requested to be apprised of rising security incidents within his constituency. Particularly, the Member sought to be informed on the status of investigations into the murder of Mr Isaac Wanjala, the immediate measures being undertaken to enhance security in Bumula, and long-term strategies being implemented to restore security, strengthen community-policing initiatives and enhance collaboration.

Here is the status of investigations. At about 0600 hours on 14th April 2026, Mr Jared Nyikuli who is the Director of Darel Paradise Resort located within Kabula area reported at Bumula Police Station vide OB No.07 of 14th April 2026 that a robbery with violence incident had occurred during the night of 13th/14th April 2026 at the premises. Police officers responded promptly.

Preliminary investigations established that the deceased Isaac Wabwire aged 38 years was a security guard. He was on duty together with his colleague Bernard Waswa Maramba aged 52 years who reportedly escaped unharmed during the incident. Subsequently, the Government pathologist conducted a post-mortem examination on Mr Isaac Wabwire on 24th April 2026. The pathologist opined that the cause of death was cardiopulmonary arrest secondary to intracranial haemorrhage resulting from traumatic head injury caused by a blunt object.

The police revisited the scene to gather further information regarding the robbery with violence. They established that the assailants gained access into the compound by cutting the perimeter fence behind the lounge area before entering the bar section. Upon questioning, Bernard gave conflicting statements that prompted investigators to profile him as a person of interest. Subsequently, he was arrested and arraigned in court on 15th April 2026 for the offence of failing to prevent a felony that is contrary to Section 392 of the Penal Code.

On immediate measures being undertaken to enhance security in Bumula Constituency, the National Police Service remains committed to safeguarding lives and property and maintaining law and order. It has undertaken the following immediate measures to enhance security and public safety in the constituency:

1. Intensified foot and motorcycle patrols across Kabula Ward and the wider Bumula Constituency.
2. Deployment of undercover officers alongside intelligence-led policing, including profiling of known offenders and monitoring emerging criminal networks.
3. Conduct of targeted security operations to dismantle criminal gangs in identified areas.
4. Strengthening public reporting and community engagement mechanisms through toll-free reporting channels such as Fichua kwa DCI on 0800-722-203.
5. Enhanced collaboration with local leaders, community stakeholders, and the national Government administration.

The long-term strategies being implemented include:

1. Owing to the distance to the nearest police station, rising security demands, and limited mobility due to insufficient motor vehicles, the

operationalisation of Kabula Police Station is being prioritised through deployment of personnel, provision of logistical support and allocation of essential resources.

2. Sensitisation of business owners and operators on installation of closed-circuit television (CCTV) surveillance systems within business premises and strategic locations.
3. Capacity building of investigators through specialised training in forensic investigation that includes crime scene management, evidence preservation, forensic photography, fingerprint analysis and trace evidence handling, among others.

Thank you, Hon. Speaker. I beg to submit.

Hon. Speaker: Thank you. Hon. Wamboka.

Hon. Wanami Wamboka (Bumula, DAP-K): Thank you, Hon. Speaker. The family of the late Wanjala has not received justice even as we talk about this matter because no culprit has been arrested. Those responsible remain at large. We urge security agencies to speed up investigations so that the family can at least find closure.

Insecurity in Bumula and Bungoma in general continues to escalate. Recently, we witnessed the unfortunate murder of Mr Pascal Wakafura who was a medical practitioner working for the County Government of Bungoma and James Osambo from the Bungoma stage. Osambo was a young man who was picked from his place of work at the stage and later shot dead a few kilometres away. This demonstrates that we are still experiencing serious insecurity incidents. We urge the Government to move with speed.

There has been transfer of some police officers at Kabula and Myanga stations. For this, I wish to state that action was taken when I reached out to the Inspector-General of Police. There is need to enhance the capacity of the officers in these stations and all urban areas in Bungoma County. Recently, we saw Hon. Murkomen undertaking the Jukwaa la Usalama initiative across the country. I urge that they implement resolutions passed by stakeholders in these forums.

We proposed in this House to make it a policy that those officers who overstay in one station be transferred. These officers get familiar with the community and instead of focusing on key areas of insecurity, they chase around residents in *changaa* and *busaa* dens. That is something that the Government must ensure it is done. As we use the National Government Constituencies Development Fund (NG-CDF) to put up police stations, we urge the Ministry to ensure that security officers are dispatched to provide security and not to harass our people. In the coming political season, the provision of security must be non-partisan to the political divide so that at the end of the day, we have security across our constituencies.

Thank you.

Hon. Speaker: Thank you. Hon. Raso, those are just positive comments. If you can take them into account, you will help the situation.

Next is Hon. Eric Wamumbi. Hon. Raso, are you ready to respond to Wamumbi's request?

Hon. Ali Raso (Saku, UDA): Yes, Hon. Speaker.

Hon. Speaker: Go ahead.

CIRCULATION OF ADULTERATED ALCOHOL IN THE COUNTRY

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Speaker. The Member of Parliament for Mathira Constituency, Hon. Wamumbi, requested to be appraised of the alleged circulation of harmful, adulterated alcoholic drinks in the country. He stated that there is a growing concern

that some alcoholic brands by Patiala Distillers Limited, Blue Ice Vodka, Blue Ice Coconut, Best Classic Gin, Best Gold Classic Brandy, Best Gold Liquor, Diamond Ice Liquor, Dark Strong beer and Strong Ale beer may be adulterated. The Member particularly sought a report on the licensing status of the aforementioned alcoholic brands:

1. On investigation, if any, by the Anti-Counterfeit Authority (ACA), Kenya Bureau of Standards (KEBS) and other relevant regulatory agencies;
2. On enforcement, surveillance and consumer protection measures; and
3. On the licensing status of the aforementioned alcoholic brands and details of any tests conducted by the Government chemists.

Via *Gazette* Notice No.9775 of 3rd November 2020, the Government placed the role of licensing of manufacturers of alcoholic drinks in the hands of National Alcoholic Control Committee. This is a multi-agency committee chaired by the Principal Secretary, the State Department for Internal Security and National Administration. Its membership cuts across Government agencies among them, Kenya Bureau of Standards, Kenya Revenue Authority, Ministry of Trade, particularly in the area of weights and measures and the Ministry of Health. Key among them is that their products must meet safety and human consumption status before being certified by KEBS. The test undertaken assesses various parameters, including methanol content, ethanol concentration, presence of contaminants, toxic substances and other harmful impurities in accordance with the established quality standards.

Patiala Distillers Kenya Limited requested for licensing in April 2022, having relocated their plant to Mlolongo. Several compliance checks were carried out, and the facility having met all the requirements, was initially issued with a clearance letter to produce their formation brands in April 2023. Following suspension of all alcohol manufacturing licenses issued in March 2024, the facility closed down, but upon inspection it met the necessary requirements and it was given clearance on 3rd June 2025.

On the report on investigation given by the Anti-Counterfeit Authority, the Kenya Bureau of Standards and other relevant enforcement and regulatory agencies have undertaken investigation and market surveillance operations to establish the authenticity, validity and compliance status of the said alcoholic drinks. Further, the agencies have continued to conduct inspections, product sampling, verification of standardisation marks and nationwide audit of alcoholic beverages available in the market. The enforcement, surveillance and consumer protection measures have been undertaken.

The Government has enhanced enforcement surveillance and consumer protection measures against manufacturers, distributors and retailers found dealing in adulterated, counterfeit or substandard alcoholic drinks by:

1. Rigorous multi-agency inspection for clearance of alcoholic manufacturers.
2. Multi-agency intelligence raid operations.
3. Seizure and destruction of non-compliant products.
4. Closure of illegal manufacturing and distribution premises.
5. Prosecution of offenders and product recalls where necessary.
6. Continuous market surveillance and public sensitization.

On the measures taken by manufacturers to protect their products, the manufacturers have put in place various measures aimed at protecting their products from counterfeiting and enhancing consumer confidence. These measures include the use of tamper-proof seals, enhanced packaging security features, product traceability system, authentication and verification mechanisms and consumer awareness campaign on identification of genuine products. Manufacturers have also continued to collaborate with regulatory and enforcement agencies in reporting suspected counterfeit activities and sensitising consumers on the dangers associated with counterfeit and substandard alcoholic beverages. The Report is signed by Hon.

Kipchumba Murkomen, EGH, Cabinet Secretary for Interior and National Administration. I beg to submit.

Thank you.

Hon. Speaker: Mheshimiwa Eric Wamumbi, are you satisfied with that?

Hon. Eric Wamumbi (Mathira, UDA): Thank you very much, Hon. Speaker. I am contented with the response. I only want to request the Cabinet Secretary to share this response with the National Government Administration Officers (NGAO), starting with the regional commissioners, to make sure that manufacturers who are manufacturing products that are safe for human consumption are protected and to deal heavily with the counterfeiters.

Thank you.

Hon. Speaker: Thank you. The Member for Westlands, Hon. Tim Wanyonyi. Lead Clerk-at-the-Table, you have given him the microphone behind him. Give him the correct microphone.

ADVANCEMENT OF DISABILITY INCLUSION,
ACCESSIBILITY AND RIGHTS OF PWDS

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Speaker. I rise to make a general statement regarding the advancement of disability inclusion, accessibility and promotion of the rights and representation of persons with disabilities in our parliamentary institutions and governance systems.

I recently participated in the Commonwealth Parliamentarians with Disabilities (CPWD) forum in Cape Town, South Africa from 26th to 28th May 2026. The forum was convened under the theme: “Legislating for the rights of Persons with Disabilities” brought together parliamentarians with disabilities from across the Commonwealth to exchange experiences, share best practices and explore practices, approaches and strengthening accessibility, representation and inclusion with parliamentary systems. The forum decried the low representation of persons with disabilities in elective and appointive positions and underscored the importance of disability inclusion in all spheres of development.

It also noted that despite progress achieved in many jurisdictions, significant barriers still limit the participation of persons with disabilities in legislative and decision-making processes. The hindrances include inaccessible infrastructure, inadequate support systems, negative societal attitudes and limited opportunities for political engagement.

Hon. Speaker, to accelerate accessibility and inclusion, the forum called on Commonwealth Parliaments to deliberately ensure full and effective participation of persons with disabilities in political and public life. It further emphasised on the need for political parties and other stakeholders to create pathways. This will encourage and support persons with disabilities to seek public office, while safeguarding and expanding gains made in representation.

Additionally, the forums underscored the need for regular accessibility, access audits of parliamentary institutions, and the collection of reliable data to inform policy interventions and enhance inclusion. The forum also highlighted the importance of strong partnerships among parliaments, organisations of persons with disabilities, civil society, and development partners to ensure that lived experiences inform policies and legislation affecting persons with disabilities. Also, the Government commitments on disability inclusion should translate into meaningful action and measurable outcomes.

Hon. Speaker, the representative nature of Parliament uniquely places on us a responsibility to ensure that our legislative policy and institutional frameworks are based on the rights, dignity and full participation of persons with disabilities in governance and public affairs. I, therefore, urge that we continue strengthening inclusive practices and promoting

equal opportunities for all citizens to contribute to national development regardless of disability status.

Finally, as the Chairperson of the Kenya Disability Parliamentary Association and the Commonwealth Parliamentarians with Disabilities (CPwD) Africa Region champion. I urge Parliament and all stakeholders to continue championing disability-inclusive policies and legislation. Together we can build institutions that are fully accessible, representative and responsive to the needs and aspirations of persons with disabilities.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you, Member for Westlands. Hon. Members, allow me to acknowledge, in the Speaker's Gallery, Starehe Primary School from Laikipia West Constituency, Laikipia County. In the Public Gallery, we have Nyabondo Boys Boarding Comprehensive School from Nyakach Constituency, Kisumu County and Aiyabo Boys High School from Baringo North Constituency, Baringo County. On my behalf and on behalf of the House, we welcome the students, their teachers, and those accompanying them to Parliament.

Hon. Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Speaker. I join you in congratulating all the students from all parts of Kenya who have visited us today in this National Assembly, particularly those from Aiyabo Boys High School from Baringo North, popularly known at home as Bongo Boys. The Bongo Boys did very well in last year's examination, with 71 out of 84 students directly joining the university.

I encourage all the students. This is the House of Parliament, where laws and policies are made. The sky is the limit. They should maintain discipline throughout their studies and work hard in school so that one day they will find themselves here. It is hard work and discipline that will bring them here and to other places all over the world.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you.

Next Order.

(Hon. Lilian Siyoi raised her hand)

Hon. Speaker: Hold on. Hon. Lillian Siyoi, what is it? Give her the microphone.

Hon. Lilian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Speaker. Before we went for recess, I raised a question on the shortage of fertiliser in Trans Nzoia, but so far, I have not received any response. They were to do it in the first week after recess, but I have not received any communication. The President subsidised fertiliser prices so that Kenyans could benefit, produce enough food, and get food at lower prices. But to our surprise, our fertiliser is being sold in our neighbouring country, Uganda. It is like we subsidised their prices, not ours. I rise again to request that response so that I know what happened.

Hon. Speaker: Thank you. Hon. Mutunga. This was to you. Where is the response?

Hon. (Dr) John Mutunga (Tigania West, UDA): Thank you, Hon. Speaker. We discussed this issue with the Ministry at the meeting. They were to give us a written report on the same when submitting their budget proposals. I have not yet received that. I have spoken to the Principal Secretary, and he has promised he will be here tomorrow.

Hon. Speaker: The planting season is rapidly slipping away. You say tomorrow?

Hon. (Dr) John Mutunga (Tigania West, UDA): Yes, tomorrow.

Hon. Speaker: We will allow you to do so tomorrow afternoon.

Next Order.

BILL*Second Reading*

THE KENYA JUDICIARY ACADEMY BILL
(National Assembly Bill No. 42 of 2025)

(Moved by Hon. Owen Baya on 2.6.2026)

(Resumption of debate interrupted on 2.6.2026)

Hon. Speaker: Who was on the Floor? Hon. Stephen Mogaka. He is not in the House. Hon. Ndindi Nyoro and Hon. Wilberforce Oundo, are you queuing for this? Hon. Gitonga Murugara, are you queuing for this?

Hon. George Murugara (Tharaka, UDA): Yes.

Hon. Speaker: Go ahead.

Hon. George Murugara (Tharaka, UDA): Thank you.

Hon. Speaker: I thought you were the one who moved the Bill.

Hon. George Murugara (Tharaka, UDA): Unfortunately, I was out of the country. It was moved by the Deputy Leader of the Majority Party and seconded by another Member of the Justice and Legal Affairs Committee (JLAC). It is in my best interests to speak in support of the Bill.

