REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Tuesday, 18th August 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: Order, Hon. Members! We now have quorum to transact business. Clerk-at-the-Table.

(Several Members were upstanding)

Members on their feet, take your seats.

PETITION

UNFAIR LENDING AND ASSET FINANCING
PRACTICES BY MOGO AUTO LIMITED

Hon. Speaker: Hon. Members, I have a Petition to convey to the House regarding the unfair lending and asset financing practises by MOGO Auto Limited. Article 119 of the Constitution accords any 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 that presented by a Member.

Hon. Members, I wish to report to the House that my office has received a Petition from Mr Charles Gishira, the National Executive Chairperson of the Kenya Bodaboda Riders and Owners Association, representing bodaboda riders, owners, operators and other key road safety stakeholders across the country. The petitioner seeks the intervention of the National Assembly regarding persistent complaints and grievances raised by members of the Association against MOGO Auto Limited, a company operating in Kenya and engaged in the provision of asset financing and lending services.

Hon. Members, the petitioner raises concerns regarding MOGO Auto Limited's compliance with the regulatory framework governing lending and asset financing, including whether the interest rates and charges levied align with the requirements administered by the Central Bank of Kenya. The petitioner alleges that the company imposes excessively high interest rates and other charges exposing borrowers to financial hardship and exploitation. He cites inadequate disclosure of loan terms, repayment obligations, and associated charges thereby limiting borrowers' ability to make informed financial decisions and undermining consumer rights guaranteed under Article 46 of the Constitution.

The petitioner claims that borrowers are not provided with logbooks despite making substantial repayments towards the financed motorcycles, and that recovery practices against defaulting borrowers are unfair and oppressive. The petitioner also raises concerns regarding the protection and handling of customers' personal data, in breach of data protection laws,

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particularly the collection, processing, storage, and sharing of such data. He questions the effectiveness of tracking devices installed on financed motorcycles and the procedures governing insurance claims and compensation in cases of theft, loss or accidents involving financed assets.

The Association states that its members have reported instances in which, despite making substantial repayments that exceed the value of the financed motorcycles, they ultimately do not acquire ownership of the assets. He alleges that motorcycles are repossessed immediately upon default; stolen motorcycles are not recovered despite being equipped with tracking devices; and borrowers are pursued for repayments notwithstanding insurance compensation, leading to adverse credit listings.

The petitioner states that efforts have been made to address these grievances, including through engagement with the Departmental Committee on Finance and National Planning. However, they allege that MOGO Auto Limited failed to attend the committee meetings convened to address the concerns raised. The petitioner, therefore, prays that the National Assembly investigate the operations of MOGO Auto Limited with a view to establishing its compliance with the applicable legal and regulatory framework governing lending and asset-financing services, and recommends appropriate legislative, regulatory, and administrative measures to protect bodaboda riders and other borrowers from exploitation, intimidation, and unfair business practices.

Hon. Members, having determined that the matters raised by the petitioner fall squarely within the authority of this House and that the issues raised in the Petition are not pending before any court of law, constitutional body, or other legal entity, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A. The Committee is required to consider the Petition and report its findings to the House and the petitioner in accordance with Standing Order 227(2).

Thank you. Yes, Hon. Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker, and let me thank the individual who has brought that Petition to this House. The space for bodaboda and the lending and asset-financing arrangements for motorcycles are not good. Indeed, currently, the bodaboda riders who have been given motorcycles are at risk. Their lives are at risk.

It is not only MOGO. There is another one called Watu. I would want to ask you, Hon. Speaker, kindly, that you order that the Committee prioritises this matter because they do not only lose the motorcycles, but sometimes they are even killed and the motorcycle just disappears. The tracking system does not work completely, so that not a single motorcycle can be found!

In my own area, Emuhaya, that has been very common. Above all, no bodaboda rider who is given a motorcycle through asset financing is assured that they will finally own the motorcycle. Somehow, when they finish paying for the motorcycle, something happens and you find that the bodaboda rider is either killed, the motorcycle is stolen, or something else happens so that the motorcycle is actually taken away. So, the organisations or agencies involved in this asset financing, including MOGO, Watu and others, are actually exploiting that space, and I would like the Committee to go beyond what has been asked so that they regulate that sector very well and ensure we do not have exploitation.

Hon. Speaker: Hon. Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. I stand to support the Petition and I ask the Public Petitions Committee to prioritise this issue because it is affecting many of the bodaboda operators. You will find that a bodaboda rider has paid almost everything and is only left with, perhaps, a little interest, but these people come when he defaults towards the end, and they take the motorcycle, leaving the bodaboda person to

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suffer. It is something that this House must prioritise because I know it is of concern to the public.

I ask the Public Petitions Committee that it should not just be about MOGO Auto Limited, but should involve all the lenders financing bodaboda motorcycles within the country so that that space is regulated. We should rein them in because it is actually making many people poorer than they were before.

I support this Petition.

Hon. Speaker: Yes, Hon. Wanjala.

Hon. Raphael Wanjala (Budalang'i, ODM): Thank you, Hon. Speaker. I also want to add my voice and support to that Petition.

Hon. Speaker: For the record, the petitioner is called Charles Gichira.

Hon. Raphael Wanjala (Budalang'i, ODM): Yes, Charles Gichira. These companies, again, collude. Their technicians put some security gadgets in those motorcycles. They organise with them and follow up on the person who has taken the motorcycle. They go and steal the motorcycle and remove the gadget so that the motorcycle is never seen again. This has really impoverished our bodaboda riders on the ground. Even when the borrower is still paying, and he has paid a lot of money and very little remains, they go ahead to repossess the motorcycle. The worst thing is that when they remove these gadgets from the motorcycle, they still force the motorcycle owners to pay them, yet the motorcycle had insurance.

I support the Petition.

Hon. Speaker: Thank you, Hon. Wanjala. Hon. Cherorot.

Hon. Joseph Cherorot (Kipkelion East, UDA): Thank you, Hon. Speaker. I stand to support the Petition by Charles Gichira. This issue of bodaboda is everywhere in the Republic. The biggest problem that is going on now in our country, especially in my constituency, is that these lending companies are taking advantage of this vulnerable group of bodaboda riders. In my area, I had to intervene at some point because of one bodaboda rider whose motorcycle they repossessed, and that motorcycle disappeared completely. This matter has to be addressed, and the Public Petitions Committee has to make sure that justice is done, especially for this group of bodaboda riders. It is not only about MOGO. Even the other lending companies that are taking advantage of wananchi should be dealt with accordingly. Otherwise, I support.

Hon. Speaker: Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Speaker. I support the Petition. It is timely. Bodaboda riders seem to be the backbone of most economies in rural Kenya, and the amount of trouble they go through is very worrying and annoying. Many times, these lenders actually wait until the borrower has less than Ksh10,000 to complete the payment. Then they come and repossess the motorcycle, and it disappears. We really need the Public Petitions Committee to have a thorough review of this matter, covering the entire sector and the entire value chain, so that we can save our bodaboda riders. They are very important. They saved most of us on Sunday in Homa Bay when we were attacked by terrorists. So, we must always support them all the time.

Hon. Speaker: Hon. Ariko. There is a microphone over there.

Hon. John Namoit (Turkana South, ODM): Thank you, Hon. Speaker. I stand to support this Motion.

Hon. Speaker: There is no Motion before the House.

Hon. John Namoit (Turkana South, ODM): I stand to support this Petition by Hon... I cannot read that.

Hon. Speaker: It is a citizen called Charles Gichira.

Hon. John Namoit (Turkana South, ODM): Bodabodas constitute a large percentage of the modes of transport in Kenya. The Departmental Committee on Finance and National Planning had a session with MOGO Auto Limited to discuss this matter that was raised by

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members of the public. Unfortunately, these people did not present something substantial to support the rates they are offering the public. They normally recover motorbikes, including those with an outstanding balance of Ksh5,000. Thereafter, they sell these motorbikes to the same members of the public at a cost of over Ksh100,000. With this kind of exploitation, there is a need to lift the veil off these companies because we do not know who owns them. I, therefore, urge the Public Petitions Committee to look into this matter as quickly as possible because members of the public have suffered a lot.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. George Best.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Speaker. I also wish to lend a word to this Petition by a studious Kenyan, Mr. Charles Gichira.

There are shylocks and unscrupulous moneylenders out there who prey on impecunious Kenyans purely because they do not have money. It appears that they are changing their *modus operandi* every day. They are now targeting the bodaboda industry whereby they are getting individuals into some unconscionable and unlawful contracts that cannot be sustained even in a court of law. Since these Kenyans cannot wriggle out, they take advantage of them.

We are currently looking at the *in duplum* rule in most of these contracts. It is high time we examined whether it should be introduced into contracts because these are not moneylenders. They are neither banks nor financial institutions. They are people who just register a business and get people to sign contracts. They then try to enforce those contracts with unconscionable rates of interest. The terms of contract cannot be sustained and are totally onerous.

As this House looks into this matter now, we will also look at the law of contract to see whether the *in duplum* rule should be introduced in all contracts, especially where money is being lent. Otherwise, the bodaboda industry is one of the most important industries in the country. We know the revolution and what it has done for our young people. These are people who have no other sources of income, but by providing basic modes of transport, they can earn a living and make transport across locations easy. We must protect and speak for the bodaboda industry. Such unscrupulous persons, who are doing what MOGO Auto Limited is doing, should be brought to book. Whether under the law or where they commit offences, they should be prosecuted and punished harshly.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Janet Sitienei.

Hon. Janet Sitienei (Turbo, UDA): Thank you, Hon. Speaker. I wish to support this timely Petition by Mr Gichira. The bodaboda sector has been exploited for far too long by business people. This cuts across my constituency. They have raised concerns regarding business people selling a bodaboda that usually retails at Ksh150,000, but at the end, the loan repayment is Ksh450,000. You can imagine an interest of 200 per cent. I think this should be addressed because bodaboda is one of the sectors that injects into our economy. This is timely. We would like this addressed to ensure the bodaboda sector is not exploited. It should be catered for because it is a source of livelihood.

I support this Petition.

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to take a completely different tangent from these comments. You may remember way back in June of 2024, this House considered similar complaints on the buy-now-pay-later arrangements, which is the genesis of such a Petition by Mr Gichira.

The Departmental Committee on Finance and National Planning considered this matter and tabled a report before this House. Part of the gaps that were identified in that report are issues to do with the regulatory framework on the buy-now-pay-later kind of schemes; issues

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that touch on the complex nature of loan agreements, which our bodaboda riders are not able to internalise and comprehend; and, issues of consumer protection. There were concerns regarding the transparency on responsible lending and complaints over the handling of debt collection. Those are the issues we are now talking about.

As I said, I beg to take a different tangent because we are now making this House a talk show, where we just talk and do nothing. That is exactly what we are doing. Many of these bodaboda riders do not understand the agreements that they get into. That is why the Departmental Committee on Finance and National Planning had specific recommendations on tightening the legal framework around it. I say this because the challenge is now upon that particular Committee and the Committee on Implementation, chaired by the Member for Budalang'i, Hon. Raphael Wanjala.

I would want to hear from the Chairman of the Committee on Implementation on what he has done to ensure that the recommendations that were passed by the House on the buy-now-pay-later arrangements, including the actualisation of a regulatory framework, have been implemented. The laws exist but people are not being protected because the laws that are already in place are being ignored. All these schemes and predatory lenders who are lending to the bodaboda sector, including those that were named like MOGO and Watu, are simply taking advantage of their ignorance. We must ask the Chairman of the Committee on Implementation to follow through each and every report of the House.

Hon. Speaker, the genesis of this bodaboda business was the bicycles transport in Busia County, particularly in Budalang'i. I would have expected the Chairman of the Committee on Implementation to take this matter to heart. If there is a gap in the regulatory framework, I would have expected him to either get the relevant authorities, whether it is the Central Bank of Kenya or the Ministry of National Treasury and Economic Planning, to bring that regulatory framework to further tighten the lending mechanisms, or as the Member for Budalang'i, bring a stand-alone Bill that would come up with an Act of Parliament that protects bodaboda riders. Otherwise, what we are doing here now is just speaking to the gallery.

We are speaking to these bodaboda riders without offering them any help. I dare say, we are not offering them any help by just talking here and crying louder than the bereaved. We should be acting. I challenge the Chairman of the Committee on Implementation to follow through the recommendations of the Departmental Committee on Finance and National Planning. If they were followed through, we would not need to talk about this here this afternoon. I say this with immense respect to our bodaboda riders. They must be aware that they are being taken advantage of.

I began an empowerment programme in my constituency known as Kikuyu Constituency Economic Empowerment Programme. We raised money to provide bodaboda riders with motorbikes at discounted rates. However, I am still confronted by people who have borrowed from MOGO Auto Limited, Watu Credit, and other predatory lenders. Therefore, we must also educate our people. Every time I am asked questions by bodaboda riders in my constituency about such issues, I tell them to avoid these predatory lenders and encourage them to participate in the economic empowerment programme, which offers discounts of either 80 per cent or 60 per cent of the value of the motorbikes. However, they still go to these predatory lenders because they offer very enticing terms at the beginning. Many of them have lost their lives as people target their bodabodas, leading to the theft or sale of these motorbikes. They then continue to claim insurance compensation from the insurance company. The riders are mostly unaware that they have the right to pursue claims, often because the predatory lender paid for the premiums in the first year.

Therefore, Hon. Speaker, I implore you to indulge me as I challenge this House, particularly the Chairman of the Committee on Implementation. As a Member of the House Business Committee, you know why I am particularly focused on the Chairman of the

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Committee on Implementation. This is one of the committees we empowered when we amended our Standing Orders to make it one of the most powerful committees in the Republic of Kenya, yet it has become moribund—completely moribund.

The third and fourth reports by this Committee were scheduled last week, yet the Chairperson and the Vice-Chairperson were absent, and not a single Member of this Committee on Implementation was in the House. This is precisely where we are.

Thank you.

Hon. Raphael Wanjala (Budalangi, ODM): On a point of order!

Hon. Speaker: What is it, Hon. Raphael Wanjala?

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker. You have heard the Leader of the Majority Party claim that the Committee on Implementation is not doing its work, yet we have so many reports before this House. Unfortunately, last week I was attending my nephew's funeral, which is why I was not in the House. Hon. Speaker, you are aware of the status of my deputy. I do not know why she was not here; perhaps, she has a problem. You know the issue. I do not wish to say it here.

Hon. Speaker: Who is your deputy?

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Rose Museo.

Hon. Speaker: Hon. Rose Museo is always here.

Hon. Raphael Wanjala (Budalangi, ODM): She was not present that day, and I had assigned her duties. Our absence that day does not imply that the Committee is inactive; we have lined up many reports.

Hon. Speaker: Hon. Raphael Wanjala, the issue at hand is that there is a report that mirrors what Mr Gichira has asked us to pursue, along with resolutions and far-reaching recommendations. It is incumbent upon your Committee to ensure that there is follow-up and implementation of what the House has recommended. Thus, you should review that report and liaise with the relevant State agencies to report back to the House on their actions.

Second, Hon. Members, this Petition addresses a wide range of issues. For the Leader of the Majority Party, over and above what Mr Gichira is highlighting, I believe you also need to engineer legislation to regulate the bodaboda sector, protect the riders, safeguard their rights to their motorbikes, and address the predatory lenders you mentioned. In reality, they are not lenders; they are shylocks because they literally steal from these individuals! I know many young people who have been hijacked and killed, with their motorbikes disappearing, and no insurance company ever owns up. Hon. Wanjala, you have a basketful of issues to deal with and present to the House.

I will refer this Petition to the Public Petitions Committee, and if it is true that the Departmental Committee on Finance and National Planning has dealt with a similar petition, then I will enjoin the two committees.

Hon. George Murugara (Tharaka, UDA): On a point of order.

Hon. Speaker: Yes, Sir George? Hold on, Hon. Wanjala.

Hon. George Murugara (Tharaka, UDA): Thank you very much. There is yet another petition; in fact, the report has been tabled. We have to examine the *in duplum* rule under the Consumer Protection Act. As we do that, I believe we need to extend this also to these unscrupulous moneylenders, so that we can regulate them with some law while also addressing how to oversee that industry, which is rather hazy.

Hon. Speaker: Leader of the Majority Party, what you should also check and inform the House is whether these credit facilities, such as MOGO Auto Limited, are licensed by the Central Bank of Kenya (CBK). If they are, whether the CBK regulates them. If they are not licensed, how are they allowed to operate, lend money, harass, terrorise, and humiliate Kenyans and get away with it?

Yes, Leader of the Majority Party?

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Hon. Kimani Ichung'wah (Kikuyu, UDA): I agree with you. It would be advisable to involve the Departmental Committee on Finance and National Planning in this particular Petition because part of what I see in their draft report highlights your concerns. Some of these entities are not regulated by the CBK, and even the issues that Hon. Sir George is addressing regarding the *in duplum* rule indicate that they do not adhere to it at all; they simply take advantage of the lack of knowledge of many of their customers.

In closing, we may excuse Hon. Raphael Wanjala because he was bereaved last week, but all other committee members, when your Chairperson is not present, you should stand in for them and move a report on their behalf. If Raphael is absent and Rose Museo is also away, any other member of the Committee on Implementation should stand in their place and present reports for the Committee.

However, for Hon. Raphael and the Committee, it is important that you follow through on the recommendations that the Speaker has provided, to ensure that if there are laws we need to enact, we do so. It is so that we do not make this House a talking show where we come to discuss issues without actionable outcomes. We cry like those who cry to us. That Petition is a cry for help on behalf of many others made by Mr Gichira, and we should not be crying; we should be providing solutions for those people.

Hon. Speaker: Yes, Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, my committee also addresses petitions, but this is where the confusion arises. You have referred it to the Public Petitions Committee and the Departmental Committee on Finance and National Planning.

Hon. Speaker: There is no confusion, Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): The Departmental Committee on Finance and National Planning has dealt with it, and you should have committed that Petition to my Committee so that we handle it together and then direct it to my Committee.

Hon. Speaker: You are far from the facts. You already have a report to follow up on regarding implementation. This is a separate Petition going to the Public Petitions Committee, and I am directing that it be joined with the Departmental Committee on Finance and National Planning. Once they complete their work, it will come to you for follow-up on implementation. Therefore, you should follow up on what already exists and let us avoid making this House look like the Biblical Book of Lamentations was written with us in mind.

Hon. Members, allow me to acknowledge, in the Speaker's Gallery, learners from Cheplelaibei Junior School from Nandi Hills Constituency, Nandi County; Gitinga Comprehensive School from Kieni Constituency, Nyeri County, and Manyatta Comprehensive School from Kieni Constituency, Nyeri County.

The Member for Nandi Hills has requested to welcome students from his constituency. You may do so on behalf of all of us.

Hon. Bernard Kitur (Nandi Hills, UDA): Thank you very much, Hon. Speaker, for the opportunity to invite and welcome all the students who are present here today, who have come to learn about the proceedings of Parliament. Welcome to the House of Records. This is where all legislation is conducted, and the laws of this country are made. Of great significance is Cheplelaibei Primary School; this is the school where I studied from Standard 1 to Standard 8. Additionally, there are some staff members here in Parliament, like Ms Chemutai Goin, who also studied at this great school alongside many other leaders of this country. Therefore, I encourage you students to seize this opportunity to learn as much as possible so that in the near future, you will find yourselves in this House when we are no longer here.

So, take your time to learn. *Asanteni sana* and welcome again.

Hon. Speaker: You forgot to welcome the other schools also, on my behalf and on behalf of the House.

Hon. Bernard Kitur (Nandi Hills, UDA): I started with it, Hon. Speaker.

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Hon. Speaker: Okay, sorry. We welcome all the students, their teachers, and those accompanying them to the House of Parliament.

Next Order.

PAPERS

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to lay the following papers on the Table:

1. The Explanatory Memorandum in respect of the Draft Order Gazetting the Host Country Agreement between the Government of the Republic of Kenya and Africa Finance Corporation from the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs.
2. The Quarterly Economic and Budgetary Review Reports in the 2025/2026 Financial Year from the National Treasury.
3. Reports of the Auditor-General and Financial Statements for the years ended 30th June 2024, 30th June 2025 and the certificates therein in respect of the following—
   (a) Githurai Mixed Secondary School – Kiambu County;
   (b) St. Mary's Girls' Secondary School – Narok County;
   (c) St. Maria Veronica Girls Secondary School – Nyeri County;
   (d) Kiriti Girls Secondary School – Murang'a County;
   (e) AIC Mutonguni Girls Secondary School – Kitui County;
   (f) Ngala Memorial Girls Secondary School – Kilifi County;
   (g) Oloiborsoit Girls Secondary School – Kajiado County;
   (h) Ilbissil Girls Secondary School – Kajiado County; and,
   (i) Kerio Boys Secondary School – Turkana County.
4. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2025 and the certificates therein in respect of the following –
   (a) Malindi High School – Kilifi County;
   (b) Naivasha Girls' Secondary School – Nakuru County;
   (c) Larmudiac Mixed Day Secondary School – Nakuru County;
   (d) St. Thomas Aquinas Kalawa Boys Secondary School – Kitui County;
   (e) Makueni Boys High School – Makueni County;
   (f) Oloolaiser High School – Kajiado County;
   (g) Mwaani Girls High School – Makueni County;
   (h) Kathiani Girls High School – Makueni County;
   (i) St. Alphonsa Kisau Girls Secondary School – Makueni County;
   (j) Barazani Girls High School – Makueni County;
   (k) Ngao Girls Secondary School – Tana River County;
   (l) Kakamega School – Kakamega County;
   (m) Murray Girls High School – Taita Taveta County;
   (n) Kenyatta High School Mwatate – Taita Taveta County;
   (o) Goseta Boys Secondary School – Trans Nzoia County; and
   (p) Mpeketoni Boys' Secondary School – Lamu County.

I thank you, Hon. Speaker. I beg to lay.

Hon. Speaker: Chairperson of the Departmental Committee on Trade, Industry, and Co-operatives.

Hon. Bernard Shinali (Ikolomani, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

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Report of the Departmental Committee on Trade, Industry and Cooperatives on its consideration of the Business Laws (Amendment) Bill (Senate Bill No. 51 of 2024).

Hon. Speaker: Chairperson of the Departmental Committee on Administration and Internal Security, Hon. Tongoyo.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Administration and Internal Security on Administration and Internal Security on the Approval Hearing of the Nominee for Appointment as Chairperson of the Independent Policing Oversight Authority (IPOA).

I submit, Hon Speaker.

Hon. Speaker: Chairperson of the Departmental Committee on Labour, Hon. Ken Chonga.

Hon. Ken Chonga (Kilifi South, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Labour on the Approval Hearing of a Nominee for Appointment as a Member of the Public Service Commission (PSC).

Hon. Speaker: Next Order.

NOTICES OF MOTIONS

Hon. Speaker: Chairperson of the Departmental Committee on Administration and Internal Security, Hon. Tongoyo.

APPROVAL OF NOMINEE FOR APPOINTMENT AS CHAIRPERSON OF THE INDEPENDENT POLICING OVERSIGHT AUTHORITY

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, taking into consideration the findings of the Departmental Committee on Administration and Internal Security in its Report on the Approval Hearing of a Nominee for Appointment as Chairperson of the Independent Policing Oversight Authority (IPOA), laid on the Table of the House on Tuesday, 18th August 2026, and pursuant to the provisions of Article 250(2)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), this House approves the appointment of Dr Duncan Oburu Ojwang, as the Chairperson of IPOA.

Hon. Speaker: Chairperson of the Departmental Committee on Labour.

APPROVAL OF NOMINEE FOR APPOINTMENT TO THE PUBLIC SERVICE COMMISSION

Hon. Ken Chonga (Kilifi South, UDA): Hon. Speaker, I beg to give notice of the following Motion:

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THAT, taking into consideration the findings of the Departmental Committee on Labour in its Report on the Approval Hearing of a Nominee for Appointment as a Member of the Public Service Commission (PSC), laid on the Table of the House on Tuesday, 18th August 2026, and pursuant to the provisions of Article 250(2)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), this House approves the appointment of Ms Flora Nduku Mutua as a Member of the PSC.