Hon. Speaker: Go ahead.

Hon. George Murugara (Tharaka, UDA): Hon. Speaker, the Justice and Legal Affairs Committee looked at this Bill just before debate and tabled a detailed report outlining why it should be supported. It proposed a raft of amendments to ensure compliance with the Constitution, as some members felt that this Bill, in some respects, may be in breach of Article 172(1)(d) of the Constitution. This is purely because the mandate to manage the functions and powers of the Judiciary is vested in the Judicial Service Commission (JSC). Therefore, this academy may be exercising powers it should not have. The correct position is that we are now establishing the Kenya Judiciary Academy, which will be responsible for training, management, and other functions related to judicial staff and members.

Concern is raised about Clause 4, which establishes the academy as a body corporate. The argument here is that, as a body corporate, it may be separate and distinctive from the Judiciary. Therefore, it may have powers which are not constitutionally conferred.

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

[The Deputy Speaker (Hon. Gladys Boss) in the Chair]

The correct position is that we are establishing an agency of the JSC so that certain functions performed by the JSC can be delegated to this entity. Therefore, this entity will be an agent of the JSC. If it is an agent, then its powers are within the mandate of the delegation. It cannot perform any other functions apart from those conferred by this Statute, and those functions must be under Article 172(1) of the Constitution.

We will propose an amendment so that everything this academy does aligns with the Constitution, the functions of the JSC, and any other mandate given by this House, within the powers granted to it by the Constitution. The academy is similar to institutions like our very own Centre for Parliamentary Studies and Training (CPST) and the Kenya School of Government (KSG) under the Public Service Commission. The KSG is also a corporate body

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and can discharge the statutory mandate conferred on it under constitutional provisions. If there are any other areas that we need to examine, we have our report, and every Member is requested to study it so that we do not argue that we are forming a body that may be out of order with the Constitution. In essence, we have proposed aligning this corporate body with the JSC's functions and with the Constitution.

With those remarks, I urge the House to pass this Bill and to address the amendments when they come to the House during the Committee of the Whole House.

Hon. Deputy Speaker, I support.

Hon. Deputy Speaker: Those interested in debating this, please press the intervention button. Let us have Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Deputy Speaker. I rise to support and to raise a few queries. While I appreciate that it is indeed aimed at improving and strengthening the independence of the Judiciary, we also need to be very careful so that we do not risk becoming bureaucratic, especially when there is a board. A board will definitely have operational costs and other costs. I know the Chairperson has assured us that there is no duplication of functions. The biggest challenge we always face is when Kenyans are given a job, and they forget their responsibilities. Once they enter office and assume power, they often exceed the boundaries set for them. Therefore, we must ask ourselves whether the JSC, as we have the PSC and our CPST, is the best way to manage this academy. It should be completely under the JSC. If we are not careful, governance issues will arise. I am hopeful that, when we review the amendments, we will realign the Bill for this academy to fall within the JSC. This is to avoid creating another entity that would require resources to manage while we are already using the same public resources.

Hon. Temporary Speaker, this is a good idea. I hope it will address judges' academic and capacity-building needs. Most of the challenges we face in court arise when a judge does not fully understand the policies we use. At times, we enact public policy within our own quarters as politicians. On the other hand, a judge may want to act but lacks an understanding of current affairs in the constituencies and of why certain matters are of public interest. I believe this will help us avoid falling back into the challenges of balancing public interest with the law.

Clause 9 provides that there will be a chairperson, and members of the board shall be paid allowances as determined by the Commission in consultation with the Salaries and Remuneration Commission (SRC). The moment you introduce this, you move away from the notion of running the institution as we do with CPST. Our Members of Parliament attend CPST training and the Director, CPST is under the PSC. I hope that some members of the JSC will also sit on this committee to prevent unnecessary duplication while ensuring effective management of the regulations passed.

We have a Director-General who will be responsible for the Academy's strategic direction and leadership. Then, there is the Director-General, who may perform such other duties as may be assigned by the board. This means we have two separate boards. I can tell you there will be conflict between the JSC and this board if we do not properly realign them.

Lastly, when we examine the financial provisions in Part III, we see that the Academy's funds shall comprise the monies allocated to the JSC for the Academy's purposes and approved by the National Assembly. We must ensure that the JSC runs the judiciary, while this entity operates with a degree of semi-autonomy with resources allocated to it. These are some of the issues we need to consider as we deliberate on the Bill.

With those few remarks, I support. But I hope we shall have very serious amendments to realign so that the JSC specifically manages this Academy. Thank you.

Hon. Deputy Speaker: Hon. (Dr) Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Deputy Speaker. I also join my colleagues in supporting this important Bill. Just as we have KSG and CPST, I think it is important that we also establish the Judicial Service Academy.

Despite my colleagues' suggestions for improvement, I see several benefits from this Academy. The first benefit I would like to highlight is the establishment of a standardised training curriculum, which will ensure that most judicial officers undergo common training and thereby improve quality.

Another important aspect is that, through this Academy, we can create localised, applicable training opportunities for our environment. Ultimately, this would mean we do not have to continue sending our judicial officers abroad for training when we can easily provide that training locally. We should only send them abroad for very specialised training opportunities. This approach will save the country the money we currently spend on external travel. At the same time, this could also serve as an opportunity to generate income for the JSC by making this Academy a regional hub that attracts judicial officers from neighbouring countries for training. On that note, just as Parliament generates a lot of money from regional training, this academy could also generate its own income through what we call Appropriation-in-Aid (A-in-A) by training neighbouring countries, especially their judicial officers.

Last but not least, this Academy will also create employment opportunities for our lecturers and others in this field, so that many more Kenyans can join the Academy for training. Such opportunities are not very common. I am sure that most of our lecturers who are out there and trained in this area could easily take advantage of those opportunities and make money.

We have heard what Hon. Elachi has just said regarding the Board. I do believe that the composition of the Board will largely be drawn from within the JSC. It may be that only a few Board members will be drawing allowances, as the others will be drawn from the main Commission. However, it is also important for our Members to join this Board so they can provide strategic thinking and leadership.

With those many remarks, I support this Bill and hope it will be fast-tracked to ensure the Academy becomes operational.

Hon. Deputy Speaker: Hon. Member for Seme.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Deputy Speaker, for giving me this opportunity. I rise to support this Bill. I think it is of great importance to our society. Justice, peace, and harmony are what keep human society running, and they distinguish us from animals. They depend on judicial, police, public prosecution, and criminal investigation systems. However, of all these institutions, when everything is put together, judges and judicial officers bear the greatest responsibility for the outcome of matters as they are processed through the system. The legal profession, to which they belong, like all other professions, is based on proper, appropriate and comprehensive knowledge of, in this case, the practice of law.

We are aware that both knowledge and practice change as society changes. It is, therefore, important that professionals in this area remain abreast of changes. Article 172(1)(d) of our Constitution recognises this and provides for the continuous legal education and training of judges and judicial officers. This Bill does exactly that. That is what it is designed to do, and does so by establishing the Academy itself.

It also provides structures for running the academy. As Members have indicated, there may be instances in which certain structures conflict with others. However, when we come to the Committee of the whole House, we can make amendments to remove such contradictions. The Bill also provides for the funding of the Academy under Clause 13. I note that it provides that funds will be made available through the National Assembly, the Judicial Fund, and through levies and fees.

Regarding levies and fees, I suggest that the Academy focus on improving the skills and knowledge of judicial officers and judges rather than on raising funds. This normally

becomes a weakness of institutions. When they focus on raising funds, they lose sight of their main mandate: maintaining and enhancing the skills and knowledge of these officers. Therefore, in my view, as Parliament, we should strive to keep this institution adequately funded so that it can focus on what it really needs to do: sharpening the skills and knowledge of these officers.

This Bill also provides, under Clause 5, for continuous research. This is extremely important. Across all areas, as society changes, there is a need for research to understand shifts in social norms, international relations, and even technology. Technology will be used to provide legal services within the judicial system. It will also be used in crime. Quite often, if officers are not up to date on what is happening, they cannot provide the required services. Therefore, in my view, this is a well-intended Bill. In broad terms, it has covered all the areas it needs to, and therefore I support the Bill.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Members, allow me to recognise the following schools: Chebunyo Christian School from Chepalungu Constituency, Bomet County; and Imenti Junior School from Laikipia East Constituency, Laikipia County, who are seated in the Public Gallery. We also have Kasue Girls Secondary School from Kibwezi East Constituency, Makueni County.

I also wish to introduce a delegation of 26 officers drawn from various national and county government institutions, who are seated in the Speaker's Gallery. The delegation is undertaking training in protocol, etiquette and event management at the CPST and within the legislature. On my own behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful deliberations.

Thank you.

(Applause)

Member for Chepalungu, did you want to welcome the students on our behalf?

Hon. Victor Koech (Chepalungu, CCM): Thank you very much, Hon. Deputy Speaker. I appreciate the opportunity to welcome the students visiting Parliament today. In particular, allow me to welcome Christian Academy from Chepalungu Constituency. I am privileged today to stand on this Floor to welcome them so that they can appreciate what we normally come here to do.

At the very least, I would like to encourage them that, if they work hard, one day they will also be able to be here and represent their people in various capacities. Parliament is not just for Members of Parliament; it also offers other career opportunities. Allow me to welcome all those who have come here today to witness how Parliament transacts its business.

Thank you very much, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Mishi Mboko, Member for Likoni.

Hon. Mishi Mboko (Likoni, ODM): Thank you, Hon. Deputy Speaker. I also rise to support the Kenya Judicial Academy Bill, 2025. This Bill seeks to operationalise Article 172(1)(d) of the Constitution. As we know, the JSC has the mandate to ensure continuous education and training of judges, magistrates, and judicial staff. As we have seen in Clause 3, the Bill establishes the Kenya Judicial Academy as a regional centre of excellence in judicial training.

As we are aware, our judges and magistrates deal with complex issues and handle a large number of cases. In most of these cases, there is a need for continuous capacity building and education to enable them to acquire greater expertise and experience and to keep abreast of emerging issues in the administration of justice. Due to new technology, we are currently dealing with digital evidence, cybercrime, and Artificial Intelligence (AI). Our judges and magistrates only attend occasional workshops and seminars. This platform will ensure they

have their own institution to undertake capacity-building and continuous education in fulfilling their mandate.

Regarding research and policy formulation, Members of Parliament continually formulate policies, legislate new laws, and make amendments. Therefore, it is high time for our judges to receive updates on the new laws, amendments, policies and regulations. Our judges and magistrates need a platform to be updated on all these pieces of legislation. This platform will not only serve the Judiciary, but also other legal professionals, who may be interested in obtaining updates, expertise, and experience through access to new reports and publications.

This Academy will also partner with relevant institutions, including the CPST, KSG, and others. This will facilitate cross-border training, exchange programmes and experiences, and many other academic engagements. Establishing this Academy will further demonstrate the Judiciary's independence. By creating a dedicated institution for judicial training and research, we will strengthen our institutions and enhance the capacity of our judges, magistrates, and judicial staff.

Although some argue that establishing a Board could pose challenges, Clause 6 of the Bill indicates that it will have representation from the Judiciary, the legal profession, universities, and regulatory institutions. That will ensure broad representation. Given all these actors, I do not foresee any challenges, as the key stakeholders have been involved.

Clauses 13, 14, and 15 provide for the Academy's funding, financial year and annual estimates. These provisions will ensure transparency, accountability, and prudent management of public resources. The Academy will be properly managed. I also wish to congratulate the Budget and Appropriations Committee for its substantial allocations to the Judiciary. I hope that part of that money can be channelled to this Academy to strengthen its mandate and ensure that our judges and magistrates receive continuous education.

If we have a competent, ethical, and continuously trained Judiciary, Kenyans will receive timely justice as envisioned. Cases take a long time to conclude due to various challenges. However, such a platform provides a forum for discussing those challenges and solutions or the way forward so that Kenyans do not continue crying and complaining about cases that drag on for many years without resolution.

This is a very good Bill. Our judges need this induction. New judges have recently joined the Judiciary and require induction, orientation, and professional training. This is a good platform. I urge my colleagues to support the Bill so that our Judiciary becomes more competent and ethical. Our judges and magistrates will be well-trained, continuously refreshed, and regularly engaged in capacity building. They will no longer have to wait for occasional seminars or workshops; they will now have their own academy. This platform will also provide employment opportunities for lecturers who will train them, as well as for other professionals within the Academy. It will also generate income, as it will not only train individuals within our country but may also attract learners from across the East African Community (EAC).

I support the Bill.

Hon. Deputy Speaker: Let us have the Member for Rarieda.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Deputy Speaker. I am a Member of the Departmental Committee on Justice and Legal Affairs. I am happy to advise Members that this Bill was spearheaded by a team comprising members of the Judiciary and the JSC, led by Supreme Court Judge Hon. (Dr) Smokin Wanjala. As a Committee, we thoroughly examined this Bill at various stages and debated it robustly on at least three occasions. I am pleased to inform Members that some of their concerns have already been catered for in the proposed amendments adopted by the Committee. They can be found in Chapter 6 of the Committee's Report.

The Bill reflects best practice both regionally and internationally, where entities such as the Judiciary and the JSC now find it necessary to focus on continuous legal education. Lawyers are all trained under the same curriculum. However, depending on the branch of law you want to focus on, you must get additional training. If you are a prosecutor, you focus on prosecution, while a parliamentary counsel focuses on parliamentary matters. Judges and magistrates, no less, must be accorded an opportunity to re-focus their training on judicial work. That is what the Bill seeks to do.

The Bill does not focus solely on judges. It also covers tribunals. We currently have 36 tribunals established under various statutes. All chairpersons and members of tribunals must be trained. This Bill allows judges to focus on the unique election laws, both statutory and practical. As you know, election results often lead to many petitions. Therefore, judges must be allowed to re-focus on that matter.

The Bill allows not only judges and magistrates but also all those involved in the administration of justice to receive training through the Academy. It does not stop there. It also provides for regional and international judicial training. The Bill allows us to re-focus the training of judges and judicial support staff.

We received submissions from various institutions during consideration of the Bill, including the Office of the Attorney-General, the JSC, the Kenya Magistrates and Judges Association (KMJA), the Law Society of Kenya (LSK), the National Treasury and the Legal Advice Centre, among others. All those who appeared before us supported the Bill. Despite the observations they raised, they made it clear they supported the Bill. The Commission allayed concerns about the JSC's jurisdiction. It informed us that nothing in the Bill would usurp its jurisdiction.