Hon. Speaker: Hon. Members, in the Public Gallery, we have students from St. Mathews Muromutua School from Igembe North, Meru; and, Disciples of Mercy School from Kisumu West, Kisumu. On my behalf and on behalf of the House, we welcome the students, their teachers, and those accompanying them to Parliament.

Next Order.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

Hon. Speaker: Hon. Dorothy Ikiara.

STATUS OF ROAD PROJECTS IN NORTH IMENTI

Hon. Dorothy Muthoni (Nominated, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the status of stalled and pending road projects in North Imenti Constituency.

The dual carriageway from Ngonyi to Meru ASK Showground and from Meru Makutano Trading Centre to Maua-Kithoka Junction, the Giaki-Kaguma-Kariene Road forming part of the Coca-Cola-Kithaku-Kithirune-Kariene-Kaguma-Siaki road and the Kithoka Junction to Kwachege section have either stalled, remain pending or are yet to be reclassified. These roads are critical transport links serving residential areas, trading centres and agricultural communities within North Imenti Constituency. The delays have resulted in poor road conditions, limited access to markets and essential public services, and constrained economic activity.

It is against this background that I request a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. The status of the construction of the dual carriageway from Ngonyi to Meru ASK Showground and from Meru Makutano Trading Centre to Maua-Kithoka Junction, including the amount of funds allocated for the project and the timelines for completion.
2. The status of construction of the Giaki-Kaguma-Kariene Road which forms part of the Coca-Cola-Kithaku-Kithirune-Kariene-Kaguma-Siaki Road and whose construction commenced in 2017 but has since stalled, including the amount allocated and the timelines for completion of the section.
3. Reasons for the delayed reclassification of the Kithoka Junction to Kwachege Road from the Kenya Rural Roads Authority (KeRRA) road network to the Kenya National Highways Authority (KeNHA) and the timelines for its completion of construction, noting that only a three-kilometre section has been constructed under KeRRA.

I thank you, Hon. Speaker.

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Hon. Speaker: Is the Chair of the Departmental Committee on Transport and Infrastructure in the House? Is there any Member of the Committee? Leader of the Majority Party, the Departmental Committee on Transport and Infrastructure should respond to this request for Statement after recess.

(Hon. Kimani Ichung'wah nodded in the affirmative)

That is a response to the Statement. Is the Chair of the Departmental Committee on Agriculture and Livestock here? Hon. Osero, you a Member of the Committee. Do you have the response?

Hon. Patrick Osero (Borabu, ODM): Yes, Hon. Speaker.

Hon. Speaker: Where is Hon. Mary Maingi. I do not see her now but I saw her walk in. Hold on, we will deal with it later. Hon. Kamket.

Hon. Kassait Kamket (Tiaty, KANU): Thank you very much, Hon. Speaker. About one and a half months ago, I made a request for a Statement on the Equalisation Fund but up to now, I have not received any response. I am apprehensive that we may soon be proceeding on recess without it.

Hon. Speaker: The request for Statement was to which Committee?

Hon. Kassait Kamket (Tiaty, KANU): The Departmental Committee on Finance and National Planning. In today's original Order Paper, there was Equalisation Fund Appropriation Bill for the current Financial Year. However, there is a problem with the Equalisation Fund and that is why this request has not been responded to.

Hon. Speaker: Just ask on when you will get a response. Stop debating.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, I am expressing a concern…

Hon. Speaker: You requested for a Statement and it is now one and a half months without a response? I direct the Departmental Committee on Finance and National Planning on what next. I do not see the Chair but I saw some Members of the Committee here, including Hon. Makilap and Hon. Ariko. Hon. Julius, can you bring a response to Hon. Kamket's request for Statement on Equalisation Fund by Thursday this week? He says it has been 'parking' for the last one and a half months.

Hon. Julius Rutto (Kesses, UDA): Hon. Speaker, on behalf of my Committee, let me take up the matter and ensure that we bring a response on Thursday.
Thank you.

Hon. Speaker: Yes, Hon. Sunkuli.

Hon. Julius Sunkuli (Kilgoris, JP): Hon. Speaker, the question by Hon. Kamket is valid. Hon. Speaker, when you hosted us in Naivasha, I asked a question on Equalisation Fund concerning the status of the disbursement of the money. The Cabinet Secretary for the National Treasury and Economic Planning was present. Is the money ring-fenced? We are now passing the 2026/2027 Equalisation Fund Appropriation Bill yet we have not even implemented a cent of what we passed in last Financial Year. Can the Chairman of the Departmental Committee on Finance and National Planning tell us the issue with Equalisation Fund? Is it equalising anything or we are churning out Bills that are not being implemented?

Hon. Speaker: Interrogate the response to the request for Statement on Thursday.

Hon. Speaker: Hon. Kamket.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, for information, when I requested the Statement, there was a lot of interests on this matter. The Speaker who was in the Chair that day made a Ruling that the Chairperson not only brings a Statement, but also, the Cabinet Secretary and officials from The National Treasury. They must appear before the House because this matter touches on many counties. The county governors have made mistakes on this matter and we want to correct it before we begin implementing any other Bill. The first

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issue must be addressed and that is why I do not want the Chairperson or any ordinary Member to respond. We want the Cabinet Secretary to. That was a Ruling made by the Speaker who was on the Chair that day. It is a very serious matter of finances that are supposed to go to the ground and help mwananchi to bring them up to speed with the rest of the Kenyans.

Hon. Speaker: Point made. Hon. Naisula.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Speaker. On the same issue, I would recommend that even as he gets the response to the Statement on Thursday, through your able Office, the Cabinet Secretary for The National Treasury and Economic Planning should come before this House before we go on recess so that we address the issue of Equalisation Fund with all Members present.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Kamket, I hear that you are not interested in the response to Statement coming here on Thursday rather you want it prosecuted before the Departmental Committee on Finance and National Planning?

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, I am interested in justice for the people of Kenya.

Hon. Speaker: Just answer the question. I am sure you are not interested in any injustice. Do you want the response to go to the Departmental Committee on Finance and National Planning and you prosecute everything there, in which case I direct the Cabinet Secretary to appear before the Committee or you want the response to come to the Plenary?

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, if it is possible for the Cabinet Secretary to appear before the Plenary, the better.

Hon. Speaker: Leader of the Majority Party, when have you scheduled the Cabinet Secretary for The National Treasury and Economic Planning to appear?

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, let us not depend on a schedule. Let the Cabinet Secretary be compelled….

Hon. Speaker: Order, Hon. Kamket. Utaratibu ndugu yangu, utaratibu.

Hon. (Dr) Robert Pukose (Endebess, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Speaker, without anticipating debate, when you look at the Order Paper, we have the Equalisation Fund Appropriation Bill coming up for debate. Last week, the feeling of the House was that this Bill will fail. My request is that if possible, we step it down and have the Cabinet Secretary address the issues before we discuss the Bill.

Hon. Speaker: That has already been done. There is a Supplementary Order Paper where that Bill and its subsequent appearance at the Committee of the whole House, has been stepped down.

Hon. (Dr) Robert Pukose (Endebess, UDA): Okay, thank you, Hon. Speaker.

Hon. Speaker: Leader of the Majority Party, are you able to get the Cabinet Secretary for the National Treasury and Economic Planning?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, considering that we had already slotted two Cabinet Secretaries appearing this week and next week we had no indication of any Cabinet Secretary appearing because there is no issue. Probably we could get him to appear immediately after recess.

Hon. Speaker: We can do that or alternatively check on the availability of the Cabinet Secretary. I can give you a Kamukunji for one hour on Thursday morning. Those interested in this issue, the Leader of the Majority Party has been directed to get the Cabinet Secretary for the National Treasury and Economic Planning here on Thursday at 10.00 a.m. for an hour.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I can get in touch with him. Most obliged.

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(Applause)

Hon. Speaker: Hon. Naisula.

PERSISTENT POWER OUTAGES IN SAMBURU WEST

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Energy regarding the persistent power outage in Samburu West Constituency, including Maralal Town.

For the past year, residents of Samburu West Constituency, particularly Maralal Town and its environs, have experienced frequent and prolonged power outages. The outages occur without any prior notice, explanation or projected timelines for restoration. The situation has been attributed due to the delay in operationalisation of the Rumuruti sub-station.

The persistent power outages, coupled with lack of communication from Kenya Power and Lightning Company (KPLC), constitute a clear violation of the legal obligations set forth in the Energy Act, Cap 225. Further, under the Consumer Protection Act, Cap 501, consumers have a right to fair service delivery, and are entitled to seek compensation where economic losses arise from negligence or disruption in utility services.

It is against this background that I request for a statement from the Chairperson of the Departmental Committee on Energy on the following:

1. The status of operationalisation of the Rumuruti Sub-station, including the reasons for the delay.
2. The expected timeline for the completion and commissioning of the Rumuruti Sub-station.
3. Any alternatives or strategic partnerships being explored the Ministry to provide Samburu West Constituency with supplementary or backup power sources to mitigate the effects of power outages in future.
4. Plans, if any by the Ministry to compensate affected residents and businesses for the losses occasioned by perennial power outages.

Thank you.

Hon. Speaker: Hon. Gikaria, are you able to bring a response within a week?

Hon. David Gikaria (Nakuru Town East, UDA): Yes.

Hon. Speaker: Next week, Tuesday?

Hon. David Gikaria (Nakuru Town East, UDA): Yes. Thank you.

Hon. Speaker: Thank you. Is Hon. Mary Maingi back in the House?

Hon. Mary Maingi (Mwea, UDA): Yes.

Hon. Speaker: Hon. Osero, go ahead and respond to the request for statement on the plight of rice farmers in Mwea.

STATEMENT

THE PLIGHT OF RICE FARMERS IN MWEA

Hon. Patrick Osero (Borabu, ODM): Thank you, Hon. Speaker. On behalf of the Chairman, Departmental Committee of Agriculture and Livestock, I beg to give a response to the statement requested by Hon. Mary Maingi, Member for Mwea Constituency, regarding the plight of rice farmers in Mwea.

Kenya's annual rice consumption is estimated to be over one million metric tonnes while domestic production ranges between 150,000 to 230,000 metric tonnes. In the Year 2024/2025, the total rice production locally was estimated at 303,384 metric tonnes against an

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annual demand of 1.8 million metric tonnes. The quantity of rice produced locally was insufficient to meet the quantity demanded. National rice demand significantly exceeds domestic production capacity, creating a deficit that cannot be met through local production. The local production satisfies only 15 to 23 per cent of the national demand, necessitating imports to bridge the deficit, safeguard national food security, stabilise domestic supply and cushion customers from price hikes. This structural imbalance has made rice imports an important component of Kenya's food supply strategy during periods of increased demand or production shortfalls.

Kenya's rice import market is predominated by non-basmati rice which acts as a high-volume, budget-friendly and stable while basmati pishori rice is for high-end consumers and forms the bulk of what is produced locally. The dynamics between these two categories come down to price sensitivity, aromatic distinctiveness and target market audience. Freshly harvested paddy contains high moisture. It must therefore be sun-dried or machine-dried to moisture levels of between 12 to 14 per cent to prevent rotting, fungal growth and breakage during milling. This takes around one to two months after harvesting, necessitating importation even during harvest.

Response to measures being put to forestall the scale of counterfeit import rice in supermarkets under the guise of Mwea Pishori Rice. The Government through relevant institutions such as the Kenya Bureau of Standards (KEBS), Anti-Counterfeit Authority (ACA) and Agriculture Food Authority (AFA) has put in place several measures to curb the sale of imported rice falsely branded and marketed as Mwea Pishori Rice. The measures are both regulatory and market-based, and are intended to protect consumers from malpractices and safeguard the good reputation of Mwea Pishori Rice while ensuring fair competition for local rice traders. They include:

1. Surveillance and inspections. Regulatory agencies in collaboration with county enforcement officers, conduct routine inspections of supermarkets, wholesalers and retail outlets to identify and remove falsely labelled rice products.
2. The revision of Kenya pishori milled rice standards, KS 2087:2024. The specification for pishori rice was revised this year to ensure that imported rice is not marketed under the guise of Mwea Pishori Rice. The KEBS officially adopted the revised standard which is KS 2087:2024 on 16th July 2024, specifically to eliminate deceptive marketing and protect the authenticity of authentic Mwea Pishori Rice.
3. Enforcement, labelling and traceability requirements. The Government, through the Standard Technical Committee TC 001, has developed labelling of prepackaged food standards general requirements KS DEAS 38:2024, which require traders to accurately label all commodities traded in the country, including name of the produce, grade, crop, year, batch number, destination if imported, county of origin for imported grain, declared GMO status, weight in kilogrammes, declaration as food for human consumption and storage instructions.
4. Certification and quality assurance. Genuine Mwea Pishori Rice is increasingly marketed through certified producer organisations, millers and cooperatives that maintain quality control systems and traceability records, helping to authenticate the origin and reduce opportunities for counterfeiting.
5. Enforcement of consumer protection and standard laws. Businesses found misrepresenting imported rice as Mwea Pishori Rice, are subject to penalties

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under relevant consumer protection, food standards and trade regulations, including product seizures, fines, suspensions of licenses or prosecution.

6. Consumer awareness campaigns. Public awareness programmes educate consumers on the distinguishing characteristics of authentic Mwea Pishori Rice. This includes aroma, grain quality, packaging features and approved sources of purchase, so that consumers are less likely to be misled by counterfeit products.

Response to the steps being taken to cause Kenya National Trading Corporation (KNTC) to purchase the rice currently held in farmers' stores in Mwea and pay for the stocks already received. The Ministry of Agriculture and Livestock, through the AFA, works in close collaboration with the Ministry of Investment, Trade and Industry under KNTC. The AFA and KNTC pay regular joint visits to rice-growing areas to ensure that the local imports are cleared.

The Government has launched a major marketing invention to clear over 60,000 bags of Mwea rice with KNTC committing to purchase locally produced rice. By 15th July 2026, KNTC had ordered 50,000 bags of 50 kg each and mopped up more than 30,320 bags of milled rice, valued at over Ksh233 million, from Mwea Rice Growers Multipurpose Cooperative Society (MRGM), and 10,000 bags from farmers Self Help Groups (SHGs). Mopping up is a continuous activity as the rice is milled. Additionally, NCPB has also purchased 70,000 bags of 50 kg each of locally produced paddy in Financial Year 2025/2026.

This exercise must not be confused with the production of sufficient rice to meet the national demand. As set out above, Kenya as a COMESA member with a domestic production deficit, will continue to require rice imports to supplement local supply. The government will therefore continue to protect and expand local rice production, including KNTC mopping exercise, while continuing to permit and where necessary, facilitate importation of rice to meet the shortfall between the national demand and local supply.

Response on the protection mechanism is as follows. On custom import duty, the Government imposes 35 per cent import duty on imported rice under EAC's Common External Tariff (CET) on sensitive commodities. Of which, rice is one of the remaining consistent with Kenya's COMESA trade commitments.

Hon. Speaker: How much more to go, Hon. Osero? It is too long. Paraphrase.

Hon. Patrick Osero (Borabu, ODM): Let me just read the conclusion.

Hon. Speaker: Yes.

Hon. Patrick Osero (Borabu, ODM): Taken together, these measures are intended to progressively narrow the gap between the local production and national demand.

However, given Kenya's production levels and its obligations as a Common Market for Eastern and Southern Africa (COMESA) member, importation will remain a necessary component of the country's rice supply strategy for the foreseeable future, even as the Government continues to support Mwea farmers through Kenya National Trading Corporation (KNTC) mopping exercise.

I submit.

Hon. Speaker: Hon. Mary Maingi, if you are satisfied with the response, let it lie.

Hon. Mary Maingi (Mwea, UDA): Thank you, Hon. Speaker. I am.

Hon. Speaker: Thank you. Hon. Members, in the Speaker's Gallery, we have MM Shah Junior School from Kisumu Central Constituency, Kisumu County.

(Applause)

On my own behalf and that of the House, we welcome the students, their teachers and those accompanying them to the House of Parliament.

Next Order.

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Yes, Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Speaker, before we went on recess that we resumed from recently, we raised concerns about delayed responses to requested Statements and Questions. Consequently, you requested us to do letters to your Office so that you could see what to do about it. I did a letter dated 27th July which was delivered to your Office. These Statements have been pending, some since last year. I do not know what measures you can put in place so that we can expedite as a House. Sometimes, we ask these Questions to specifically address an emergent issue. If the response takes eight months to come, it will be overtaken by events. We need to find a way to expedite resolution of these matters on behalf of the people who sent us here to represent them.

Thank you.

Hon. Speaker: Hon. Lotee, is it the same issue?

Hon. Titus Lotee (KUP, Kacheliba): Yes, Hon. Speaker. I am rising on the same issue. Mine has been pending since 9th April. I remember that you asked us to do the statement which I did. Even last week, I asked the same question, and I was given assurance that it was going to be responded to. Unless something is done, we will not know when these Questions are going to be responded to.

Thank you, Hon. Speaker.

Hon. Speaker: I directed that protest notes be forwarded to the Office of the Leader of the Majority Party. Hon. Owen Baya, you should check on them, compile a list and furnish it with reasons for the delay to the House on Thursday.

Hon. Owen Baya (Kilifi North, UDA): Much obliged, Hon. Speaker. We will do so on Thursday as you have requested. Thank you.

Hon. Speaker: Excellent. Get your committee chairpersons who give responses to these Statements to also attend House Sittings. Some have responses but they do not come to the House to give them.

Next Order.

BILL

First Reading

THE AIR PASSENGER SERVICE CHARGE (AMENDMENT) BILL
(National Assembly Bill No. 56 of 2026)

(The Bill was read a First Time and referred to the relevant Committee)

MOTIONS

ADOPTION OF 9TH REPORT ON AUDITED ACCOUNTS OF SPECIFIED STATE CORPORATIONS

Hon. Emmanuel Wangwe (Navakholo, ODM): Hon. Speaker, I beg to move the following Motion:

> THAT, this House adopts the Ninth Report of the Public Investments Committee on Social Services Administration and Agriculture on its examination of audited Financial Statements of the following State Corporations, laid on the Table of the House on Thursday, 2nd April 2026:

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1. Kenya Medical Supplies Authority for the Financial Year 2021/2022.
2. Agriculture and Food Authority for the Financial Years 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021, 2021/2022, 2022/2023 and 2023/2024.
3. Agriculture and Food Authority for the Financial Years 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021, 2021/2022, 2022/2023 and 2023/2024.
4. Tea Board of Kenya for the Financial Years 2021/2022, 2022/2023, 2023/2024 and 2024/2025.
5. National Social Security Fund for the Financial Year 2024/2025.
6. National Hospital Insurance Fund (Social Health Authority) for the Financial Years 2021/2022, 2022/2023, 2023/2024 and 2024/2025.
7. Kenya Plant Health Inspectorate Service for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021, 2021/2022, 2022/2023, 2023/2024 and 2024/2025.

Hon. Speaker, allow me to inform the House that we relied on several instruments to prepare the Report that I want to move. Key of these instruments is the Constitution of Kenya; the Public Finance Management Act; the Public Audit Act; the State Corporations Act, 1986; the Public Procurement and Asset Disposal Act, 2015; the National Assembly Standing Orders; and the National Assembly Powers and Privileges Act, 2017.

Hon. Speaker, allow me to separate the two issues. First, I will use the general observations cutting across the various agencies as mentioned above. I will then narrow down to the specific agency as per the observations and recommendations of my Committee.

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

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

Some of the cross-cutting issues that we came across, which cut across all seven agencies, include the lack of possession of ownership documents on land and buildings. All the seven agencies, cutting across the Kenya Medical Supplies Agency (KEMSA), Agriculture and Food Authority (AFA), National Social Security Fund (NSSF), Social Health Authority (SHA) and the Kenya Plant Inspectorate Services (KEPHIS) had issues with parcels of land spread across the country. However, the documents were missing for various parcels of land that had ownership disputes while others had their land grabbed, encroached, or denied access by the institutions and the adjacent organisations.

We, therefore, made various recommendations. Within six months upon adoption of this Report, the Departmental Committee on Lands should conduct a comprehensive enquiry into the ownership of the parcels of land owned by Ministries, Departments and Agencies (MDAs). The objective of the inquiry is to ensure that all public land vests in the respective government entities with legal title and possession.

We also felt that the Departmental Committee should propose a Bill to be enacted in this National Assembly, which shall provide for the following three things: Vesting the custody

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of all public land title deeds in The National Treasury, comprehensive land register for all public lands that shall always be maintained in The National Treasury with regular updates when necessary, protective clauses under the Act and a national anti-corruption framework to enhance safeguards against encroachment on public land. The National Treasury, through the Departmental Committee on Lands, should be made to allocate adequate resources to the Ministry of Lands, Public Works, Housing and Urban Development, and the National Lands Commission to facilitate this enquiry.

The other issue that cuts across was the delay in availing documents to the Auditor-General. KEMSA and AFA failed to avail complete and reconciled financial and accounting records documentation in time, for audit review and verification during the audit exercise, leading to unnecessary queries. We found out that these agencies had the documents but when they were invited for audit, they did not submit them on time. However, when they came before us, they availed them and were compliant. The question is, why should they wait until they appear before the House for them to present documents? This is contrary to Article 226 of the Constitution and Section 68(2) of the PFM Act, 2012 which requires that the financial and accounting records are presented within three months after the close of the financial year.

Section 62 of the Public Audit Act, 2015 obligates accounting officers to provide required documents for audit; failure to which, they be sanctioned. Therefore, we felt it is important that these agencies, especially the accounting officers, should observe and make sure that the documents are delivered on time and not wait for review so that they rush and bring the documents to Parliament.

Our recommendations were that the accounting officers should always comply with the provisions of Section 68(2) of the Public Finance Management Act, 2012 and submit all the required information for audit within the stipulated timelines. Two, we felt that an accounting officer who fails to provide required information for audit, pursuant to Section 62(1) of the Public Audit Act (Cap. 412B) be prosecuted for the offence pursuant to Section 62(2) of the Act.

We also had a cross-cutting issue on delayed accountability of imprest. The Committee noted that some State Corporations were in breach of Section 71 of the Public Finance Management Act, Cap 412A, and the attendant regulations that require surrender of imprest within seven days upon conclusion of the assignment for which the said imprest was issued. For instance, there was unsurrendered imprest in the books of the Agriculture and Food Authority of Ksh1,497,805 from the defunct Coffee Board of Kenya which had been outstanding since 2013, contrary to Section 71(4) of the Public Finance Management Act. The defunct National Hospital Insurance Fund, currently the Social Health Authority (SHA) employees had temporary imprest amounting to Ksh3,873,310 which remained unsurrendered for more than a year, contrary to Regulation 93(5) of the Public Finance Management (National Government) Regulations 2015, which also calls on or requires that, within seven working days after returning to duty station, one must surrender the imprest.

My Committee recommends as follows:

1. The accounting officer should always ensure imprest advanced officers is surrendered within the stipulated period of seven days after return to the workstation in accordance with Section 93 of the Public Finance Management (National Government) Regulations 2015.
2. We also recommend that within six months of the adoption of this report, the accounting officers who have failed to take necessary steps to ensure that all outstanding imprest within their jurisdictions are recovered from the debt should be surcharged the full amount due.

This money is always given by the accounting officers and therefore, if an accounting officer is not collecting the money and he keeps on giving more imprest to the same staff, we

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felt that instead of us surcharging the staff who is holding the imprest, let the accounting officer who went ahead and gave this additional money be surcharged for that offence. The accounting officer should also submit status report with evidence of recovery to the Auditor-General for audit and reporting in the current cycle. We gave a caveat that we allow the accounting officer to make sure that within this audit cycle, now that most of these organisations are very current. This report touches on 2024/2025. In this audit review cycle which is going on, let the Auditor-General also audit plus an addendum to that effect that the imprest was now surrendered.

The fourth item that cuts across is the long outstanding receivables. The Committee noted with concern that these agencies experience challenges in recovering the outstanding debts. They are really owed. Whereas they come to the House complaining and asking for more money, they have money in the form of what is owed to them. This was also coupled with lack of collection or recovery mechanisms. We identified that whereas these agencies are owed money, they have no collection or recovery mechanisms. Even their attempt to recover the money is not really forthcoming. There is lack of effective debt management policies and poor record systems where agencies do not even have full records to really follow up on the claim or debt that they are supposed to recover. Another one is coordination between the debtors and the recipient entities.