There is nothing in this Bill that would bring friction between the Commission and the Academy. It is important to know that, as we consider this. I think our focus is on Clauses 4 and 5. How does creating a body corporate relate to the JSC? We carefully navigated this point. At the end of the day, both the Committee and the JSC were satisfied that, in the way it is crafted, there would be no usurpation of jurisdiction.

First is Clause 5. Everything the Academy does, as you can see in Chapter 6, is done on behalf of the JSC. To that extent, it is essentially an organ of the Commission. Except that, given the work of the Commission and the Judiciary, they found it necessary to establish an organ focused solely on training, not the recruitment of judges, the discipline of judges, or the hearing of cases. That is why they established this Academy as a body corporate.

If you look at the clauses, you will see that it is carefully navigated that a judge of the superior courts must chair the Board. That judge must be a member of the JSC. That is the second nexus point. The Chair of the Board is only a member of the JSC. So, the Board cannot run rogue. As you will see, all the others who are to be appointed to the Board have a role in the JSC. There is a DG appointed by the JSC who must also be a judge of the superior court. The same applies to the registrar. If you look at Clauses 4 and 5 and the other clauses of this Bill, you will see that any fears in terms of usurpation of the Commission's role in terms of friction are well taken care of. It is important to note that there is supposed to be a linkage. This academy is supposed to link with others. We have done this before. We in Parliament have the CPST, which we are still nurturing. The prosecution and the EACC have theirs. So, we are trying to establish a linkage that will ultimately assist Kenyans in the administration of justice.

Lastly, on this point, I draw Members' attention to Clause 13. That is the only other point that we have yet again suggested some amendment. Initially, funding was to be split between the JSC, the Judiciary, and the Judiciary Fund. The Committee has proposed deleting Clauses 13(b) and 13 (c), leaving it exclusively to funds allocated to the JSC. Part of the Judiciary's argument is that it is important to remain a body corporate. That way, even in allocating funds, Parliament will have an eye on funding this entity. So far, training has been

suffering because all the funds are directed to salaries, hearing cases, and similar expenses. I believe this will be a good Bill once we implement the Committee's proposed amendments, and this Academy will work as proposed. I support.

Hon. Deputy Speaker: The Member for Tinderet.

Julius Melly (Tinderet, UDA): Thank you, Hon. Deputy Speaker. I rise to support the Kenya Judiciary Academy Bill, 2025. I thank the Committee, led by Hon. Murugara, Sir George, for doing a good job, especially on this Bill. It seeks to establish the Judiciary Academy, which is supposed to be the institution that provides continuous education to magistrates, judges and judicial staff.

As we all know, education is a lifelong process, and judges who were in school 20 or 30 years ago will need refresher courses. They will need to undergo capacity-building and take new courses on handling emerging issues. As you look at society today, this Bill seeks to address several emerging issues, for example, AI. How are we going to legislate and handle AI-related cases? How are we going to look into issues that are very modern in our society today? The establishment of the Judiciary Academy will be very important, especially in improving the skills, abilities, and knowledge of the judicial staff, judges from the Court of Appeal, the High Court and the Supreme Court, and support staff such as researchers, IT staff, and, more importantly, drafters. We need to know that judges do a lot of work for this country. Yesterday, you saw that they went through that judgment the whole day. They even handle very modern cases, especially on issues that have arisen in our societies. So, this school will go a long way toward helping them stay up to date on many matters that will affect society.

Part III of the Bill, especially Clauses 13 to 15, provides for the financial provisions, including the sources of funds for the Academy. In fact, this will help ensure that the Judiciary Academy is financially stable and accountable. The Academy's financial year is also indicated. It also goes a long way in ensuring that the Judiciary Academy will have the annual estimates for the year.

Part IV of the Bill, or Clauses 16 to 18, provides for the general provisions, including the common seal of the Academy. We all know that, as an institution that assists in educating or building capacity among judges, magistrates, and all staff, it is very important that it has a common seal. It is a provision for protecting the members of the Board and the Academy's staff from personal liability and the Academy's liability for damages.

In effect, this institution is very important because it will ensure that the Judiciary has a school or academy, as other institutions of Government do, such as the CPST at Karen, which is doing good work for these Members of Parliament and their staff. We also have the staff training institution for the KRA and all other staff in this country.

Therefore, I rise to support and, more importantly, to say that this is a good thing for this country and the JSC. I support. Thank you.

Hon. Deputy Speaker: The Hon. Ndindi Nyoro.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Deputy Speaker. In a progressive, modern economy, three tenets are very important and serve as the foundation of a thriving modern economy. One is the modern bureaucracy. Two is the rule of law, and three is accountability through democracy. We must always do our best as leaders to make Kenya a thriving, modern economy.

*[The Deputy Speaker
(Hon. Gladys Boss) left the Chair]*

*[The Temporary Speaker
(Hon. Farah Maalim) in the Chair]*

We must recognise the rule of law as a key component of economic growth. For example, the story of Singapore is told, and many people think it is about manufacturing and the way industries are set up there. Many a time, we do see that many investors prefer to set base in Singapore based on the legal framework they had, which is Commonwealth law, and which Kenya is also domiciled in. When investors want to go to a country, one thing that is very critical is whether that economy respects the ownership of assets. Whatever enforces that, in many respects, is the judiciary, which acts as the anchor of the rule of law.

Talking about the Judiciary, it is itself a bureaucracy because it is a system of government which has many structures. It is a system by itself. It is important that even as we make our bureaucracy, in terms of Executive efficiency, through training and through dissemination of information, to make it more efficient, it is also important that we look at the other side and the other levels of government, the judiciary being one of them, in terms of making it more efficient and more knowledgeable in all respects. Having an institution that only plays that role goes into entrenching that practice.

Across many economies and countries, we have seen even China in ancient times, especially during the reign of the Qing Dynasty and other times, that the primacy of having a robust bureaucracy was very important. Bureaucracies are made robust through training and through dynamism in terms of information. They strive to be dynamic at all times, and seek to access as much information as possible for efficient decision making.

It is important for us to know that the judiciary is not just about judges. There are many paraprofessionals who also take part in our judiciary work.

(Hon. Caroli Omondi spoke off the record)

Yes, they are paralegals. Thank you, Hon. Caroli Omondi, for that information. That is very good information. It is important that we know it is beyond only judges. There are also other people who take part in whatever happens there.

Of course, having an institution equivalent to the Kenya School of Government in the Judiciary will go a long way in making sure that we have refined staff who continue to get information as it comes, and who continue to be as dynamic as the world itself. It is important that we continue to invest in the Judiciary to enable it to effectively carry out its mandate of administration of justice to aid our economic growth, especially through timely, efficient and dynamic dispensation of justice.

Lastly, it is also good, as a House, we continue to be dynamic so that we continue to give our country laws which do not have ambiguities, so that we have straightforward judgments when matters are presented before our Judiciary - laws that will enable us to have clarity on matters in respect of which we seek judicial review.

With those many remarks, I submit.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Millie Odhiambo?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. Is Hon. Ndindi in order to talk about the Judicial Academy, which has to do with the Judiciary, without mentioning the decision that has just been made over Hon. Wamunyoro? I thought he would take that as a very serious issue and discuss it within the context of what has just gone on. Is he in order?

The Temporary Speaker (Hon. Farah Maalim): As much as the matter you have raised is entertaining, it is not a point of order. Secondly, you rise on a point of order when the Member

speaking is still on the Floor contributing. You do not raise a point of order after he concludes his contribution and sits down.

Hon. Caroli Omondi, do you wish to contribute to this debate? I see your name on my list.

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

Hon. Caroli, I am told that you have already contributed on this debate. You should have clarified the same yourself.

Let us have Hon. Esther Passaris.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Temporary Speaker. I rise to support the Kenya Judiciary Academy Bill, 2025. Continuous judicial education is a constitutional imperative and an essential component of a modern justice system. Our judges, magistrates, registrars and judicial officers are called upon daily to interpret increasingly complex laws, address emerging technologies, respond to evolving social realities and uphold the rights guaranteed under our Constitution. To do so effectively, they must have access to ongoing professional development and specialised training.

This Bill gives statutory recognition to the Kenya Judiciary Academy and provides a clear legal framework for its governance, mandate and financing. By anchoring the Academy in law, we are strengthening the capacity of the judiciary to deliver justice that is timely, competent, fair and responsive to the needs of Kenyans. The world over, mature democracies have invested heavily in judicial education institutions because they recognise that the quality of justice depends not only on laws, but also on continuous development of those entrusted with the responsibility of interpreting and applying the laws.

In the United States of America, the National Judicial College has trained judges from all 50 states and more than 150 countries. Its programmes have helped improve case management, judicial ethics, alternative dispute resolution mechanisms and reduction of court delays. In England and Wales, the Judicial College provides continuous education for judges across civil, criminal, family and tribunal jurisdictions. Importantly, judicial training remains under judicial control, reinforcing the principle that judicial independence must be protected not only in decision making, but also in judicial development and education.

Across Europe, the European Judicial Training Network facilitates cooperation among judicial institutions, promotes consistent application of law, and strengthens mutual trust between courts in different jurisdictions. The result has been greater efficiency, improved competence and stronger judicial cooperation across borders. These examples demonstrate that judicial academies do more than train judges. They strengthen jurisprudence, improve court efficiency, promote ethical conduct, encourage consistency in judicial decisions, and enhance public confidence in the judicial system.

As we support the Bill, however, we must zealously guard the independence of the Judiciary. Judicial education must never become a pathway for political influence. The governance of the Academy should remain firmly anchored within the Judicial Service Commission and the Judiciary itself. In keeping with the doctrine of separation of powers and constitutional principles of judicial independence, I also encourage the Academy to place great emphasis on emerging areas such as cybercrime, artificial intelligence, digital evidence, environmental justice, gender based violence, child protection, mental health, mediation and alternative dispute resolution. The justice system must evolve alongside society itself.

Finally, judicial education should not focus solely on legal knowledge. It should also strengthen ethics, integrity, leadership, case management, trauma informed justice and victim sensitive approaches. Justice must not only be seen to be done, but it must also be experienced by citizens as fair, humane and accessible. A strong judiciary is one of the pillars of a stable

democracy. By strengthening the Kenya Judiciary Academy, we are investing in the quality of justice and in future generations that will serve Kenyans.

With those remarks, I support the Bill.

The Temporary Speaker (Hon. Farah Maalim): Next on my list is Hon. Kemei Beatrice.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you Hon. Temporary Speaker for giving me an opportunity to support the Kenya Judiciary Academy Bill of 2025. Recently, we debated a Bill about the Forest Academy. I am a Member of the Departmental Committee on Environment, Forestry and Mining. From the Bill, I realised that unless we have an academy to improve training, improve induction and address areas of concern, we will not go far. That is why I support this Bill.

More importantly, Article 172(1)(d) of the Constitution mandates the Judicial Service Commission (JSC) to prepare and implement programmes for continuous education, training of judges and other judicial officers. This Bill provides the necessary framework for this constitutional obligation. That is why I support it.

Unless judges undergo continuous training, orientation and induction, it may not be easy for them to discharge their mandates effectively. Continuous training is especially good for judges who have been in the system for many years because of many emerging issues and new areas of concern. Such emerging areas are digital evidence, cybercrime, artificial intelligence, environmental justice and international commercial law. To catch up with all that, judges need training, induction and refresher courses. Therefore, the proposed academy, being the principal institution for judicial training and capacity building will be good for judges.

The Judicial Academy will be a regional centre of excellence. It will strengthen Kenya's position as a leader in judicial reforms. Other countries will get more knowledge from our judges because of the Academy. That will encourage young lawyers and magistrates to be more informed. If we facilitate the establishment of the Academy in the region, it will have campuses in various counties thus decentralising the Academy, improving access to training opportunities and supporting our constitutional values. Cases take very many years and this is unfair to people who seek services. If we have the academy in place, magistrates and judges will be more knowledgeable and cases will take a shorter time. Therefore, I truly support. It should be established as fast as possible.

Finally, the Board of Directors will have representatives from the judiciary, legal profession, universities and other institutions. This diverse composition will promote accountability, professionalism and stakeholder participation in management of the Academy. It is very important for us as a country to have this important Academy. It will help in solving many of our issues.

With those remarks, I support it.

Hon. Joseph Makilap (Baringo North, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Makilap?

Hon. Joseph Makilap (Baringo North, UDA): Hon. Temporary Speaker, I rise under Standing Order 95. Since this Bill has been exhaustively debated, let the Mover be now called upon to reply.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Makilap. The mood in the House does not favour that proposal.

Next on my list is Honourable Mutunga.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you very much, Hon. Temporary Speaker. I am grateful that you have ruled.

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, there is a very important Finance Bill coming for debate...

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): I am grateful that you have ruled against the subversion brought about by my colleague to allow us to contribute to this important Bill. I rise to support that Kenya goes the way of coming up with the Kenya Judiciary Academy.

The Temporary Speaker (Hon. Farah Maalim): Hon. Mutunga, the Chair was just communicating something. You may resume your seat for a minute. Hon. Members, one of the primary functions of the National Assembly is to pass Finance Bills. We need to understand the history to this practice. We have the Finance Bill. Basically, public debt is part of the Finance Bill. It also includes consideration of the expenditure of the Consolidated Fund Services. Therefore, I will give chance to a maximum of two people before we move to the next Order.

Hon Mutunga, take as little time as possible. Discuss as many brilliant ideas as you can within the shortest time possible. Proceed.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to the Kenya Judiciary Academy Bill. The question is whether this Academy is necessary at this point in time. Yes, it is at the stage of development, so that Kenya can be in tandem with the development of other countries in the world. The Academy will be a resolution centre in terms of coordinating, implementing and developing capacity building for judicial officers and judicial service personnel so that we have better people to deliver the judicial function. There has been a missing link. Once established, the Academy will bridge the gap. We will be able to prepare our judicial professionals before they get commissioned.

Judicial officers will also be oriented appropriately so that they know exactly what is expected of them. I know for sure that most judicial officers have gone through training on legal matters at the Kenya School of Law (KSL) but when it comes to the practice itself, they need to be oriented by people who have been in the practice for a long time. It will also order the approaches of induction, provide for further training, and identify who is supposed to be trained at any particular point in time.