Asking the accounting officer to give an accountability on how this debt arose, some agencies are difficult in reconciliation. For instance, Kenya Medical Supplies Authority had a long outstanding receivable amount. Agencies owe KEMSA Ksh399,326,318 which has been outstanding for more than 360 days. They are owed huge amounts and when you look at the way they are supposed to trace and collect this money, the mechanisms were not really very clear. In addition, Kenya Plant Health Inspectorate Services (KEPHIS) failed to provide justification for the failure to recover long outstanding debts amounting to Ksh17,828,460 despite the respective client accounts remaining active, rendering the validity and recoverability of these receivables doubtful. This agency, KEPHIS, offers vital services and especially, at our border points. However, when it comes to stopping the supplies for the sake of recovery of the money and yet it is a public entity, it becomes a problem. Whereas it is public, documentation towards recoverability of this money is the main issue.

We did recommend that the accounting officers should ensure that there are proper and robust debt collection mechanisms, effective debt management policies and a proper system for recovering the debt. Let our agencies embrace the technology to recover or maintain their receivables all through from the time they are incurred to the time they are recovered.

The second issue we recommended was that within three months upon adoption of this report, let all the entities with outside receivables, initiate recoveries within the statutory provisions and identify any such debts that would be deemed irrecoverable. They should have justification for their costs, prepare a report on the same, have it approved internally by the Board, and be forwarded to The National Treasury for approval of the write-offs. A copy of such reports should be submitted to The National Treasury and Auditor-General for review. Most of the agencies are hiding into the notion that they should not sue each other. Instead, they want to say that the Government has recommended not to sue each other for the purpose of collection but they are not imploring upon each other to use alternative dispute resolution methods.

The fifth issue that cuts across is that of long outstanding payables. These are pending bills. Pending bills is a big issue. We found that most of these agencies across, are owed and they also owe other corporations. We noted that PFM Act, CAP 412A, provides that any pending bills form the first charge in the subsequent financial year budget. Some State corporations experienced challenges and therefore, they were not able to prioritise paying the outstanding debts. This was occasioned by poor budgeting and when you look at them, the

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auditors picked up the issue of poor budget controls and lack of proper documentation to support their payables. They do not keep proper records in that respect.

The Committee observed that the Kenya Plant Health Inspectorate Services (KEPHIS) had trade creditors amounting to Ksh4,977,540 which had remained outstanding for over a year. No evidence was provided on measures the management had taken to settle these obligations. Such prolonged delays in settling payables exposed the institution to financial, operational, and legal risks, eroded supplier confidence, and demonstrates the weaknesses in liquidity management and internal financial controls. Confidence is very important. It becomes an issue when your trading partners lose confidence in you.

The Agriculture and Food Authority (AFA) had long outstanding trade payables amounting to Ksh536,048,131 that date back to 2011. Thus, their existence and genuineness may not be verifiable. Owing other corporations Ksh536 million is a huge amount. It does not matter how much you are collecting. The amount exposes the organisation to various litigations, erodes trading confidence and creates unnecessary hikes in the relationship that exists between the corporation and others.

We made some recommendations. That, within three months of adoption of this Report, the three old entities affected with outstanding payables should prepare a Report detailing how the payables arose, reasons of non-payment and measures taken to repay. They must comply with the law. Whichever way they look at it, they have been existing. They are either earning their budgets from the Ex-Chequer or Appropriations-In-Aid (AIA). That means their budgets must all be aligned with their outstanding debts. They should not afford to go or proceed without settling the pending bills.

Non-compliance with the one-third remainder of basic salary rule is the last issue we noted cutting across corporations. Most of the agencies do not comply with the one-third basic salary rule where most of their staff draw salaries beyond one-third. This is contrary to provisions of Section 19(3) of the Employment Act of 2007. The Act requires that deductions made by an employer from the wages of his employee shall not at any one time, exceed two-thirds of such wages. For example, the Tea Board of Kenya had five employees who received a net salary of less than a third of their basic salary. Four employees received nil salary.

It does not matter what a salary looks like. This rule must be respected. If you employ somebody who earns no salary, the possibility of that person relying on corrupt means is very high. This is a very serious and we noted it. We implore the Tea Board of Kenya to make sure that they no longer have four employees who do not have any figure on their payslip. This is unheard of but it is a reality. It is in audit books. It contravenes Section 19(3) of the Employment Act of 2007 that has to be respected at all costs.

Hon. Deputy Speaker, 452 employees of the National Hospital Insurance Fund (NHIF)/Social Health Authority (SHA) earned a net salary of less than one-third of their basic salary. It is contrary to the same Section. The deductions made by the employer from the wages of these employees at once exceeded the two-thirds wage rule. This was a big corporation to have afforded 452 employees earning below the one-third rule at that time.

We recommend that within three months of the adoption of this Report, the accounting officer should submit to the National Assembly documented measures undertaken to strengthen payroll controls through automated payroll validation checks designed to flag any salary processing that violates the one-third rule prior to disbursement. This recommendation was reached because the two agencies felt like their systems were the main issue and especially, the payroll system. It would allow negative salaries. That cannot be used as an excuse. If that is the case, let this recommendation deter, protect or make sure the two agencies now respect the rule of law.

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At this juncture, allow me to move the House to specific agencies on the issues we noted in their accounts for these financial years. I want to look at the Kenya Medical Supplies Agency (KEMSA), especially issues raised in the Financial Year 2021/2022. They mostly range on inventory variance. It is the number one issue. The Committee observed that the reported inventory balance in the books of KEMSA did not correspond to the figures in the supporting schedules. It results to an unexplained difference of Ksh4,588,479,047. We also noted that financial statement and supporting schedules report discrepancies amounting to Ksh405,945,758 for core financing commodities.

The third issue we noted was medical commodities with undetermined values relating to Ksh500,712 units were omitted from inventory records. That is contrary to Regulation 140 of the Public Finance Management *(National Government) Regulations* of *2015.* It states that accounting officers shall be responsible for general management of Government inventories held within their control.

What were our recommendations upon looking at these observations? Let accounting officers submit accountable documents and other inventory records to the Auditor-General within three months of the adoption of this Report. That is to account for the unexplained difference of Ksh4,588,479,047 and the Ksh405,945,758 variance in respect of core financing. The Auditor-General should review and report in the subsequent audit cycle. It is because the documents were made available to us yet it is only through an audit process authority in this country that the documents can be validated. That is why we could not adopt the document as it is but recommend that the Auditor-General picks it up and pulls the whole figures into the next audit cycle.

On Part 2, we felt that the accounting officer should at all times, comply with Regulation 140 of the Public Finance Management *(*National Government*)* Regulations of 2015. Documentation is very sensitive, cardinal and key to every organisation. Allow me to pick one item from the Agriculture and Food Authority (AFA) in the Financial Year 2023/2024. It is the variance between revenue, exchange transactions and the amount reflected on the e-Citizen Platform. We observed on that audit query. The Committee observed a significant variance between levies, fines, penalties, licenses and permits. The revenue totals Ksh2,946,495,000 as reported in the financial statement yet the e-Citizen platform reflects Ksh2,370,423,690. Further, of the Ksh2,370,423,691 collected through the e-Citizen system, only Ksh2,326,450,698 was transferred to AFA, leaving an unexplained balance of Ksh62,784,313 that the National Treasury did not remit during the year under review. Consequently, the accuracy of this statement was not reflected.

The Committee’s second observation is that management's only action was to issue a request letter to the Principal Secretary, National Treasury and Economic Planning, seeking release of the outstanding Ksh62,784,313. However, no evidence was adduced to the Committee to demonstrate any response, follow-up action or commitment from the National Treasury. This was only a one-way communication. We could not ascertain whether the communication was complete.

We recommend that, within three months of adopting this Report, the accounting officer undertake a comprehensive reconciliation of all revenues collected through the e-Citizen platform since its inception against the amounts recorded in the Authority's financial statements. The Agriculture and Food Authority (AFA), the e-Citizen platform administrators, and the Ministry of National Treasury and Economic Planning should jointly undertake this reconciliation. The resultant reconciliation documentation should be submitted to the National Assembly and to the Auditor-General for review within the stated timeframe.

The second recommendation is that within three months of adoption of this Report, the accounting officer should develop documents and submit to the National Assembly and to the Auditor-General a detailed framework of measures instituted to strengthen revenue reporting

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and monitoring controls. These measures should include, but not be limited to, monthly revenue reconciliation procedures, automated integration between AFA systems and the e-Citizen platform and exceptional reporting for unremitted amounts. These controls should aim to enhance accuracy, improve transparency, and prevent revenue discrepancies.

The Committee noted various issues regarding the Tea Board of Kenya, especially in Financial Year 2022/2023. The Committee noted that the Board lacked enabling regulations. The Tea Act, 2020 faced legal challenges and key provisions of the Act were suspended. Therefore, the regulations could not be gazetted to operationalise the Act. The recommendation for the year under review was that within three months of adoption of this Report, the accounting officer, in collaboration with the Cabinet Secretary for Agriculture and Livestock and the Attorney-General, should develop and fast-track the finalisation of the tea regulations.

The other issue is the National Social Security Fund (NSSF) not achieving its performance targets for the Financial Year 2024/2025. The Committee observed that income levels underperformed the approved budget, indicating unrealistic or overly optimistic revenue projections. The Fund based its revenue and expenditure projections on weak assumptions and therefore substantially failed to achieve the targets. The Committee recommended that management develop and implement a robust performance improvement plan with specific timelines to address underperformance in each key performance indicator (KPI) by intensifying member registration drives and investing in customer experience improvement initiatives. They should submit progress to the National Assembly and the Auditor-General for compliance review.

The last issue concerns the Kenya Plant Health Inspectorate Service (KEPHIS) for the Financial Year 2023/2024, where officers served in acting capacities beyond the stipulated period. The Committee observed that five staff members served in acting capacities beyond the allowable six-month period, with one officer serving in an acting capacity for over four years. This contravenes Section 34(3) of the Public Service Commission Act, Cap. 185, which requires that an officer may be appointed in an acting capacity for a period not exceeding six months.

Secondly, no evidence of the Board's approval of these extended acting appointments was provided for audit review. This raises concerns regarding adherence to established human resource governance frameworks and exposes the institution to risks related to accountability, succession planning and equitable staff progression. The Committee reprimanded the then acting officer for breach of Section 34(3) of the Public Service Commission Act, Cap. 185.

With those many observations, allow me to thank you, Hon. Deputy Speaker, for supporting the Committee in the preparation of this Report. I thank the Office of the Clerk of the National Assembly for providing supporting staff who really helped the Committee to arrive at this elaborate Report. I also thank my colleagues who took the time to sit down, compile this Report, and prepare it in full. The Report is voluminous, and I have just submitted the highlights. I encourage my colleagues to look at it.

I beg to move and I ask my colleague to second.

Hon. Paul Nabuin (Turkana North, ODM): Thank you, Hon. Deputy Speaker. I rise to second the Ninth Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Auditor-General's report and the Financial Statements of nine State corporations.

One thing we observed in most of the State corporations we considered was the lack of land possession and ownership documents. Most of the land had been grabbed. Some land had been encroached upon, leading to litigation and costs borne by public funds. We asked the Departmental Committee on Lands to take up the issue of public land held by private entities and land without title deeds. We asked them to present a report with recommendations to this House. We also recommended that all public land be vested in the Ministry of National

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Treasury and Economic Planning, to make it easier to manage. We also recommended that the Ministry of National Treasury and Economic Planning should develop a comprehensive land register, which will enable government systems and structures to know what land is available for development.

The other issue is non-compliance with the one-third basic salary rule. Hon. Deputy Speaker, the Employment Act included this issue and recommended that Government employees, even if there is a commitment, should receive not less than one-third of their salary. A number of State corporations we engaged with have staff who receive less than one-third of their salary. This, in a way, has demoralised them, and we can imagine how staff will operate on less than a third of their salary. We have recommended that the Accounting Officers who oversaw this be reprimanded and that this law be adhered to.

Without much ado, I want to thank my Chairman, who has supported the Committee, facilitated a number of our meetings and ensured that this Report is finalised and presented before this House. I second the Report.

Thank you, Hon. Deputy Speaker.

(Question proposed)

Hon. Deputy Speaker: The Members who want to discuss this Report can press the intervention button. Hon. Timothy Toroitich, Member for Marakwet West.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Deputy Speaker, for giving me the opportunity to comment on this very important Report. From the outset, I wish to thank Hon. Wangwe, the Chairman of the Public Investments Committee on Social Services Administration and Agriculture.

Looking at the Agriculture and Food Authority (AFA), the Report covers the Financial Years 2016/2017 and 2017/2018. As a House, we must ensure these Reports are disposed of urgently because, between 2016 and 2026 - a 10-year period- a lot has happened at AFA. The law has changed, and regulations have been introduced. Therefore, we must find a way to expedite these particular Reports so events do not overtake them.

That said, one of the most important recommendations I have come across concerns the lack of ownership documents for parcels of land owned by State corporations. The Committee has observed that the lack of ownership documents, such as title deeds or other documents, has resulted in the grabbing of land belonging to these State corporations. We must take this matter seriously.

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

[The Temporary Speaker
(Hon. Martha Wangari) in the Chair)

Hon. Temporary Speaker, on the issue of non-compliance with the one-third basic salary rule, most staff of State corporations receive less than what the law provides. If employees of State corporations, as highlighted in this Report, receive salaries that do not comply with the one-third rule, those who lack integrity may resort to practices such as corruption. Therefore, those recommendations must be followed to the letter.

That said, this House has adopted many reports, but the question has always been: is there follow-up? We have a very important Committee in this House, the Committee on Implementation, chaired by my very good friend, Hon. Raphael Wanjala. It is a Committee of last resort in this House. It must ensure that adopted House reports and the relevant State departments, agencies, and the Executive fully implement recommendations. We must ensure

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that this Committee is empowered and has the capacity to follow up on these reports. When I first entered Parliament, I had the opportunity to serve in that Committee, which I consider one of the most important Committees of this House. This is because it is a Committee of last resort in ensuring that House resolutions are complied with.

Therefore, when the House retires, I propose that the Committee charged with proposing amendments to the Standing Orders develop a timeline within which the Committee on Implementation ensures that House reports are implemented. This is because if we pass very colourful resolutions and they end up on the shelves of Parliament, we will not properly implement House reports. I support this Report, but with a rider: The Committee on Implementation must be capacitated and given clear timelines to ensure compliance with House resolutions and recommendations.

Hon. Temporary Speaker, the Standing Orders state clearly that if a state agency or ministry has not implemented a House resolution, this House, under Article 125 of the Constitution, has powers similar to those of the High Court. Therefore, if House resolutions are not implemented, then there must be consequences. The Standing Orders provide that the Committee on Implementation has the power to impose sanctions on an authority or person who has failed to implement a resolution of the House. Court orders are never issued in vain. Similarly, the House never adopts resolutions without purpose. Individuals or agencies that fail to implement House resolutions must face consequences.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well, Member for Marakwet West. Actually, it is not the Standing Orders; it is the Constitution under Article 125. It gives not only the Committee but the whole House powers equal to those of the High Court of Kenya to issue summonses and do all that pertains thereto.

Member for Nambale, are you on this?

Hon. Geoffrey Mulanya (Independent, Nambale): Thank you, Hon. Temporary Speaker, for giving me the opportunity to support this particular Report by Hon. Wangwe, Chairperson of the Public Investments Committee on Social Services, Administration and Agriculture. My colleague, the Member for Marakwet West, has raised the issue of implementation of resolutions passed by the House. I was also following the Report by Hon. Wangwe and I was surprised that we had a set of accounts that had been audited yet the audit report was being brought to the House covering the period from 2015 to date. It has taken almost seven years for these matters to come before the House, and even then, the House's resolutions are not being implemented. Therefore, it calls upon this Committee, led by Hon. Wangwe, a ranking Member of this House, to ensure that resolutions passed by the House are given equal force of law.

As you pointed out, Hon. Temporary Speaker, a House resolution has the same force as a High Court order. Why, then, are we having orders of the High Court stopping Motions in this House? Yet, as an arm of Government, we cannot have our own resolutions bringing the heads of parastatals to order. For instance, when staff breach the two-thirds rule, whereby one cannot have more than two-thirds of their salary committed, they may not have sufficient means of sustaining themselves, which could push them to resort to other means. My colleague pointed out practices such as corruption. At this particular moment, we are saying that our country needs to fight corruption. One way to do so is to ensure that the rules put in place for civil servants and others are followed. Therefore, I support the Committee’s Report and urge that it be fully implemented.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Members, there seems to be no more interest in this matter, so I will call upon the Mover to reply.

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Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Temporary Speaker. Allow me to appreciate my colleagues who have contributed to the issues raised by my Committee, particularly the issue raised by Hon. Timothy on implementation timelines. We must pursue the matter, especially now that the Chairperson of the Committee on Implementation is here. I wish my colleagues could push for it to come to the Floor so that, during the ongoing preparation of the Standing Orders, we can provide implementation timelines.

We have been given timelines for the report; we should also provide timelines for implementation. That would be a good thing, and I commend you, Hon. Timothy, for raising the matter. Thank you, Hon. Mulanya, for your support and input on this issue. Further Reports will incorporate your views. I thank you for that.

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

The Temporary Speaker (Hon. Martha Wangari): Very well, Hon. Wangwe. Hon. Members, I shall defer the putting of the Question on this specific Order. As has been communicated, the amendments to the Standing Orders for the 14th Parliament are ongoing. Hon. Members are free to write to the Procedure and House Rules Committee, including the Liaison Committee, as previously communicated.

Next Order.

(Putting the question deferred)

ADOPTION OF 7TH REPORT ON
AUDITED ACCOUNTS OF VARIOUS FUNDS

The Temporary Speaker (Hon. Martha Wangari): Chairperson, Special Funds Accounts Committee, Hon. Fatuma.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker, for this opportunity. I beg to move the following Motion:

> THAT, this House adopts the Seventh Report of the Special Funds Accounts Committee on its consideration of the Report of the audited Financial Statements for the Land Settlements Fund for the Financial Years 2020/2021 and 2021/2022 and the Railway Development Fund (Holding Account) for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 & 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

In examining the audited accounts for the Land Settlement Fund (LSF) and the Railway Development Fund (Holding Account), the Committee received oral and written submissions from the Principal Secretary, State Department for Lands, and the Principal Secretary, State Department for Transport. These submissions related to the audited financial statements of the Land Settlement Fund for the financial years 2020/2021 and 2021/2022, and those of the Railway Development Fund for the financial years 2017/2018 to 2021/2022.

The submissions formed the basis of the Committee's observations, findings and recommendations. In preparing this Report, the Committee relied on the constitutional and legal provisions, including the Public Finance Management Act, 2012, and other enabling legislation, as the basis for inviting the Accounting Officers of the Land Settlement Fund and Railway Development Fund to respond to the issues raised by the Auditor-General and to make general recommendations.

After examining the audited reports, the Committee made the following general observations and recommendations, which apply to both Funds. The Committee observed long-outstanding receivables from exchange transactions. It recommends that, within six months of

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the adoption of this Report, the Accounting Officer provide the Auditor-General with a progress report on the recovery of the principal loan and outstanding interest receivables for audit verification.

On undistributed land, the Committee observed that the land in Kisimanjoro, Nakuru County, which was acquired in 2012 for the resettlement of Internally Displaced Persons (IDPs), had not been surveyed or subdivided. Consequently, beneficiaries had not been settled 10 years after the purchase because ongoing court cases prevented the Land Settlement Fund from interfering with the parcel.

The Committee recommends that the Accounting Officer fast-track the resolution of the dispute with the concerned counties. Within six months of the adoption of this Report, the Accounting Officer should submit a status report on the settlement of informal settlers on the said land.

The Committee also considered the Kadzandani parcel of land in Kilifi County and observed a weak control environment among field officers. It further observed that Ksh21,613,544,219 in revenue collected by the Railway Development Fund (Holding Account) for the financial year 2018/2019 was not supported by an analysis of receipts from the Kenya Revenue Authority. The Committee recommends that, within three months…

(Hon. Majimbo Kalasinga consulted Hon. Fatuma Mohammed)

The Temporary Speaker (Hon. Martha Wangari): Hon. Fatuma, ignore your neighbours. The Member for Kabuchai is really disrupting you.

Hon. Fatuma Mohammed (Migori County, Independent): He is really interfering. He is a Committee Member, and I think he is excited to be here. Hon. Temporary Speaker, please ask Hon. Wanjala to allow me to proceed. Thank you.

(Hon. Raphael Wanjala consulted Hon. Fatuma Mohammed)

The Temporary Speaker (Hon. Martha Wangari): I actually think he should move farther away from you. Continue

Hon. Fatuma Mohammed (Migori County, Independent): The Committee noted that the accounting officer's submissions that they received, as per the summary of the budget versus actual performance figures, were erroneously posted to the statement and the correct amount was later stated below. The Committee recommends that, within three months of adopting the Report, the accounting officer submit an analysis of Kenya Revenue Authority (KRA) receipts that make up the Fund's total revenue. The accounting officer should also ensure that all applicable accounting and financial control system standards, laws, and procedures are followed in preparing the financial statement in accordance with the standard prescribed by the Public Accounts Standards Board, in compliance with Regulation 101(4) of the Public Finance Accounts Management Regulations.

In conclusion, Hon. Temporary Speaker, I wish to register my appreciation to the Offices of the Speaker and the Clerk of the National Assembly, the Hon. Members of the Committee, the Parliamentary Liaison Office of the Auditor General, the National Treasury, and the Committee Secretariat for facilitating the work of the Committee and making the production of this Report possible.

Hon. Temporary Speaker, I beg to move.

The Temporary Speaker (Hon. Martha Wangari): Hon. Fatuma, you need to appoint a seconder. I already see a volunteer, but you need to say it on record.

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Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker. I request Hon. Kalasinga, Member for Kabuchai, a Member of the Committee, to second.

The Temporary Speaker (Hon. Martha Wangari): Hon. Kalasinga.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Thank you very much, Hon. Temporary Speaker. The Committee took serious time to consider what was presented before it. What is key is to ensure that the Committee's recommendations are strongly adhered to and implemented within the required timeframe.

Hon. Temporary Speaker, I beg to second.

The Temporary Speaker (Hon. Martha Wangari): Very well.

(Question proposed)

Hon. Member for Navakholo.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Temporary Speaker. Allow me to really applaud my very good friend and colleague. In another language, we say full network, but officially, the Member for Migori County. She has done a good job. The Report she submitted before the House enables us to see what is happening in our two Funds.

When the Railway Development Fund was established a couple of years ago, it seemed like a threat to Kenyans. Kenyans felt it was a burden. But today, we see it as an enabler for expanding our railway and better utilising it as infrastructure. Worldwide, railways are a major enabler. Railway lines enable the transportation of goods at lower costs, especially heavy machinery and items over longer distances. Therefore, the Executive is given such funds to spend. Their money is collected from Kenyans who feel the pain, because whenever one imports, they are charged the Railway Development Levy. We must hold the Executive to account so they explain how the money is used. Prudence and accountability enable Kenyans to feel at ease, however painful it is to be levied.

The Chair mentioned budgetary control. This is not budgeting for the sake of budgeting; we budget for what we are going to implement. An agency that gets budgeting and implementation right exercises a prudent approach to spending public resources. I thank my colleague because this Report is good. Let us approve it and ensure the Executive is held to account for how it spends the Railway Development Fund.

Hon. Temporary Speaker, allow me to speak to the issue of the Land Settlement Fund. This is a big issue because many Kenyans do not own land. They ought to be provided with land to live on. Article 43 of the Constitution provides for housing, apart from other socio-economic factors such as education and health. You cannot put up a house where you do not have land. You must own a house on a particular piece of land. A house should not necessarily be flashy. Whatever little house one owns, even if it is 10 by 10 feet and provides some shelter for them, is a house. Therefore, this Fund enables many Kenyans to settle on land and live somewhere they can call home. Therefore, as an oversight body or an oversight Committee, we should, as my good friend has shown us, look after the resources allocated to the Fund and see whether they are spent prudently. That is the right way to hold the Executive to account for whatever is made available to them.