The Academy will enable us to organise, coordinate and build content of engagement with other institutions across the globe. To engage with other institutions, we need to be content-oriented and to know exactly what we need. What are our gaps? What exactly are we looking for? When we go for benchmarking, we need to know exactly what we are benchmarking on. If we do not have an academy that resolves the issues within this sector, then it is not possible. It is also going to provide linkages and foster partnerships for development within the Judicial Service and the legal fraternity thus bringing onboard like-minded players from other institutions to think together on how best to discharge the judicial function.

The creation of information repository is important. Data is key for purposes of growth, development as well as research. Without data that is credible and bankable, it is not possible for us to develop appropriately. It will also provide opportunity for research into the different approaches that have been taken in the determination of many cases done in the country, the processes used, and address historical injustices, if any. Therefore, it is possible for us to chart a way forward through research and findings to enable development of a better judicial system in the country.

The Academy will also help us expose the profession to people who may not be professionals in the area. There will be periodicals and journals that will be read by people who may not be lawyers or practitioners in the judicial sector. Likewise, it will enable us to reflect on the administration of justice. Some of the identified anomalies can be addressed in future

planning and training within the institution. The institution will help us very much in organising the judicial service.

The Academy will also enable us to bring the other actors together. There are very many actors who are relevant in this field and the mandate of these actors may not be very clear. Therefore, an academy that thinks through its sectoral issues can clearly identify the actors' targets and deliverables thereby supporting career progression. The judicial career keeps on changing. It is an evolving career. With the complications in the world, with the developments as it were, it is important for us to have an academy that will be thinking through the developments across the board as well as translating and interpreting these developments in the extent and possibilities that there may be.

It will be used to develop standards and apply them to develop the career and profession that cross-checks the sector to ensure it remains focused and grows in the right direction.

With those few remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): Next is the Member for Wajir North, Hon. Saney.

Hon. Ibrahim Saney (Wajir North, UDA): Thank you, Hon. Temporary Speaker. In supporting the Bill, I would like to briefly run through my points without denying my colleagues the chance to contribute. The Academy shall be an intellectual repository for all judicial staff and officers of the court. It will be a source of wisdom through which fine principles will come out for the practice. It will bolster the independence of the Judiciary as stipulated in the Constitution. Well informed judicial staff will strengthen and fortify the independence of the Judiciary as envisaged.

We have had cases of backlogs, files getting lost and exhibits getting misplaced or mishandled. The Academy will keep all judicial staff abreast with what is required of them so that justice is not denied in any way. The Academy shall make sure that our magistrates and judges are well informed on contemporary legal dynamics, legal issues and discourses. The law is on motion, and so is the society. In order to be in tandem with both the law and the society, the Academy will enable our judges to think on their toes, and our magistrates to think on their feet, to ensure that they dispense justice as is expected of them. The Academy will offer continuous professional, tailor-made and specialised training for judges, magistrates and court clerks, the bottom level, which may be ill-informed. We have too many clerks in the Judiciary who may not have the legal knowledge. Thus, this Academy comes at a time when we need to train all our judicial staff to make sure that they have the requisite legal skills to handle matters of law.

Hon. Temporary Speaker, transnational organised crime has been a major concern internationally. To handle such complex issues, this Academy comes in handy to make sure that our judges, magistrates and judicial staff can handle such international concern and international crimes. It will offer a platform for e-learning flexibility so that all the staff can learn and get acquainted with the law and the procedures of the court. This Academy shall be the think-tank, a source of research and a hub of knowledge so required by our legal minds in this country. It will also offer mentorship. It will interface with other countries, region like the East Africa Community (EAC), and other international communities. It will mentor our judges, magistrates and even our para-legal staff, and also imbibe knowledge we may need from other countries. Therefore, it will improve our legal practice.

Finally, the Academy will offer a good stakeholder engagement platform. It will deal with the actors within the Judiciary, the Legislature and the Executive. That kind of engagement will foster trust and confidence among players within the Judiciary.

With those few contributions, I support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Nyenze, proceed.

Hon. Edith Nyenze (Kitui West, JP): Thank you, Hon. Temporary Speaker, for giving me an opportunity to also contribute to the debate on this Bill. This Bill seeks to formally establish the Kenyan Judiciary Academy as a legal body. It is very important to establish the Academy, especially at this particular time, since we have rapid growth in technology. We have witnessed emerging issues from rapid technological growth, including Artificial Intelligence (AI) and cybercrime. This rapid growth in technology requires continuous improvement and continuous development of judicial stakeholders. The Academy will provide a platform for continuous development of judicial officers and paralegal staff to enable them tackle emerging issues.

Recently, we witnessed the Judges Retirement Benefits Bill, 2025 being assented to. This shows ongoing judiciary reforms. The proposed Academy is part of the wider efforts to strengthen the Judiciary's institutional capacity. The proposed Academy is very important because that is where judges, judicial officers and magistrates will be trained thus ensuring their continuous professional development. It will also help enlighten the public on legal matters, thus promoting access to justice.

The proposed Academy will provide a platform for conducting legal research to enhance the judicial function of our Judiciary. Our researchers will be enlightened even more. The proposed Academy matters because it will strengthen the independence of the judiciary as well as provide judicial training. The proposed institution will also establish standards by harmonizing training modules instead of relying on fragmented programmes from elsewhere.

The prospect of access justice on timely basis will increase as a result of having better trained judicial officers, especially in case management. This will result in reduction of case backlog. Kenyans have suffered for a very long time because of backlog of cases. The proposed Academy will ensure that there are better trained officers who will show improvement in handling court cases. The Academy can be allocated funds under Article 173 of the Constitution to fast-track its establishment. That way, the Academy will be independent so that it provides continuous learning for judicial officers and paralegal staff.

With those many remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): Member for Nambale, you may proceed.

Hon. Geoffrey Mulanya (Nambale, Independent): Thank you, Hon. Temporary Speaker, for giving me an opportunity to add my voice to the debate on this Bill, which I support. The Kenya Judiciary Academy Bill (National Assembly Bill No. 42 of 2025) is a piece of legislation whose enactment we need to speed up. I have gone through the functions of this Bill and noted one key area. In dispensation of justice, we believe that there are particular categories of staff who are very key—judicial staff. Apart from judges and magistrates, who have legal education and training, we have court clerks and other judicial staff who are hired directly upon completion of secondary school education. They have nowhere to acquire the requisite legal training, yet they are key in dispensation of justice to our people. They handle exhibits and manage the files in courts, yet they have no knowledge of recording exhibits in court and safeguarding them to ensure that those who seek justice in court get it.

Most professions in this country embrace progressive professional training right now. We have continuous legal education for practising lawyers. Continuous legal education is important because one is trained on emerging issues that were not taught in law school. The medical practitioners also have their continuous medical training. It is part of the training that you must satisfy for you to get a licence to practise in the subsequent year. This is a very handy piece of legislation that will help judicial staff to update their legal knowledge, so that they serve our people in better ways.

We have probation officers and children's officers in courts. These are people who help courts to deliver justice to our people. To synchronise this service delivery, in terms of legal

knowledge, we need to train all these people on emerging issues. We hire judges and magistrates from among practising lawyers within the justice system, the corporate sector and the academia. Once an officer is hired to serve as a judge or magistrate, it is important to take them through the proposed Academy so that we refresh their minds because legal practice is diverse.

Once someone completes training in law, he may choose to practise land law, criminal law or tax law. Once you cross over to join the bench, you are supposed to offer services that cut across the board. The proposed Academy will help us to retrain freshly hired judicial officers to enable them render services more effectively.

With those remarks, I support the Bill.

The Temporary Speaker (Hon. Farah Maalim): Hon. Murugara, do you want to reply?

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. I have not risen to reply. I am on a point of order to clarify some things regarding the Bill as its promoter. I must confess that the Mover of the Bill is the Leader of the Majority Party, Hon. Kimani Ichung'wah. He will come to reply. I must also thank the seconder of the Bill, Hon. Umulkher Harun, who is seated over there. She progressed the debate very well while seconding the Bill. There are two things I wish to clarify.

Hon. Julius Sunkuli (Kilgoris, KANU): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Julius Sunkuli?

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Temporary Speaker, I know that Hon. Murugara is a very eminent lawyer and Member of this House. According to our Standing Orders, once a Member contributes to a matter, he cannot have a second bite on it. He cannot bring it under any other purview, except to say that he is replying on behalf of the Mover.

The Temporary Speaker (Hon. Farah Maalim): No, he wants to clarify something in the Bill. What exactly do you want to do, Hon. Murugara?

(Loud consultations)

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. I am on a point of order. You cannot raise a point of order on another point of order.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Murugara. What is your point of order?

(Hon. (Dr) Ojiambo Oundo spoke off the record)

Order, Hon. Oundo. Proceed, Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Speaker, I have the Standing Orders in my fingertips. So, do not ask me which one I am supposed to cite.

The Temporary Speaker (Hon. Farah Maalim): Hon. (Dr) Oundo cannot turn this Chamber into a fish market.

Proceed Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. As the promoter of the Bill, the clarification is on Article 172(1)(d) of the Constitution.

(Hon. (Dr) Ojiambo Oundo spoke off the record)

I have not spoken on the matter. I am clarifying something. You cannot bar me from doing so.

(Loud consultations)

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Members. Hon. Murugara, I have the Bill in front of me. As the Chairperson of the Departmental Committee on Justice and Legal Affairs, you are the sponsor of the Bill.

Hon. George Murugara (Tharaka, UDA): Absolutely. Therefore, nothing bars me from making a clarification or giving of information on the Bill whenever it is necessary.

(Loud consultations)

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Members. The Chair is seized of the matter before the House and will give direction.

(Loud consultations)

Order, Hon. Members. I am addressing the House. Member for Funyula, for God's sake, why do you want to invite the wrath of the Chair for absolutely no reason? Take your seat first. If you feel that there is misinformation on the Bill, you can rise on a point of information and correct it. You rise on a point of information when the Leader of the Majority Party or anybody else is on the Floor. If you are granted an opportunity to inform the House, you proceed and correct whatever you feel was incorrectly delivered in the first place. You can only say, "I am much obliged" and sit down.

Proceed.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Speaker, allow me to make the point so that we may have clarity.

The Temporary Speaker (Hon. Farah Maalim): No, you can only rise on a point of information when a Member is on the Floor.

Hon. George Murugara (Tharaka, UDA): No, I am on a point of correction.

The Temporary Speaker (Hon. Farah Maalim): Hon. Murugara, with all due respect, there is nothing like "point of correction" in our Standing Orders. You know how much I respect you. Please, resume your seat. Do not interrupt. I have not given you the Floor.

(Loud consultations)

What is wrong with you? Why are you so excited? The matter has been put to rest. I have put it to rest. You can only rise on a point of information when a Member is contributing. If the Member speaking is willing to be informed, he or she may allow the intervention. That is the procedure.

(Loud consultations)

Given the circumstances, I call upon the Mover to reply. You cannot intervene once the Mover is replying.

Mover, proceed to reply.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. That was more or less a commercial break. Let me begin by thanking all Members, especially Members of the Justice and Legal Affairs Committee (JLAC) who considered this Bill in their Committee meetings. They conducted extensive public participation and engaged many stakeholders, including members of the Judiciary and the Kenya Judiciary Academy because it already exists. We are not creating a new institution. The Academy has been operating under a legal notice. We now seek to anchor it in a statute.

From the contributions of the many Members who spoke to this debate, several issues arose. Particularly, there are concerns regarding a possible fiscal strain on public resources.

The National Treasury, as reflected in the public participation report, raised concerns about the potential fiscal strain the Academy could place on resources allocated to the Judicial Service Commission (JSC) and the Judiciary. Consequently, they emphasised the need for a lean and efficient institutional framework that does not impose an unnecessarily heavy burden on the taxpayer. Since JLAC oversees the Commission, I urge them to ensure that this aspiration is realised.

Hon. Temporary Speaker, I know that you are a Member of the Committee. Let your oversight role ensure that the institutional structure remains lean and efficient. It should not burden the taxpayer. I believe that the Judiciary, through the JSC, has the capacity to run such an institution effectively.

The most pertinent issue that Members raised concerns the possible conflict with the provisions of Article 172(1)(d) of the Constitution, which forms part of the functions of the JSC. The Member for Kilgoris raised an issue and approached my office sometime back. Article 172(1)(d) provides that one of the functions of the JSC is to prepare and implement programmes for continuing education and training of judges and judicial officers.

Therefore, the concern was that we might be establishing an academy through a statute to perform a function that the Constitution has expressly assigned the JSC. The JLAC engaged in this matter. The amendments introduced in Part VI explicitly tie the leash of this Academy to the JSC. Its Clause 5 has been restructured to clearly state that the Academy shall perform its training functions strictly on behalf of the Commission.

There is no clawback on constitutional provisions as the Member for Kilgoris, Hon. Sunkuli, had observed both on the Floor of the House and in discussions with me. It follows the public participation they engaged in, and they are aware of the issues. I thank Hon. Sunkuli for his diligence. That is what good and proper legislative mechanisms behove of us. The Committee equally noted that Article 172(1)(d) expressly assigns this function to the JSC. Through a statute, Parliament cannot claw back on a function conferred by the Constitution. Those who studied a bit of law know.

Hon. Temporary Speaker, I know that you have studied it in detail. You know that any law that is inconsistent with the Constitution is null and void. Commercial law calls it *ultra vires*. Clarification has been done in Clause 5 of Part VI of the Bill to avoid that risk. We need not worry.

The Committee has also deleted initial provisions that would allow the Academy to source external grants or stand-alone funding tracts independently. Under the amended Clause 13, the National Assembly must explicitly approve every shilling the Academy spends as being a lean component of the main Judiciary's budget. Again, this is to ensure that the Judiciary remains independent while ensuring accountability by being overseen. In exercising its oversight role, JLAC will ensure that every coin allocated to the Academy is properly scrutinised, on behalf of this House. That will ensure that National Treasury's recommendations for a lean and efficient structure is actualised. Back to your JLAC, you have work to do.

Members also raised concerns regarding possible management overlaps between the offices of the Director-General and the Registrar. The Committee addressed this issue through amendments that clearly define the respective roles. The Commission shall appoint the Director-General directly and provide strategic leadership and direction. Clause 11 has also been amended to clarify that the Registrar shall be the singular head of staff and the functional accounting officer of the Academy.