With those very many remarks, I thank my colleague and really appreciate her. I support.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Mulanya.

Hon. Geoffrey Mulanya (Nambale, Independent): I was not prepared for this.

The Temporary Speaker (Hon. Martha Wangari): Hon. Member for Tinderet. Are you on this? Do you know what is on the Floor? So, not on this order.

Very well. Hon. Owen.

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Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I am happy to contribute and support the Report presented by the Women Representative of Migori and able Chairperson of the Committee. Audited financial statements for various funds are very important to this House. This is because, when we receive them on time, we can ensure funds are allocated for the next financial year.

One important thing I heard Hon. Fatuma speak about is the Settlement Fund Trust (SFT). Land is a factor of production. Apart from that, constitutionally, it is supposed to provide settlement. When we get settlement, we gain dignity and feel Kenyan like anyone else. For many years, the SFT has been there and has been used. I am happy that we now have a report on the SFT in this Parliament. SFT is supposed to run as a revolving fund. People take money to buy land and pay afterwards. The Government gets the money back, and we keep buying. Those of us from the Coast leverage SFT to buy land from absentee landlords who have held it for many years.

Hon. Temporary Speaker, my constituency and that of Hon. Ken Chonga have had land owned by absentee landlords for many years. These absentee landlords go to court, get court orders and come to demolish. The new Government programme on buying land from absentee landlords is a big relief to our constituents. Hon. Temporary Speaker, I request that as we do the budget, we need to allocate more funds so that the people of the Coast can, for the first time, own land.

Kenya got independence, and one reason we fought for it was to own our land. Independence was about three things. The Mau Mau and others fought for land so they could own what the colonisers had taken. They also fought for economic independence and political freedom. Those are the three things that our forefathers fought for. Other areas managed the three; they got political freedom, land and economic freedom, but the Coast, especially the 10-mile strip, missed one, which is land. This is because the colonial masters then and the First Government bequeathed that land to the Arabs who used to own the land.

It has been a struggle. We are an independent country, but we are still living on land that is not ours. This Settlement Fund Trustee (SFT) can give us reason to smile if there are enough resources to buy the land, compensate the absentee landlords, and give land to the people. This is why, Hon. Fatuma, who means well, I passionately request that, as you make this report, you please ask Hon. Atandi and his committee to allocate more money to this Settlement Fund Trustee (SFT). So, we can use that money to buy our freedom, because we are actually buying our freedom. We are still living on land that belongs to other people. My constituency has almost 60 per cent of the land we live on as squatters because people with long titles own it; the page is like two metres of that title.

We now have an opportunity through SFT, and when I say audited accounts of SFT, I want to know who has been given money and land bought for them; they need to pay. When they pay, we get more money to liberate other parts of the country that were not liberated because it is a revolving fund. Prudent use of that money is important; that is why that audited account is very important: to know those people who acquired land through SFT- have they paid? Have they discharged their land? When this money comes to the SFT account, how is it being used? Is it being used prudently such that we have enough money to buy land now for other Kenyans to settle on, or is it just being wasted? Those are the questions your Audit Committee should answer. In fact, put more emphasis on it. I want to see a newspaper headline that says, "SFT has reclaimed this money; this money has been repaid," so we know the repaid amount is enough to purchase land that other absentee landlords are still holding.

The President has a good plan to buy land for squatters, but if money is not coming in because people are holding a lot of money through SFT that the Government paid to acquire, for example, the Waitiki Land. Other lands that were also bought through SFT; the question is, are they repaying? How fast are they repaying? How efficient is the SFT Committee in ensuring

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that money has been paid? When it is paid, what is that money being used for? This is because it is money that is set aside to ensure that we settle squatters. So, I commend you for a good job, but I want you to move a step further. You would be the Chairperson who helps the people of the Coast get their land. People in other parts of this country have settled on land, but they should come out boldly and strongly that SFT must be managed properly. If it is managed properly, then we know we can actually get money to buy land for the people who have been squatters for many years. I know Hon. Majimbo Kalasinga is looking at me and wondering what this Member of Parliament for Kilifi North, my Deputy Majority Leader, is talking about.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): On a point of order, Hon. Temporary Speaker.

Hon. Owen Baya (Kilifi North, UDA): Yes, you guys have land, huge plantations of sugarcane and many things. The people of the Coast are still squatters. You do not know what it is to be a squatter. It is to be a slave, a person without dignity, and to live in an independent country, but you live as a slave in your country. That is what it means to be a squatter. You cannot build a house.

The Temporary Speaker (Hon. Martha Wangari): Hon. Owen, you mentioned Hon. Kalasinga, and he was actually saying, "I support you." So, what is out of order, Hon. Kalasinga?

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Hon. Temporary Speaker, you know very well I have a good heart, and when the people of the Coast are suffering, I cannot be happy.

The Temporary Speaker (Hon. Martha Wangari): I do.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): *Mimi nalinda mwananchi*. The people of the Coast are suffering, and I fully support the Hon. Deputy Leader of the Majority Party.

The Temporary Speaker (Hon. Martha Wangari): Finish up, Hon. Owen.

Hon. Owen Baya (Kilifi North, UDA): Thank you. I was telling my friend, Hon. Majimbo Kalasinga, and the House that being a squatter is an abuse of humanity. To be a squatter means you have no home. It means you own nothing. To be a squatter means that when someone in your family dies, you even have a problem with where he should be buried. If you live as a squatter, you are buried as a squatter, and your spirit, even in heaven, remains as a squatter spirit. We must end this issue of people being squatters, and SFT is the vehicle to do it. To live as a squatter is to live the most undignified life in this country. Therefore, I request that when budgets are being made, resources are being allocated, and we are mopping up resources, we put more money into liberating parts of this country that independence never liberated. One of them is the Coast Region, because those lands still belong to other people. Therefore, when I see audited accounts of SFT, I see a light; I know we are moving somewhere,

The question is, how well is that fund being used? How much more resources? Those people who benefited from it, are they paying? If they are paying, how is it revolving? Why is this revolving fund not buying more land for people? We wait for a Presidential directive to get more money. We must bring this SFT under scrutiny to know how much money is coming back and how much is being used for the right thing. I support that report and request this House to support it.

The Temporary Speaker (Hon. Martha Wangari): Mover to reply.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you so much. The so-called Linda Mwananchi are so noisy. All this time, the Hon. Member here had a very emotional contribution. They decided not to let me listen. They have just been talking. I sympathise with you, but I thank all the Members who have contributed.

I also thank the Member of Parliament from Kilifi. I know this is really touching; one of the recommendations we made was to fast-track the resolution of the disputed land in Kilifi

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County. I am also a mother and a squatter, and I live in Nyatike. These are the things that we are talking about. We got our independence in 1963, and some people in this country are still squatters in their own country. These are the injustices that we keep talking about. We believe we must fight through this Government to ensure these injustices are addressed and these people enjoy their rights, because we all have rights as citizens of this country. 10 years later, Internally Displaced Persons (IDPs) have not been resettled, and this is a very emotional thing to think about.

As a Committee, we want to work with the representatives of these people, like Hon. Owen; we will sit together again and review this report. That is our recommendation, and it is good enough to serve your people. You might not feel the pain because it is not happening in your county or constituency, but when it happens to anyone else in this country, we should all be affected.

Hon. Member, I am very grateful for your strong contribution. I wish you were there to sit in the Committee when these officers came, but all the same, all is not lost. We will sit again. We will resit and invite you so that you can also have the freedom to air your grievances on behalf of your people. Your constituents are lucky to have you. For you to contribute and take time on this Motion, it really touches on you and members of your constituency.

Hon. Temporary Speaker, I thank all the committee members. They sat down for long hours, past working hours, to make sure that we give a detailed Report on this issue. I am very grateful for the support from the National Assembly: the Clerk's Office and the Speaker's Office. They helped us. Sometimes, we had meetings during odd hours. Sometimes, we would request not to come to the Chamber and discuss these issues. We were supported well. I thank all the Members. I pray that these people will get justice.

Hon. Temporary Speaker, I beg to reply.

The Temporary Speaker (Hon. Martha Wangari): Very well. We shall defer putting of the Question on this Motion. Members, before the next Order, allow me to recognise, in the Speaker's Gallery, learners and teachers from Kipkabus Downs Junior School from Keiyo South Constituency, Elgeyo Marakwet County.

We welcome them to observe the proceedings of the House.

(Putting the question deferred)

Next Order.

APPROVAL OF THE NATIONAL ENERGY POLICY

The Temporary Speaker (Hon. Martha Wangari): Chairperson of the Departmental Committee on Energy. I saw Hon. Gikaria. I can see he has delegated. Hon. Mulanya.

Hon. Geoffrey Mulanya (Nambale, Independent): Thank you, Hon. Temporary Speaker. Allow me to thank the substantive Chairman of the Departmental Committee on Energy for giving me this opportunity to move this Motion. I beg to move the following Motion:

> THAT, this House adopts the Report of the Departmental Committee on Energy on its consideration of Sessional Paper No. 5 of 2026 on the National Energy Policy, laid on the Table of the House on Thursday, 2nd July 2026 and approves Sessional Paper No. 5 of 2026 on the National Energy Policy.

The National Energy Policy, 2025 replaces the National Energy Policy of 2018. It will guide the energy sector for the next 10 years. It covers electricity generation, transmission and distribution, renewable energy, clean cooking, energy efficiency and new technologies such as

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electric mobility, battery storage, green hydrogen and nuclear energy. It was tabled in the House on 16th April 2026, and referred to the Departmental Committee on Energy for consideration.

The Committee facilitated public participation, as required under Article 118(1)(b) of the Constitution. The Clerk of the National Assembly placed an advertisement in the print media on 23rd April 2026. The Committee held four sittings. It received submissions from the Principal Secretary for State Department for Energy, and from stakeholders, including Nature Kenya, the Council of Governors, the Katiba Institute and partner organisations, the Engineers Board of Kenya, the Kenya Bureau of Standards, the Competition Authority of Kenya, the National Environment Management Authority (NEMA), Transparency International Kenya, the Kenya Oil and Gas Working Group, the Electricity Consumers Society of Kenya, among other stakeholders.

Hon. Temporary Speaker, allow me to place before the House where the sector stands today. Kenya is the sixth largest producer of geothermal power in the world, with an installed geothermal capacity of 985 megawatts. The total installed electricity capacity is 3,081 megawatts against a peak demand of 2,316 megawatts. Renewable energy accounts for 82 per cent of the installed generation capacity. Electricity access has grown to 75 per cent of the population and 9,717 kilometres of transmission line have been built.

However, 25 per cent of Kenyans still have no electricity. Over 65 per cent of households still cook with firewood and charcoal. This Policy will close this gap between our achievements and reality in our constituencies. The Committee supports the Policy, but it raises the following serious concerns:

1. Implementation plan and financing. This is the Committee's principal concern. The Policy sets out very ambitious objectives, but it does not contain a costed implementation plan, financing plan or a way of ranking priorities. It also makes no use of the National Infrastructure Fund Act, 2026, which this House passed to raise long-term financing for strategic projects. The Committee recommends a costed implementation plan with clear timelines, financing sources and measurable indicators. The National Infrastructure Fund should be used, alongside Public-Private Partnerships (PPPs), climate finance and private investment.
2. Access and affordability. One in four Kenyans is still not connected to electricity, mostly in rural and marginalised areas. The cost of electricity remains beyond the reach of many households. The Committee recommends targeted investment in Last Mile Connectivity Project, mini-grids, clean cooking solutions and social protection measures, so that universal and affordable access is achievable by 2030.
3. Reliability of supply. The House is familiar with the complaints from the constituents on power outages, voltage fluctuations, system losses and ageing infrastructure. The Committee recommends accelerated investment in transmission, distribution and grid modernisation, and stronger maintenance of existing assets.
4. Protection of small consumers in the market reforms. The Committee is informed that the ongoing electricity market reforms and open access trading may benefit large consumers, while households and small businesses are left with higher tariffs and loss of cost subsidies. The Committee recommends that the reforms be implemented gradually, only after a full consumer impact assessment and with safeguards for vulnerable consumers.
5. Community rights, land and benefit sharing. Communities continue to raise concerns on land acquisition, compensation, resettlement and benefit sharing. Of particular concern to the Committee is that the geothermal

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benefit-sharing framework under the Energy Act, 2019—which gives most counties 20 per cent and local communities 5 per cent of the national government share of the geothermal revenue—has not been fully operationalised in some areas with geothermal energy. Most communities are, therefore, being denied benefits that the law already grants them. The Committee recommends that this framework be fully operationalised, compensation processes be transparent, grievance mechanisms be put in place and that free, prior and informed consent be observed on community land registered under the Community Land Act, 2016.