This arrangement is similar to that found in ministries where Cabinet Secretaries head policy formulation and direction while Principal Secretaries serve as accounting officers. Likewise, the Director-General appointed by the Commission will provide strategic direction to the Academy. However, the work of the accounting officer will be vested in the Office of

the Registrar. There should be no conflict between the two offices as a few Members had raised. The Committee also noted it.

Hon. Temporary Speaker, I believe I have done justice to the issues that have been raised by Members. I listened carefully to the debate. I sat in my office and noted the concerns that Members raised. I trust that I have responded adequately.

With those remarks, I beg to reply.

(Question put and agreed to)

(The Bill was read a Second Time and committed to Committee of the whole House)

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Yes, what is your point of order, Leader of the Majority Party?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. I wanted to beg your indulgence on a matter that we considered in the House Business Committee, but we opted not to have it done as a Supplementary Order Paper.

On the business listed, without anticipating debate, under Orders No. 10 and 11, the Chairperson of the Departmental Committee on Agriculture and Livestock, who is here, Hon. (Dr) Mutunga, is finalising the report on the Plant Protection Bill (National Assembly Bill No. 28 of 2025) listed under Order No. 10. Under Order No.11, the Departmental Committee on Finance and National Planning is also finalising stakeholder engagement on The Competition (Amendment) Bill (National Assembly Bill No. 4 of 2026). Therefore, I wanted to seek your indulgence that we drop these two Orders so that, after Order No. 9, we proceed to Order No. 12. Accordingly, we drop from the Order Paper Orders No. 10 and 11.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. It is so directed.

MOTIONS

The Temporary Speaker (Hon. Farah Maalim): Chairperson of the Public Debt and Privatisation Committee, can you move your Motion?

ADOPTION OF REPORT ON EXPENDITURES OF CONSOLIDATED FUND SERVICES FOR FY 2026/2027

Hon. Aden Mohammed (Wajir East, JP): Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Public Debt and Privatisation Committee on its consideration of the expenditures of the Consolidated Fund Services under the Budget Estimates for the Financial Year 2026/2027, laid on the Table of the House on Tuesday, 2nd June 2026.

I am Hon. Aden Daudi, Member of Parliament for Wajir East, and I rise to move this Motion on behalf of the Chairperson of the Public Debt and Privatisation Committee. At the outset, I want to thank you and this august House for the continued support accorded to the Committee in the discharge of its mandate. I also wish to sincerely appreciate the Members of the Committee for their commitment, diligence and valuable contributions during the examination of the Consolidated Fund Services expenditures under the Financial Year 2026/2027 Budget Estimates.

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The Committee's consideration of the Consolidated Fund Services (CFS) expenditures was undertaken within the broader fiscal framework for the Financial Year 2026/2027. This is important because CFS expenditures are mandatory expenditures charged directly on the Consolidated Fund Services and must therefore be met before resources are available for other budgetary priorities. Consequently, their size and composition have a direct bearing on the fiscal deficit, in-year liquidity space, borrowing requirements and the overall sustainability of public debt.

In the 2026/2027 Financial Year, total revenue is projected at Ksh3.63 trillion, equivalent to 17.4 per cent of Gross Domestic Product (GDP). This remains below the policy target of 20 per cent of the GDP. On the other hand, total expenditure is projected at Ksh4.79 trillion, or 23 per cent of GDP, resulting in a fiscal deficit of Ksh1.11 trillion, equivalent to 5.3 per cent of GDP. Although this deficit represents a marginal decline from Ksh1.2 trillion, or 6.4 per cent of the GDP, for the Financial Year 2025/2026, it remains significantly high. It also implies that public debt is expected to increase by more than Ksh1 trillion for the third consecutive year.

The financing of this deficit is heavily tilted towards domestic borrowing. Net domestic borrowing is projected at Ksh995 billion, accounting for about 90 per cent of the fiscal deficit, while net external borrowing is projected at KSh116.1 billion, or about 10 per cent of borrowing. While domestic borrowing provides stability and predictability in Budget financing, over reliance on the domestic market may increase re-financing risks, interest costs and liquidity pressures.

It is within this fiscal context that the Committee examined the Consolidated Fund Services expenditures. As indicated, CFS expenditures consist of expenditures that are a direct charge on the Consolidated Fund Services and therefore, constitute non-discretionary expenditures that must be met before resources are made available for other budgetary priorities. Furthermore, these expenditures are not subject to appropriation by the National Assembly, pursuant to the Constitution and statute.

It is for this reason that the size, composition and growth of CFS expenditures have a direct bearing on fiscal space, Budget flexibility, debt sustainability and the capacity of Government to finance development expenditure. These expenditures include public debt service, pension payments, salaries and allowances for holders of constitutional offices and other independent offices, among other statutory expenditures.

In the 2026/2027 Financial Year, CFS expenditures are projected at Ksh2.56 trillion, representing a marginal decline of Ksh21.6 billion from the Ksh2.58 trillion approved under Supplementary Estimates I for the Financial Year 2025/2026. However, the Committee advises caution in interpreting this decline, noting that a similar reduction had initially been projected in the Financial Year 2025/2026 before CFS expenditures increased under Supplementary Estimates I. Therefore, we note that there may be Supplementary Estimates in the coming financial year that could increase expenditures beyond what is currently projected and what we are reporting today.

Public debt service remains the largest component of CFS expenditures. In the Financial Year 2026/2027, public debt service is projected at Ksh2.31 trillion, accounting for about 90 per cent of total CFS expenditures. Pension expenditure is projected at Ksh241.94 billion, while salaries, allowances and other statutory expenditures are projected at Ksh5.153 billion.

Of the Ksh2.31 trillion allocated to public debt service, Ksh1.25 trillion relates to interest payments, while about Ksh1.06 trillion relates to redemptions and principal repayments. Interest payments, therefore, account for 54 per cent of total debt service, while redemptions account for 46 per cent. The Committee observed that more than half of public debt service expenditure will go towards meeting the cost of borrowing rather than reducing the outstanding principal stock of debt.

This debt service structure has significant fiscal implications. Interest payments are estimated at about six per cent of GDP, compared to development expenditure, which is only 3.6 per cent of GDP. This shows that the cost of carrying public debt continues to absorb a substantial share of public resources, thereby limiting the fiscal space available for development expenditure, capital formation and economic growth.

The Committee has consistently emphasised that addressing the rising public debt stock requires stronger GDP growth. However, stronger growth depends on increased and well-targeted development expenditure, particularly in growth-enhancing and revenue-generating sectors. This will support economic growth, improve revenue performances, strengthen fiscal consideration and enhance the country's capacity to service public debt over the medium-term.

The Committee further noted that domestic debt service is projected at Ksh1.64 trillion, accounting for about 71 per cent of the total public debt service. Domestic debt redemptions or principal repayments are projected at Ksh648.78 billion while domestic interest payments are projected at Ksh986.73 billion. Further, domestic bond maturities are projected to increase to Ksh440.17 billion in the Financial Year 2026/2027 compared to Ksh275.6 billion in the Financial Year 2025/2026, indicating increased refinancing pressures.

External debt service is projected at Ksh680.38 billion comprising external interest of Ksh267.51 billion and external redemptions of Ksh412.87 billion. Although external debt service is projected to decline compared to the Financial Year 2025/2026, commercial external debt remains a medium-term concern. Between the Financial Years 2027/2028 and 2029/2030, approximately Ksh1.2 trillion is projected to be incurred in servicing commercial external debt.

Arising from its review, the Committee made several observations. The Committee observed that the Consolidated Fund Services expenditures net of domestic debt redemptions have increased from 27 per cent of ordinary revenue in the Financial Year 2016/2017 to a projected 50 per cent in the Financial Year 2026/2027. This demonstrates the increasing rigidity of the Budget and the decline in fiscal space available for discretionary spending.

The Committee also observed that the public debt stock is projected to reach Ksh14.12 trillion by June 2027 and the net present value of public debt to GDP estimated at 65. That is what is commonly called the debt anchor. This is above the statutory debt anchor of 55 per cent and within the five per cent margin.

The Committee further observed that while external loans are contracted for liability management operations, the use of these proceeds should be clearly disclosed. This is particularly important when part of the proceeds is applied towards general budget financing through a Consolidated Fund. Enhanced disclosure will improve transparency, enable Parliament to assess the costs and benefits of such operations and ensure that commercial borrowing supports long-term debt sustainability.

The Committee also noted concerns in the management of on-lent loans. The continued right of restructuring or forgiveness of obligations owed by defaulting entities without clear accountability and reporting to the National Assembly may create a moral hazard, weaken financial discipline and send the wrong signals to the borrowing agencies.

Arising from these observations, the Committee makes the following recommendations:

1. The Committee recommends that the National Treasury implements a fiscal consolidation framework on a medium-term basis aligned to Section 16 of the Public Financial Management (PFM) Act, Cap. 412A, aimed at progressively reducing the fiscal deficit and stabilising the public debt within the statutory debt anchor under Section 50.
2. The Committee recommends that within 30 days of adoption of this Report, the National Treasury submits to the National Assembly a clear debt

reduction path indicating annual targets, policy measures and timelines for achieving the debt anchor of 55 per cent debt to GDP threshold in net present value terms.

3. The Committee recommends that from 1st July 2026, the National Treasury strengthens the resource mobilisation procedures by ensuring that all loans are subjected to adequate project appraisal, economic valuation and assessment of the expected economic rates of return before contracting. This will ensure that any marginal increase in public debt translates into measurable economic impact.
4. The Committee recommends that all liability management operations be supported by a cost-benefit analysis, disclosure of the conditions and assessment of the impact on debt sustainability. Where commercial loans are contracted for liability management, the National Treasury shall disclose the portion used for debt repayments and the portion applied towards general budget financing and projects financed.
5. The Committee recommends that the National Assembly rationalises non-priority recurrent expenditure and progressively increases allocations to growth-enhancing development expenditure from 3.6 per cent to 10 per cent of the GDP. The Committee is asking for a boost in development expenditure *vis-à-vis* other expenditures.
6. In order to address the moral hazard associated with on-lending, the Committee recommends that, within three months of the adoption of this Report, the National Treasury develops an accountability framework for defaulting entities. The Committee further recommends that any proposed write-off, restructuring or forgiveness of on-lent loan obligations be submitted to the National Assembly for consideration and approval before implementation.
7. The Committee recommends that the National Treasury shall also, within three months, submit to the National Assembly a comprehensive report on all defaulting entities over the past 10 years, indicating the total amounts forgiven, outstanding obligations, reasons for the default, impact on projects, recovery measures undertaken and accountability measures applied.

The Committee's recommendations are intended to strengthen parliamentary oversight of fiscal policy and public debt management, safeguard development expenditure and ensure that public borrowing is directed towards productive investments that support economic growth, national prosperity and Kenya's long-term debt repayment capacity. The Committee further notes that it is under the 13th Parliament that this strengthened framework of oversight of public debt and Consolidated Fund Services expenditures has been made possible.

With those many remarks, I beg to move and request Hon. Makilap to second.

The Temporary Speaker (Hon. Farah Maalim): Let us have Hon. Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Temporary Speaker. I rise to second the Motion on the consideration of expenditures under the Consolidated Fund Services for the Financial Year 2026/2027 Budget Estimates. The Committee has proposed spirited recommendations on how to contain the rise of public debt and to advise the National Treasury on how to undertake serious fiscal consolidation and sustainability in public debt management.

I support the remarks by our Chairperson and commend the Committee for presenting a Report that speaks directly to fiscal sustainability, public debt, debt management and the need to place economic growth at the centre of sustainability. We have talked so many times on how

to manage public debt. If we borrow and invest in entities that are not commercially viable and those that are not able to generate the necessary revenue for economic growth, then the consequence is that the debt will chock us. I want to thank National Treasury and Economic Planning and their team because so far, they have not witnessed serious default on loans. Let us speak about what our generations will inherit from this country.

It is not enough to talk about fiscal consolidation. We need to go down and invest our borrowed resources on programmes and development projects that are going to generate the necessary resources for us to get the required revenue to invest or put in our budget. For instance, this report shows that Consolidated Fund Services (CFS) expenditures are projected at Ksh2.56 trillion in the Financial Year 2026/2027 with the servicing of the country's debt accounting to Ksh2.31 trillion or about 90 per cent of the total amount. Out of this, Ksh1.2 trillion relates to interest payments.

We are spending a lot of resources in this country not to pay the principal debt but to pay interest accruing from borrowed loans. Worse still, we pay out money in advance for loans so that we have too much money out there and the loans that we have borrowed are not forthcoming. It is time we look at the money that we borrow *vis-à-vis* how we spend so that there is value for money in this country. We have a fiscal deficit of Ksh1.1 trillion. For Kenyans who may not understand this, it means there is a hole in our budget. This hole has to be financed. We need to fill this hole with Ksh1.1 trillion which we either borrow domestically or externally. If we get these resources, we should be able to generate enough resources to enable us repay the debt.

The consequence of re-financing is that you borrow to repay another debt which puts us on a huge debt crisis. How do we do it as a country? That is why this Committee, in its wisdom, recommends to the National Treasury and Economic Planning steps to be taken to reduce our fiscal deficit to a state where we can do a balanced budget. We want to live in a generation where we have a balanced budget rather than always doing one which when the country listens to, it may seem like a lot of money. However, there is a gap that needs to be filled. How do we bridge this gap? One, is through domestic borrowing. As reflected in this Report, we can borrow up to around Ksh990 billion; that is almost Ksh1 trillion, domestically. When the Government borrows domestically, it puts pressure on the private sector. It puts pressure on people who also need access to credit because lenders increasingly prefer lending to the government. What is the consequence? Interest rates will rise.

The private sector, which is a key driver of economic growth, including industries and businesses, is unable to grow because the Government is borrowing domestically more than the private sector. This is why the Committee recommends serious interventions, including requiring the National Treasury, within 30 days, to provide a framework for clear debt reduction, with annual targets, policy measures and timelines for achieving the statutory debt anchor. That framework should not only demonstrate how debt will be reduced, but also how the economy will grow fast through productive investment and improved revenue performance. These are serious measures that we need to put in place. When we borrow and invest, and we do not want to suffer because of debt, our economy must grow faster than the rate at which we are borrowing.

As we observed during the World Bank meetings, there is need to report all our debt, both external and domestic. This is by using the Meridian method of debt reporting. This is so that we do not have debt existing outside our budget books. Such practices constrain us because, in the eyes of the public, we appear to be doing well, while in reality we are struggling. What are we saying? We must now have a clear plan on how borrowed resources are applied and how our Budget is implemented. With this, there will be sufficient resources to repay our debt without constraints and be able to grow the economy systematically.

Finally, the Report calls for stronger transparency in liability management operations and greater accountability in on-lent loans. These recommendations are important because public borrowing must be properly and prudently managed, clearly reported and tied to measurable and tangible development outcomes. This Report is progressive and forward-looking. It recognises that fiscal sustainability requires discipline in borrowing, better debt management strategies, stronger accountability and most importantly, faster and more inclusive growth of our country's gross domestic product.

The Report is progressive and we can do better as a country if the recommendations contained in it are implemented by the National Treasury.

Hon. Temporary Speaker, I beg to second this Report. Thank you.

(Question proposed)

The Temporary Speaker (Hon. Farah Maalim): Hon. Ndindi Nyoro, a moment before you start contributing. Do we still have a school in the Public Gallery?

Hon. Members: They have left.

The Temporary Speaker (Hon. Farah Maalim): Has Tenwek High School left? Fair enough. Proceed, Hon. Ndindi Nyoro.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Temporary Speaker for giving me this chance. I commend the Committee because it is evident that it undertook its work. Instead of singing choruses to the Executive, it has pointed out in its Report that we are in a very dire situation regarding the debt position of this country.

The public debt is projected to be over Ksh14 trillion by mid-next year. This is just an accumulation of the decisions that we continue to take, especially now that we are digging the hole even deeper when we are already inside. Every year, Kenya borrows Ksh1.2 trillion. Currently, if you average what we are borrowing, it means that we are borrowing Ksh4 billion in net terms every single day. Net terms mean even after accepting refinancing, you borrow from the SACCO to pay the shylock. We have even accepted that.

This is a very unprecedented situation because from 2002, our debt was Ksh600 billion. During the reign of the late President Mwai Kibaki, he borrowed only Ksh1.2 trillion in his entire 10 years. We are now borrowing more money per year than what the late President Mwai Kibaki borrowed in the entire 10 years. We are now borrowing Ksh500 billion more than during the era of President Uhuru Kenyatta. Around that time, from 2013 all the way to 2022, Kenya borrowed an average of Ksh700 billion every year. Now we are borrowing Ksh1.2 trillion, especially this year.

I ask this Government: Do you want to break the record of borrowing? It is better to break records of good governance and not of profligate borrowing as we see it now. What is even more worrying is that whatever I am reporting before this House, is what we would call official debt. This Government has gone further, something that has never been done before. Since last year, we have now opened a separate book where we are calling it by many names. In one instance, it is called securitisation. In another, it is called the Talanta Board. It is illegal borrowing. As we speak before this House today and to Kenyans, this Government is now borrowing beyond what all previous governments borrowed. We now want to borrow and use the Housing Levy as collateral. We are doing that so that we do not report these debts in the actual books that are recognised across the world.

What Kenyans must know is that even as Kenya is borrowing over Ksh1.2 trillion every year and Ksh4 billion every single day, any development they can see and touch is not out of this borrowing. Any ongoing road in Kenya is another loan under what is called securitisation, where even the Public Debt and Privatisation Committee in this House has never had even a single document relating to that illegal debt. Stadiums being constructed in Kenya are also not

part of the official loans that I have reported. It is another illegal loan under the Talanta Board, where Kenya borrowed Ksh45 billion and will pay an interest amount of Ksh100 billion. A loan of Ksh45 billion to pay interest amounting to Ksh100 billion. Therefore, we as Kenyans are asking, and especially regarding these illegal borrowings that started last year, where is the money Kenya is borrowing every day, Ksh4 billion, and every year, Ksh1.2 trillion going?

To put it into context, the money that we have borrowed so far, close to Ksh4.5 trillion, is enough to have completed 100 kilometres of tarmac road in every constituency. It is enough money to have connected electricity to every single homestead in Kenya. It is enough money to have connected every homestead in Kenya to clean water.

Please add me three minutes, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Add him a minute.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, this money is enough to have made education totally free in Kenya, from nursery all the way to university. Therefore, we are asking the Government to address Kenyans. Where is the money we are borrowing going?

Second, we are now moving away from foreign debt. We are moving away from borrowing money at three per cent to borrowing domestically at a double digit. Kenyans are asking why? We are leaving cheaper borrowing to expensive borrowing because we are running away from accountability. That is why external lenders of stature like the International Monetary Fund (IMF) and the World Bank are no longer lending money to Kenya. They see the carelessness in our borrowing, especially now that people in the Executive are pretending to be clever by borrowing money on and off the book.

The other thing that I want to highlight as I conclude is that, our deficit is around 5.5 per cent of our GDP at the beginning of a financial year. That has always been a moving target as we move towards the closure of any financial year. Now we are at 5 per cent although we can foresee that by the closure of the Financial Year, we may be at around 7 per cent. That will be unprecedented. It is time we call the leadership of this country to order. We cannot continue to overburden Kenyans. It is time for this House to stand up and say no to this profligate borrowing.

Hon. Joseph Makilap (Baringo North, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Ndindi. What is your point of order, Hon. Makilap?

Hon. Joseph Makilap (Baringo North, UDA): Hon. Temporary Speaker, with due respect, is it in order for my good friend, the former Chair of the Budget and Appropriation Committee, Hon. Ndindi Nyoro to lecture the Government yet he served as the Chairman of the Budget and Appropriation Committee for three years, and he budgeted a lot of debt to this country? It would be wise if he advises rather than lecture the same Government that he served.

The Temporary Speaker (Hon. Farah Maalim): Hon. Ndindi, had you exhausted your time? Hon. Makilap just made a comment.

(Hon. Ndindi Nyoro spoke off the record)

To do what? To contribute or to respond? Give him half a minute.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, it is good Hon. Makilap rose. He has shown Kenyans that he has slept on the job for the last several years that he has been in the Public Debt and Privatisation Committee. The Budget and Appropriations Committee is about spending. The Committee that he seconded its Report is where he has been and it is good that he has broadcast his failure.

It is important for us not to trivialise this important matter and to know that the decisions that we make today will influence the Kenya of tomorrow.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Ndindi.

Hon. Joseph Makilap (Baringo North, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Makilap?

Hon. Joseph Makilap (Baringo North, UDA): Hon. Temporary Speaker, is it in order for my good friend and colleague, Hon. Ndindi Nyoro, to say that the Committee on Public Debt and Privatisation Committee has failed for the last three or four years? It is through the Committee's recommendations that the Government has managed to repay its debt without defaulting. It is the Budget and Appropriation Committee that has been giving us proposals, including programmes that were supposed to be funded through debt. So, who has failed? It is my colleague here, who failed long time ago.

The Temporary Speaker (Hon. Farah Maalim): Order! Order, Hon. Ndidi Nyoro! With a light touch, we have to be fair to everybody. The Budget and Appropriation Committee is the one that asks for more money. So, when you ask for a lot of money, you should ensure it is debt that our country can sustain. I fail to see how you can get off the hook by saying that that is the responsibility of the Public Debt and Privatisation Committee.

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Leader of the Majority Party, what is your point of order?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, you are on point. As my brother was contributing, I was listening. He used unparliamentary language that is demeaning. He used sentences like all of a sudden, the Government has become very intelligent or people in Government purport to have become very intelligent. What you have said is actually true. The Public Debt and Privatisation Committee deals with what the Budget and Appropriations Committee has worked on.

Hon. Ndindi Nyoro was our Chair of the Budget and Appropriations Committee for two years. Therefore, if this Government has borrowed for three years, he is the one who presided over it, budgeted and moved the House to approve it. There are people who have suddenly become intelligent. Maybe my brother, Hon. Ndindi Nyoro, has suddenly become more intelligent than everybody else. I was the Chair of the Budget and Appropriations Committee in the 2018/2019 Financial Year. I conducted two full financial year Budgets and three Supplementary Budgets. I have never stood in my place to deny what I did.

As a leader, you must stand for what you do and be a man of principle. Unless the Member for Kiharu, Hon. Ndindi Nyoro, is telling us that he presided over the past three budget cycles either because he was not intelligent at the time and has suddenly become intelligent or he presided over illegalities. He should come clean and tell us whether he presided over illegalities or someone held a gun to his head to preside over them. It is that simple.

Hon. Ndindi Nyoro (Kiharu, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): We will not allow this.

Hon. Ndindi Nyoro (Kiharu, UDA): Please, Hon. Temporary Speaker, I have been mentioned.

The Temporary Speaker (Hon. Farah Maalim): Yes, but you were the Chair of the Budget and Appropriations Committee.

(Hon. Ndindi Nyoro spoke off the record)

For the interest of Hon. Temporary Speaker, hang on a minute. This runaway borrowing that you have talked about did not start after you stopped being the Chair. You oversaw a lot of it. The impression you are giving now is that you have been the good guy out there, while everybody else has been running amok in the way public sector finances have been handled over this period of time. I will give you a minute and then we will continue.

Hon. Ndindi Nyoro (Kiharu, UDA): It is good we are engaging on this matter. When I served Kenya as the Chairman of the Budget and Appropriations Committee, there was no illegal borrowing. The illegal borrowing called securitisation started in 2025 and it is on record. My second point of order concerns the same thing. The Leader of the Majority Party is not aware that there is a Committee of this House that deals with debt. This is another reason the Departmental Committee on Finance and National Planning and the Public Debt and Privatisation Committee should be more creative. There is a reason the budget...

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Hang on a minute. This is interesting. What is your point of order, Leader of the Majority Party?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, as I said, my brother pretends to play around with words to look intelligent, but I do not want to say he is not. You have just guided him. Whether he was the former Chair of the Budget and Appropriations Committee or not, what is borrowed is what is not being financed from our revenues. It is being borrowed to finance our expenditure estimates. The Budget and Appropriations Committee took us through the Budget Estimates that we approved in the Committee of the whole House last week, on Thursday. My brother, Hon. Ndindi Nyoro, was here and he knows it. I know he is looking for an opportunity to do TikTok and Instagram clips for people out there who do not know what this House knows.

Hon. Temporary Speaker, as you have guided my brother, he should not use the Floor of this House to mislead the public out there because he knows the truth. He has just told another lie that there was no securitisation when he was the Chair of the Budget and Appropriations Committee. He knows that is not true, but he knows Kenyans out there do not have the facts in their hands. You must be challenged on your lies. Telling lies is unparliamentary, but what is untrue is untrue.

Hon. Ndindi Nyoro, let us be honest with Kenyans. Let us be faithful to the truth. Let us also be loyal to the profession. Hon. Ndindi Nyoro purports to be an economist or a student of economics. I am also a student of economics. While we work from assumptions in economics, I am also an accountant, where we work with facts and figures. That is why I stand on facts and figures, and the truth that never changes.

(Hon. Ndindi Nyoro stood in his place)

The Temporary Speaker (Hon. Farah Maalim): Hon. Ndindi Nyoro, why are you on your feet? What was the total debt in the year 2022?

Hon. Ndindi Nyoro (Kiharu, UDA): The total debt in the year 2022 was Ksh8.7 trillion.

The Temporary Speaker (Hon. Farah Maalim): What about the total debt in 2023?

Hon. Ndindi Nyoro (Kiharu, UDA): I know the current debt. You may need to give me time to check.

The Temporary Speaker (Hon. Farah Maalim): No. Order! Order! This is also a House of facts. What was the total debt in the years 2022, 2023, 2024 and 2025, and tell us when it started becoming crazy.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Speaker, I want to repeat and speak loudly. There was no single issue of illegal debt off-the-book loans prior to last mid-year. It is called securitisation. There was not a single instance when I served Kenya as the Chairman of the Budget and Appropriations Committee. Secondly, my brother Kimani Ichung'wah, it is also good for you to be truthful to yourself. We debate...

The Temporary Speaker (Hon. Farah Maalim): Order! Order, Hon. Ndindi. I am the one seeking clarification for the benefit of the House and the nation at large. I want somebody to tell me what the total debt was in 2022, 2023, 2024 and 2025. Then show me where things started going wrong. Go ahead, Leader of the Majority Party; you might shed light on this matter.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, as I said, my brother from Kiharu thinks... You know, you can fool some people sometimes, but you cannot fool all the people all the time. I had to come back from my office because I listened to a lot of untruths. You are asking a specific question. My brother is avoiding answering the specific question because he knows for the two years, he was the Chair of the Budget and Appropriations Committee, we were still borrowing.

In trying to fool people, he is now talking about securitisation. I challenge Hon. Ndindi Nyoro to show us the issue of securitisation in this Public Debt Committee Report. When I listened to the Mover, Hon. Aden, and the Seconder, the Member for Baringo North, they spoke about the fiscal deficit that is a consequence of what we have already budgeted for as a House, including projects in Kikuyu Constituency, Kiharu Constituency and the entire country. This includes the 100,000 teachers we have recruited, not to mention the school capitation that the Member for Kiharu was trying to incite the public about again. That school capitation money has been provided yet he knows the revenue estimates as they are. He has been there. Therefore, let him answer the specific question.

(Hon. Ndindi Nyoro stood in his place)

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Ndindi Nyoro. Can you take a seat? The total public debt as of June 2024 was Ksh10.56 trillion. If my memory serves me correctly, you were the then Chairperson of the Budget and Appropriations Committee. We cannot ascertain what the total debt was, in the year 2025. However, you can see that there is already, over Ksh2 trillion from 2022 to 2024. The borrowing, even then, was in excess of Ksh1 trillion per year while you were still the Chairperson of the Budget and Appropriations Committee. I am doing this purely to get the facts out for the benefit of Kenyans and the Plenary. Let me give this opportunity to the Hon. Member for Funyula.

(Hon. Ndindi Nyoro consulted loudly)

Order, Hon. Ndindi. You will have your moment. This should not only resemble a debate between the Leader of the Majority Party, Hon. Ndindi Nyoro and the Chair seeking facts. Let us hear what he has to say, and thereafter, he will also have his moment to contribute.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, allow me to make this submission, and I hope I will not lose my slot to contribute, as I was next in line. You have asked for information which you can google anytime, anywhere. If you allow me, at the end of June 2023, the public debt in Kenya stood at Ksh10.27 trillion. I have just checked here. Anyone who has a phone can tell you that, at the end of June 2024, allow me to keep checking, the debt stood at Ksh10.6 trillion. These are factual figures coming from the Parliamentary Budget Office. From the records they have provided, the figure is now Ksh12.487 trillion. This demonstrates the exponential increase over a period of time. Facts do

not lie; data does not lie. One may manipulate interpretation, but the underlying data remains factual. These are facts.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): You have 30 seconds to explain to us why the debt was still increasing with over one trillion per year for two years during your tenure.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, firstly, that is not factual. For the entire three-year period, the debt averaged about Ksh800 billion. It is also important that we face Kenyans clearly and tell them there is a reason why this Parliament has three committees. It is not my responsibility to continuously answer questions that concern the Departmental Committee on Finance, and the Public Debt and Privatisation Committee. The role of the Budget and Appropriations Committee relates to expenditure unless we disband the Public Debt and Privatisation and the Departmental Committee on Finance and Planning in this House and convert them into departments under the Budget and Appropriations Committee. Otherwise...

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Ndindi Nyoro. The purpose of the Budget and Appropriations Committee is to look at what has to be borrowed and what has to be raised.

(Hon. (Dr) Ojiambo Oundo spoke of the record)

Order! Yes, now you can contribute. We should stop there. While contributing, also continue educating Kenyans and the wider public on these matters.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): This is a House of debate and records. This kind of exchange should be encouraged as many times as possible so that Kenyans understand that Members of Parliament are not merely voting robots, but they have brains, and they can debate.

The Temporary Speaker (Hon. Farah Maalim): That is precisely why...

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Let me join my colleagues to support the Report of the Public Debt and Privatisation Committee on the consideration of expenditures of the Consolidated Fund Services under the Financial Year 2026/2027 Budget Estimates. Allow me to read verbatim paragraph 90 (1) of the Report:

At about 6 per cent of GDP, interest payments exceed development expenditure, which is estimated at 3.6 per cent of GDP, indicating that debt service costs remain a major component of public spending and continue to shape the fiscal space available for development priorities.

Anyone who has attended an elementary economics class understands that an economy has a higher chance of expanding when a larger share of expenditure is directed towards development. Current consumption, as much as it might be a source of improving the economy, does not expand the economy. That is a fact.

The import of this statement alone, and I say so as a Christian, is that many times I would read a verse in the Bible and base a sermon on that verse. I do not know how our Muslim brothers do it, but that is where I have started. The import of this committee's observation is that this economy has limited capacity to expand and accommodate the ever-increasing number of young people and Kenyans joining the economy. That is a fact. Any other stories or political pontification is our typical political posturing. That is why we must, as a country, sit down and be honest with each other.

Again, typical of us, we have a budget expenditure of Ksh4.6 trillion and an estimated revenue of around Ksh3 trillion. It means we have a deficit of Ksh1.1 trillion, and that we shall borrow about 30 per cent of what we need to spend this year. An adage says you must stop

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digging when you are in a hole, if you want to get out. We are in a hole yet we keep fetching water and pouring it in. The water seeps into the soil and we remain in the hole. We will never get out. The challenge now lies with us and the Executive, and the so-called experts that the Orange Democratic Movement (ODM) donated to Treasury. We must sit down, avoid endless journeys in choppers, remain at our desks, scratch heads, think through, and ensure that we resolve this matter. There is so much to say that we continue to say outside this House.

As I conclude, the most interesting observation is that most debt repayments go towards domestic debt. You and I know who controls money in the domestic debt market. The hand is taking from the left and giving to the right. It becomes a vicious cycle as the rest sitting on the periphery become bystanders and spectators.

The Temporary Speaker (Hon. Farah Maalim): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Motion on considering the expenditures of the Consolidated Fund Services under the Budget Estimates for the Financial Year 2026/2027.

I begin by thanking Members of the Public Debt and Privatisation Committee. As you have said, they consider the expenditure of the Consolidated Fund Services as a consequence of commitments we have already made. It is true and I must agree with my brother Hon. Oundo that many of the things we are arguing here are facts. We should not even be arguing but be honest with each other.

The truth is that we have a fiscal deficit every year; year in, year out. The question we should be asking ourselves as leaders today is how to bridge the gap to reduce the fiscal deficit continuously. That is the only way to reduce borrowing. Forget about all these other semantics about whether securitisation is borrowing or not. There are various schools of thought on whether securitisation amounts to actual borrowing or not. We may not have time to academically explore all the schools of thought in this debate. That includes those who are students of economics and accountants such as ourselves.

The fact is that we have a fiscal deficit. This year, for the first time in the recent past, we have budgeted for the highest fiscal deficit at 5.3 per cent. Again, that is a fact from which we cannot run away. What you were trying to educate the country on is exactly what informs the fiscal deficit. We have budget estimates or expenditure estimates that outstrip our revenue projections.

The other fact is that we have said it here. If you want to be leaders, not political noisemakers, as some of us want to be to be seen how intelligent we are out there, if you are a true leader, you should be honest enough to tell the people of Kenya and the world that we are dealing with a wartime economy, as I said here when we were debating these estimates and the fuel economy matters.

Global supply chain logistics are disrupted, whether we like it or not. Availability of fuel around the globe is also disrupted. We do not live in an ivory tower. We live in a congested world with the rest of the world. Even as we budget today, we must be very honest with ourselves that these budget estimates that we are budgeting today, very soon, we may have to look at a Supplementary Budget to further cut on our expenditure estimates not just with the view of reducing the fiscal deficit that we have budgeted for, but also cognisant of the fact that we are living in uncertain times. We do not know and we have no control over when the war in the Middle East will end.

I hear some who purport to be very intelligent telling us, “Oh, the Strait of Hormuz, no oil, not a single barrel of our oil goes through the Strait of Hormuz.” That is a plain lie. If you look at where we are buying our oil from, Saudi Arabia, and you have been there for Hajj... Unfortunately, this year you did not make it because of your busy schedule.

The Temporary Speaker (Hon. Farah Maalim): Yes, I made it.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Oh, you made it? I thought, because I had seen you two or three weeks ago before the recess, you did not make it for Hajj.

The Temporary Speaker (Hon. Farah Maalim): Yes, I made it for Hajj.

Hon. Kimani Ichung'wah (Kikuyu, UDA): At least you have been to Saudi Arabia. Some of us have never. Even those who purport to know the region do not know Saudi Arabia. Where the oil fields are and where the refineries are, and I said here last week, are two different things. Some of the refineries have even been demolished. The one in Bahrain, for instance, was bombed by Iranians. We have no control over these things. But we have to live with them in our country and in our time. What do we do as leaders? We must manage our expenditure. We must be able to rationalise all our expenditures.

I want to call on us, as leaders, now to desist from the politicking and the grandstanding and start offering solutions. It is very easy for you to stand here and purport that there are people who imagine they are more intelligent than others and throw jabs at each other. But at the end of the day, the people we represent want to see solutions. To also set the record straight, as I call for leadership, the Public Debt and Privatisation Committee has done an excellent job. They have told you. If you look at the figures in this Report, almost 1.0 out of the Consolidated Fund Services, the public debt service allocation is Ksh2.31 trillion.

Ask yourself, if you are spending Ksh2.31 trillion on debt service allocation, and your projected revenue is Ksh3.6 trillion, you will be left with about Ksh1.3 trillion. We are still in mediation with the county governments that are asking for another Ksh450 billion out of that Ksh1.3 trillion. How much are we left with for expenditure? That is why I like intelligent, informed and honest contributions like those of Hon. (Dr) Ojiambo Oundo, who is asking us, if our debt service today, even interest payments, are higher in terms of percentage to GDP than our development allocation in our estimates, what are we doing to our country? Those are the solutions we should be looking for today.

As we point fingers at each other, the Committee is telling you that out of this Ksh2.31 trillion, Ksh1.06 trillion is in redemption, or rather principal payments, and Ksh1.25 trillion in interest payments. That tells you interest payments alone are taking close to 54 per cent, almost 60 per cent, of our Consolidated Fund Services. Therefore, as we consider these estimates, we are not paying interest on debts borrowed in the last two years, or the last three years, presided over by Hon. Samuel Atandi and Hon. Ndindi Nyoro as Chairpersons of the Budget and Appropriations Committee.

Hon. Temporary Speaker, I do not mention their names in vain because they did not do this work alone. We did it collectively, dictated by the circumstances of our economy at the time. Just like today, we are budgeting dictated by circumstances that pertain today, not last year.

It is very easy to say H.E. Mwai Kibaki did not borrow this much. That is a very popular notion out there with villagers and other people who may not understand and may not know what you know. But we must be honest and tell Kenyans that H.E Mwai Kibaki presided over an economy under the old Constitution, which had no devolution. Nobody was asking H.E. Mwai Kibaki for Ksh0.5 trillion to go to a county government. We had a Government after H.E. Mwai Kibaki that was in power for 10 years.

The Temporary Speaker (Hon. Farah Maalim): What is out of order, Hon. Ndindi Nyoro?

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, it is important for us to note that we are disinforming Kenyans. The fact of the matter is that the entire 10 years of President Mwai Kibaki, Kenya borrowed Ksh1.2 trillion.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Member. Let us not go there. I will explain to you. When you go on a point of order, you are raising on a specific

matter that is out of order, which is a result of the chair. But you keep on going back 10 years. What is it? What is out of order?

Hon. Ndindi Nyoro (Kiharu, UDA): I have sat here listening and the Hon. Leader of the Majority Party keeps talking about solutions. But his entire presentation so far and time is actually out, is about lamentations. So, if we have the Government lamenting before the Kenyan people, what do you want Kenyans to do?

The Temporary Speaker (Hon. Farah Maalim): Order! Order, Hon. Ndindi Nyoro! Proceed Hon. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I don't know what is itching my brother because I have not even finished my contribution and I was headed there. I was saying, rather than lecture the country to want to seem to look intelligent, what we should be offering are solutions. We should be telling Kenyans honestly that the Mwai Kibaki Government did borrow, but they were living under different circumstances, not under the 2010 Constitution. Under the 2010 Constitution, when the former President Uhuru Kenyatta came into power in 2013, you will see the exponential growth of that debt dictated again by our circumstances.

I know some of these Members were not in that Parliament, but we were there. The former Chair of the Budget and Appropriations Committee, a great Kenyan by the name Hon. Mutava Musyimi presided over an audit of the 2010 Constitution implementation and tabled a report in this House, that told us we cannot and we will not afford to implement this Constitution in its entirety with our economy as it is. These are things that are in this House, that we can read and inform ourselves.

However, that be so, we are where we are, aware that we cannot claw back on our gains in the Constitution of 2010, because the people of North Eastern Kenya today can pride themselves with having a brand-new stadium in Wajir County. The people of Wajir for the first time in the history of Kenya feel part and parcel of the Republic of Kenya. They are not excluded. That is the new nation that we are fashioning and that nation cannot be fashioned with petty politicking, grandstanding and throwing jabs at each other to look intelligent to our villagers. I do not want to be that villager who looks brighter than fellow villagers. I want to be a leader in this country who will offer solutions. Those solutions come in the Sovereign Wealth Fund that is before this House being considered by the Departmental Committee on Finance and Planning. Those solutions come in the National Infrastructure Fund, which we set up as this House to be able to have alternative means of financing this budget so that we do not continue growing our fiscal deficit. Those are the solutions we should be offering.

Some of the Members speaking about these issues, are people who stood in their place here to oppose the establishment of the National Infrastructure Fund. However, this is the Fund that we campaigned with in 2022. Page 10 of the Kenya Kwanza manifesto spoke about the establishment of this Fund and some Members here were very loud during the campaigns. Some of those who were on top of cars, pretending to be intelligent economists, spoke to the establishment of the National Infrastructure Fund, 2026.

(Applause)

That is hypocrisy, dishonesty and political grandstanding for cheap publicity. They are now saying that we are engaging in illegal borrowing or odious debt – language that they have borrowed from someone called Jimmy. I do not even know what Jimmy does in this country. I heard that he is the party leader of a political party that was once led by a former Member of Parliament from Kikuyu.

Securitisation is part of the solution to the systemic fiscal deficits that we have year in, year out. We should find alternative means of financing our development and recurrent

expenditures. We changed our education system from the 8-4-4 system to the Competency-Based Curriculum (CBC) during the Uhuru Kenyatta regime. We knew we had a deficit of 116,000 teachers.

(Several Members spoke off the record)

Hon. Temporary Speaker, I do not know what I have said to agitate them because the CBC...

The Temporary Speaker (Hon. Farah Maalim): Order! Everyone will have an opportunity to contribute. Let us not have endless interruptions. He is contributing. Wait until he completes his contribution.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): I have due respect for the Leader of the Majority Party because he requires a lot of effort and energy to execute his mandate.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): However, for record purposes, is he in order to say that the 8-4-4 system of 'government' was initiated during President Uhuru's regime and has now been changed to the current system? Let us be factual.

The Temporary Speaker (Hon. Farah Maalim): No. He did not say the 8-4-4 system. He said the CBC.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, my brother, Hon. Oundo, was touched when I mentioned Uhuru Kenyatta's name. He even referred to it as the 8-4-4 system of 'government'. It is the 8-4-4 system of education. That is a fact. When the former Cabinet Secretary for Education, Amina Mohammed, slowed down on the transition from 8-4-4 to CBC, she was fired by the former President Uhuru Kenyatta. He then brought in those he thought would fast-track the transition to CBC. However, that left this country in very uncertain times, which I do not have time to go into.

Nonetheless, part of our recurrent expenditure goes towards payment of salaries and wages. Our Kenya Kwanza Manifesto highlighted a shortage of 116,000 teachers. The Chairman of the Departmental Committee on Education is present and can confirm the same. Approximately 100,000 teachers out of the required 116,000 teachers have since been employed. We have to pay them. Those teachers are not employed to stand in shopping centres in Kikuyu, Kiharu or Funyula. They are teaching our children in schools and we have to pay them. As a result, we must consider ways of financing the recurrent and capital expenditure without overburdening the Kenyan tax payer with additional taxes. Kenyans have loudly told us that they do not have space for additional taxation. That is why I was speaking to the establishment of the National Infrastructure Fund, 2026, the Sovereign Wealth Fund Bill and new innovative ways of financing our development expenditure outside our budget through initiatives such as securitisation.

I support this Motion by the Public Debt and Privatisation Committee and encourage them to be forthright members of our society, faithful to the truth and to help steer our nation through our problems. We are in problems that were not created in the last three years of the William Ruto administration but were created over a decade ago. I heard the Member for Funyula tell us that the owners of capital wanted us to continue borrowing domestically. It is true and he knows those who were presiding over state capture in the last regime. They are at pains today because we are consistently moving away from that through innovative means of financing our Budget. We are not borrowing domestically and we are not growing their banks. No wonder some of them have begun selling their banks to South Africans. Shame on you.

The Temporary Speaker (Hon. Farah Maalim): Hon. Rindikiri Mugambi.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. I have listened to the debate and I am a very disturbed legislator. What I have heard is completely out of the debate which has been presented by the Committee. On pages 24 to 26, the Committee has made observations and recommendations. I thought we shall confine ourselves to what the Committee has observed and what it has recommended but what it has turned out to be is a jargon exchange as to who is right and who is wrong.

I came here because I am concerned, like any other Kenyan citizen, on the issue of debt and borrowing, and borrowing for priority projects. The timelines, because we have focused ourselves on the long-term borrowing, is now becoming a major problem. We started feeling the effects of borrowing after this Government came into office, and we cannot run away from that fact because this is the time a lot of money is going towards debt repayment. If we take the volume of money that used to pay debt, it is really affecting our development budget and that is a fact. What I would have expected to hear from the people who claim to have more knowledge than others is on the recommendations of the Committee. What should be our focus?

What has been lacking is a situation where the growth of debt service expenditure does not match with Section 16 of the PMF Act Cap 412A. What the Committee is recommending is that we need to start reducing the deficit and stabilise the public debt. I think this is what the Committee is recommending. However, when we start talking about other issues... The Committee has made it very important and that is one of the problems that we have been having over the years. I do not want to confine myself into thinking of Uhuru, Kibaki, Moi or Kenyatta. The point is all these governments have not been focusing on this and the right time has now come. That is what the Committee is pleading.

Hon. Temporary Speaker, it is like it was an open-ended thing. Once the National Assembly has made recommendations, the National Treasury does not act immediately. That is what the Committee is now saying that within 30 days of adoption of this Report, the National Treasury should submit to the National Assembly a clear debt reduction path, indicating annual target, policy measures and timelines for achieving 55 per cent debt. I think this is very important and we need to support the idea of setting the time limit because in the past, it was left open. They would submit any time, but now the Committee is recommending 30 days. That is very important.

The other important thing is we have been borrowing without matching the expenditures with the priorities and that is what the Committee is doing. Let us borrow money and let us get into debt, but they need to be matched with the projects in terms of development.

Finally, Hon. Temporary Speaker, it appears that we have had challenges regarding disclosure on what borrowed funds are intended to finance and how those funds are to be used. The Committee has now come up with clear guidelines on how these debts and borrowed resources will be used.

With those few remarks, let us not play to the gallery. I had expected my friend Hon. Ndindi Nyoro, whom I respect very much, to confine himself to the matter before us. However, since he chose not to do so, I chose to limit my comments on...

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Hon. Melly.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Temporary Speaker. I rise to support the Committee's Report on its consideration of the expenditures of the Consolidated Fund Services for the Budget Estimates for the 2026/2027 Financial Year.

The Committee examined fiscal sustainability of public debt, debt management and the need to ensure that debt does not suffocate the growth of the economy of this country. If one looks at the Report, the Consolidated Fund Services projects a debt of Ksh2.56 trillion. This indicates a very high increase in debts. Of this amount, Ksh1.5 trillion will be spent on interest payments alone. This is far higher than the country's development expenditure.

The Report addresses several issues. The foremost question is how, as a country, can continue to grow amid the challenge of rising public debt. Two issues emerge very clearly. First, every shilling borrowed must be directed towards activities that grow the economy. As the economy expands and the country's GDP increases at the right time, we will be able to meet our debt obligations.

Second, we need to reduce borrowing as a country. The Report also strongly advocates borrowing for infrastructure development, agricultural productivity, proper manufacturing for export, value addition and energy reliability. The cost of energy in this country remains very high and significantly contributes to the cost of production. The cost of energy in the manufacturing industry, tea factories and many other industries is very high. To this end, even where borrowing is necessary, it should be directed towards achieving cheaper energy. This will reduce production costs, making locally manufactured goods cheaper and exportable within the sector.

Another issue concerns debt redemption or debt repayment. Managing debt obligations will ensure that net revenue collected from citizens is used for development rather than being consumed by loan repayments and interest payments, leaving us with very little to run the economy. The Report highlights very important issues relating to refinancing pressures and the crowding-out effect. If we continue to borrow, especially from the domestic market, we risk crowding out the private sector. This is an important point that Members should take note of. If the Government is going to borrow internally, it means the cost of borrowing will be very high and those in the private sector cannot afford it. The Government should, therefore, minimise domestic borrowing and look for sustainable financing options.

Lastly, are ways to ensure long-term debt sustainability. What measures are we putting in place as a country to ensure that our debt remains sustainable, does not suffocate economic growth and enables us to develop the country together? The only way, which the Report puts out very clearly, is to ensure that every shilling borrowed is accounted for. The Committee has given a very important recommendation here that every loan that is borrowed has to be subjected to due process to see to it that it is doing what it is intended to do. I support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Catherine Omany, I thought I saw your name?

Hon. Catherine Omany (Busia County, ODM): Yes. I just wanted to congratulate the Budget and Appropriations Committee.

The Temporary Speaker (Hon. Farah Maalim): That is not the Budget and Appropriations Committee; it is the Public Debt and Privatisation Committee.

Hon. Catherine Omany (Busia County, ODM): I wanted to talk about it just a little. They have done a good job, mostly on agriculture, education and health. That is where my concern is because last time there were many gaps, and last week I discussed them. So today, I was just here to listen. Hon. Ndindi Nyoro is misleading Kenyans and I warn him to stop that. We should take Kenyans seriously and take every issue that may arise...

Hon. Ndindi Nyoro (Kiharu, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Order! Order! The word 'misleading' is parliamentary. It does not necessarily attract a point of order, but proceed if you want to say something. What is your point of order, Hon. Ndindi Nyoro?

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, is it in order for a Member who was visibly asleep to just wake up, purport that we are discussing the Budget Report, and then go ahead and impute improper motives upon a Member who gave a very objective consideration of the Report before the House? Hon. Omany, I request that when you are in the House, be in the House. You seem to be troubled.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Ndindi Nyoro! Parliament is allowed, occasionally, to have that candour and banter. You have made your

point. For your information, we are not discussing the Budget Report. We are discussing the Public Debt Report.

Proceed.

Hon. Catherine Omanyo (Busia County, ODM): Hon. Temporary Speaker, I think my colleague raises his voice where it is not even necessary to do so. I was just calmly reminding him that it is out of this Budget that we pay our debts. It is out of this Budget that I am seeing so much has been sealed to avoid, or at least reduce, corruption so that we keep reducing our loans and debt. I do not know why he keeps screaming when talking. Can he also learn how to talk to others? Hon. Ndindi Nyoro, do not be screaming at people like that.

The Temporary Speaker (Hon. Farah Maalim): Hon. (Dr) Mutunga, do you wish to contribute to this?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Yes.

The Temporary Speaker (Hon. Farah Maalim): Where is Hon. Dorothy Muthoni Ikiara? Yes, you are there. You are next. I do not think there is any more interest. We will have to ask the Mover to reply.

Proceed, Hon. (Dr) Mutunga.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Temporary Speaker, thank you very much for the opportunity to add my voice to the debate. I commend the Committee for the Report and support its adoption. I have noted with a lot of appreciation that this Committee clearly changed the Report on the Debt Management Policy that was presented to this House and was seriously discussed before we started discussing the budget activities for this year. That Report was launched in the first quarter of this calendar year. We discussed it and adopted it as a House. The Committee has highlighted or observed a number of issues that are important to this country.

Hon. Temporary Speaker, the Committee has specifically noted that we have institutions in this country that raise revenue through Appropriation-in-Aid (A-in-A). Whether it is disclosure levels or the fact that it does not rise to the extent that it supports the National Treasury to cushion its expenses, then there is an issue. We do not have many institutions with A-in-A that is enough to finance their budget and also surrender 90 per cent or 100 per cent, and then get back 10 per cent of the revenue raised to the institutions. This would enable the National Treasury to allocate this money to other sectors.

I am privy to the information that the National Treasury sometimes goes out to try and capture those who try to keep this revenue at the institutions. I remember two years ago, there was a moratorium that every State corporation should support at least 30 per cent of their budget. There are also measures that have been put in place. We are aware that the Budget and Appropriations Committee cannot pass a Money Bill, if it cannot raise enough revenue to support the activities or it overstrains the Exchequer because most of them basically target it. If a Money Bill focuses on getting money from the Exchequer, in most cases, the objective of the Budget and Appropriations Committee is to stop it from being passed, so that we may not occasion excessive expenditure from the Exchequer.

My appeal to many institutions in this country is to be honest in our reporting. It is possible to discover that some of the institutions do not display or disclose the amount of revenue that they generate. This is an aspect that we, as a country, need to focus on. We need to ask ourselves what kind of institutional or structural management tools that we need to adopt. For instance, the management applications we have can disclose how much revenue is being raised by different institutions. I have looked at the changed circumstances. I allude to the fact that this country is today running at an extremely high cost. Before the implementation of the Constitution 2010, the Government used to be extremely lean. When we started the implementation of the county governments or devolved governments, the demand for money

increased. We are also at a stage of development where we are moving very fast, in terms of what needs to be done.

On the other hand, we should be privy to the fact that, as we move forward, the changing circumstances and demands that are coming up occasion us to look for money. It is the position of this Government that we should borrow a lot more externally, in terms of long-term concessional loans which are cheaper.

The Temporary Speaker (Hon. Farah Maalim): Hon. Ikiara and then I will call upon the Mover to reply.

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Temporary Speaker. I also thank the Chair and Public Debt and Privatisation Committee on this very important move. I support the Committee's observation. The recommendations should be followed, so that we can move this country.

It is true that we need money for development. We have had a crisis in the education sector for a very long time. Our teachers were not being employed for a long time. This Committee has come out with the recommendations and observations. I hope they will be adhered to.

Hon. Temporary Speaker, I support the Motion.

The Temporary Speaker (Hon. Farah Maalim): Due to the circumstances, I call upon the Mover to reply.

Hon. Aden Mohammed (Wajir East, JP): Thank you, Hon. Temporary Speaker. I thank Members for taking their time to contribute to this Report of the Public Debt and Privatisation Committee on consideration of the expenditure of the Consolidated Fund Services under Budget Estimates for the Financial Year 2026/2027. The Committee is grateful for the support that the House has given. In particular, I note that Hon. Ndindi Nyoro, Hon. Oundo, Hon. Kimani Ichung'wah who is the Leader of the Majority Party, and others contributed well to this debate.

I want to put the record straight on behalf of the Public Debt and Privatisation Committee. You raised a question about public debt. Public debt stood at Ksh8.579 trillion in June 2022. It was Ksh10.279 trillion in June 2023. In June 2024, it was Ksh10.361 trillion. In June 2025, it was Ksh11.81 trillion. We do not have the figures of June 2026 because they are not out yet. However, the figure stood at Ksh12.833 trillion as at March 2026. We are projecting it to be Ksh14.12 trillion by June 2027. Hon. Temporary Speaker, you had asked for those figures.

There is a small thing to Hon. Ndindi Nyoro—the Public Debt and Privatisation Committee is not a debt-creating Committee. Rather it is an oversight Committee. We do not create debt. You people in the current House brought this Committee. I hope that it will exist in the next Parliament. Just to put the record straight, Hon. Makilap did not create the debt.

The Committee remains committed to strengthening parliamentary oversight over public debt, statutory expenditure and the broader fiscal framework. It is our expectation as a Committee that the adoption and implementation of the recommendations contained in this Report will contribute to improved debt management, enhanced fiscal transparency and accountability, and better safeguarding of fiscal space for priority national programmes.

Even today, Kenyans brought a Petition before the House regarding intergenerational debt. These are things that need to be discussed and seized of by this Committee and the House.

I thank you, Hon. Temporary Speaker. I beg to reply.

(Question put and agreed to)

The Temporary Speaker (Hon. Farah Maalim): Next Order.

ADOPTION OF REPORT ON INSPECTION VISIT TO THE
EAST AFRICAN SCIENCE AND TECHNOLOGY COMMISSION AND
THE EAST AFRICAN HEALTH RESEARCH COMMISSION

THAT, this House adopts the Report of the Committee on Regional Integration on its inspection visit to the East African Science and Technology Commission in Rwanda and the East African Health Research Commission in Burundi, laid on the Table of the House on Wednesday, 5th November 2025.

The Temporary Speaker (Hon. Farah Maalim): Where are the Chairs? We are here because Order No. 10 and Order No. 11 were dropped. We are now on Order No. 12. Where is the Chairperson of the Committee on Regional Integration? The Chairperson is not in the House and there is no Member to move the Motion. This Report is deferred to a later date when Committee Members and the leadership are here to move it.

(Motion deferred)

Next Order.

NOTING OF REPORT OF THE KENYA
DELEGATION TO THE 151ST IPU ASSEMBLY

THAT, this House notes the Report of the Kenya Delegation to the 151st Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland, from 19th to 23rd October 2025, laid on the Table of the House on Wednesday, 11th March 2026.

The Temporary Speaker (Hon. Farah Maalim): The leader of the delegation is not in the House. In the circumstances, I defer Order No.13 to another date when the leadership of the delegation to the IPU is on the Floor of the House to move it.

(Motion deferred)

Next Order.

ADOPTION OF SECOND REPORT ON STATUS OF
REPORTS ON PETITIONS AND HOUSE RESOLUTIONS

THAT, this House adopts the Second Report of the Committee on Implementation on status of Reports on Petitions and Resolutions passed by the House, laid on the Table of the House on Thursday, 26th October 2023.

The Temporary Speaker (Hon. Farah Maalim): The Chairperson of Committee on Implementation. He is not in the House.

(Motion deferred)

ADOPTION OF REPORT ON INSPECTION VISITS TO
SPECIAL NEEDS SCHOOLS IN SPECIFIED COUNTIES

THAT, this House adopts the Report of the Committee on National Cohesion and Equal Opportunity on the Inspection Visits to fourteen special needs schools in specified Counties, laid on the Table of the House on Tuesday, 30th July 2024.

The Temporary Speaker (Hon. Farah Maalim): The Chairperson Committee on National Cohesion and Equal Opportunity. None? This matter is also deferred to a later date in the future when the Chairperson or any Member of the Committee will be in a position to move that report.

(Motion deferred)

ADJOURNMENT

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, there being no other business in the Order Paper for today and the time being 6.50 p.m., the House stands adjourned until tomorrow Wednesday, 10th June 2026 at 9.30 a.m.

(The House rose at 6.50 p.m.)

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