6. Role of the counties. County governments carry a lot of responsibilities in energy planning, clean cooking and environmental management, yet their role in the Policy is not clearly defined. The Committee recommends stronger intergovernmental coordination, integration of the county energy plans into national planning, and technical and financial support to the counties.
7. Environmental and biodiversity safeguards. Hon. Temporary Speaker, the Policy needs stronger safeguards for protected areas, key biodiversity areas, water catchments and forests, and clear rules on hazardous waste, electronic waste and decommissioning. The Committee recommends that environmental governance be mainstreamed across all energy sub-sectors. The role of NEMA should be strengthened. Strategic environmental assessment and biodiversity assessment tools should be made mandatory for projects sited near protected areas.
8. New technologies, standards and cyber cybersecurity. Hon. Temporary Speaker, the policy recognises electric mobility, battery storage, smart grids, artificial intelligence and green hydrogen but provides no regulatory pathway, standards or incentives for them. This leaves the country open to substandard products and to cybersecurity risks as our energy infrastructure becomes digital. The Committee recommends sector-specific strategies and financing mechanisms, formal recognition of the Kenya Bureau of Standards (KEBS) as the standard authority for energy products and cybersecurity standards for smart grids.
9. Local content. The policy carries no measurable targets for local content and technology transfer, local manufacturing jobs or skills. The Committee recommends a firm local content framework supported by research, technical training and capacity building so that Kenyans and local enterprises benefit from the investment in this particular sector.

Having considered all the submissions and observations, the Committee recommends that:

1. The House adopts this Report on Sessional Paper No. 5 of 2026 on the National Energy Policy, 2025.
2. Following the adoption of the policy, all proposed legislation on energy matters be guided by the provisions of the Policy.
3. The Cabinet Secretary for Energy and Petroleum, the Energy and Petroleum Regulatory Authority (EPRA), the National Environment Management Authority (NEMA) and other relevant state agencies implement the directives set out in the Report, and that the Cabinet Secretary reports to the Committee on the progress made within 12 months of adoption of this Report.

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Hon. Temporary Speaker, I therefore, beg to move the Report and request that the House adopts the same. I also invite the Hon. Member for Nakuru Town East, Hon. Gikaria, to second the Motion.

The Temporary Speaker (Hon. Martha Wangari): Hon. David Gikaria, proceed.

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Temporary Speaker. Let me take this opportunity to thank the Member for Nambale Constituency, who is a very resourceful and dedicated member of the Committee, and a lawyer by profession. Sessional Paper No. 5 of 2026 deals with matters to do with energy. With the support from the Office of the Clerk of the National Assembly and the Secretariat, we have had an opportunity to go through this Sessional Paper in detail and present a Policy that will be used for the coming ten years. Energy, as it is understood, is right at the core of the economic transformation of any country.

This Policy is a very significant milestone, in the ongoing transformation towards a sustainable, inclusive, and resilient energy future. Sometimes just having energy is not enough. We also need to look at the affordability of energy. Expensive energy will not transform the economy by the percentages that we expect. We recognise that reliable, competitive, affordable and clean energy access to all Kenyans is essential for realising our national development aspirations. The current administration, led by His Excellency President William Samoei Ruto, has an ambitious programme of over 10,000 megawatts (MW) of energy generation per day. That is a very clear indication that as a country, as we talk about our journey to Singapore, we cannot do this without having reliable, competitive, affordable and clean energy.

When you talk about clean energy, we look at matters to do with the environment. Kenya being a supporter of green energy, with geothermal energy being the biggest contributor of the energy in our country at almost 80 per cent, speaks volumes. When the President became the Chair of the Committee of African Heads of State and Government on Climate Change (CAHOSCC), and we held a summit here, it was key that we also need to take care of the global warming issues. Kenya has gone a step forward to achieve this.

Over the years, Kenya has made remarkable strides in expansion of electricity access, with the majority of its population now connected to electricity. It is on record and supported by facts, that for the last four years, this administration has been able to connect an additional four million consumers to the national grid. However, the challenges remain. These challenges are particular to rural areas, where access remains limited with lower levels of clean cooking options. The Policy aims to address these gaps, laying the foundation for an inclusive energy transformation that is centred on renewable resources, energy efficiency, and promotion of innovative technologies. Kenya has not been left behind on matters to do with innovative energy technologies.

This Policy is grounded on Kenya's commitment to achieve the Sustainable Development Goals (SDGs) particularly SDG7 that speaks about affordable and clean energy. The Policy aligns with our global climate commitment, including the Paris Agreement and the nationally determined contribution. It is on this nationally determined contribution that Kenya plays a role on matters to do with climate change by prioritising renewable energy resources, advancing the adoption of clean cooking solutions, enhancing electrification, enhancing emerging technologies and promoting energy efficiency. This Policy is set to clear a path towards ensuring that Kenya has access to reliable and sustainable energy.

This Government is committed to supporting implementation of this Policy through strategic partnership. As a country, we cannot be able to do these things alone so we have committed to bring on board other partners for resource mobilization and innovation. This framework enables transformation by ensuring that energy plays its rightful role as a catalyst for economic growth and socioeconomic development in this country.

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The Ministry of Energy and Petroleum played a very big role. We appreciate the institutions that came before us as we were looking into this Policy, including individuals who contributed to the development of this National Energy Policy, 2025. Special recognition is given to the executive officers of the Energy Sector Institutions for their valuable insights and commitment throughout the policy review process. The Ministry also acknowledged the dedication of the members of the Technical Working Committee who did tireless work to come up with this Policy.

Hon. Temporary Speaker, as we look into this, we must also address ourselves to reliability and affordability. A good policy that is not cost-effective will not achieve the milestones we anticipate. As a Committee, through this policy, we address matters relating to the cost of electricity and energy in general. For us to achieve this, there must be transparency in these areas. I remember one of the Senators brought a Motion on how to address this and spoke at length about transparency when dealing with this aspect.

There are a few issues that came out when we were looking into this policy. There was the issue of local content, which Hon. Mulanya has talked about. It is important for us as a House to address matters of local content. We cannot have an energy infrastructure project brought to a place worth billions of shillings, only for almost 80 per cent of that money to be taken away. Therefore, as we address this, we must look into local content and learn from the lessons we found in Turkana. Billions of shillings were pumped in, yet when you go there, the residents and locals are still suffering.

Secondly, there is the issue of community land and consent. The importance of county governments coming in is also to protect the interests of communities. We are going to reap billions as a country from Turkana, for example, but if you look at what is compensated to the community for the use of their land does not match. Environmental safeguards are also key. As we look into the energy policy, we must be able to address these issues.

Lastly, there is the issue of consumers and security. I beg to second.

(Question proposed)

The Temporary Speaker (Hon. Martha Wangari): Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I want to support the Motion on the Session Paper No. 5 of 2026 on the National Energy Policy.

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

I also welcome Hon. Oundo to listen carefully so that he knows that this government is working. He has a problem. He has not pushed the government enough to connect electricity to his people. Most of them live in darkness as they do not have electricity. They cannot watch television and hear him. It is even a problem to charge their phones.

Hon. Temporary Speaker, this policy framework represents a comprehensive and forward-looking blueprint designed to guide Kenya's energy sector over the next 10 years. It succeeds previous legal regimes, building on the significant milestones we have achieved as a nation. It is worth noting that Kenya has made significant strides towards ensuring that the whole country is covered by electricity. Not everyone has been covered, but significant strides have been made. This administration has connected over four million people to electricity in a period of three years. We have not covered the whole country yet, but significant milestones have been made. There are plans, not just plans but intentions, to ensure that we put electricity in every home under this administration.

Waswahili walisema, 'chanda chema huvishwa pete'. I want to thank Hon. Gikaria, who has presided over the Committee in both the 12th Parliament and this Parliament, for a

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good job. The Committee has also done a good job. We now have a new Session Paper that contains very important issues that I want to highlight. This Parliament needs to support. About 25 per cent of our citizens still lack electricity. Over 65 per cent of households continue to rely on traditional biomass and biogas for cooking. This new policy addresses these persistent gaps while preparing Kenya to exploit modern technological advancements and navigate global energy transitions. What is the objective of this policy? What is this Session Paper No. 5? The National Energy Policy of 2025 is anchored on specific strategic objectives aimed at transforming our socioeconomic landscape. These include several objectives.

First, promoting the development and utilisation of renewable energy resources to expand our green footprint. That is one of the key pillars of this policy: promoting renewable energy. The sun, hydro, solar and all those sources should be promoted. You can already see many companies investing heavily in solar. We have Malindi Solar, which is doing a big job. I went to Serena Beach Resort and Spa the other day in Mombasa, and I saw that it has a huge solar farm. It is transitioning from non-renewable energy to renewable energy. If you go to the internet, you will also see many companies selling solar products in Kenya. This shows the gradual shift towards renewable energy in this country, which is one of the key pillars of this policy.

Secondly, achieving universal electricity access and clean cooking solutions for all Kenyans by 2030. I know, as I speak here, parts of my constituency have not been electrified. However, I am looking at where we are going, with 2030 as the target. By 2030, every person in Kilifi should have electricity and access to clean cooking energy. We have it in policy, and we will continue to budget for it and ensure that all the people in Kilifi who do not have electricity today have hope that they will get it. This government is putting every measure available and applicable in place to ensure that we have electricity in every home by 2030. That is achievable, and 2030 is only around four years away from today. In the next regime, we will invest resources, both human and financial, to ensure that every household in this country has electricity and clean cooking gas. This will help us avoid deforestation and interference with our forests. This is good for this country. Green energy is a powerful force for the future.

Thirdly, developing, modernising and optimising our transmission and distribution infrastructure. This is where the rubber meets the road on transmission and distribution infrastructure. We have the Kenya Electricity Transmission Company Limited (KETRACO), where we are making huge investments to ensure that electricity can be transmitted from the source to areas where it can be distributed to consumers. That is heavy investment. A lot of money is required to do the Kenya Electricity Transmission Company Limited (KETRACO) lines in every part of the country. That is one of the pillars of this Sessional Paper. As a country, we must invest in transmission. Transmission is heavy lifting. It requires a lot of resources that we must find. It is anchored on the current vision 2030 of this country. With good policy of the Government, we shall achieve 100 per cent transmission.

The other important thing is distribution. We have the Rural Electrification and Renewable Energy Corporation (REREC) and the Kenya Power and Lighting Company (KPLC). These are important organisations that will help us achieve the thinking behind this policy. We must strengthen not just KETRACO but also REREC and fund them properly. We must strengthen and resource KPLC properly so that we achieve the vision of the Sessional Paper.

One of the things that we must do is to modernise. We have seen the shift from post-paid to pre-paid metering. That is a shift. However, we need to also modernise equipment. We see KPLC spending a lot of money changing poles that have been eaten by termites. If they fall, there will be no electricity because there will be a problem with the poles. The KPLC spends a lot money replacing them. The KPLC needs to modernise the poles it uses to ensure that there is stability in power distribution.

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What kind of wires does KPLC use? Sometimes we hear that a KPLC electric wire is cut. We need technology. We must invest in technology. That is what this policy is talking about. The Sessional paper says that Kenya will invest in modernisation of electricity transmission and distribution until the last mile. That is very important.

Mr. Speaker... Madam Speaker. Sorry, I know you are Madam Speaker.

The Temporary Speaker (Hon. Martha Wangari): That has actually happened severally. I was going to say you will confuse our learners at the Public Gallery.

Hon. Owen Baya (Kilifi North, UDA): I want to confirm that the person sitting on the Speaker's Chair is a Madam Speaker.

Hon. Temporary Speaker, the other pillar in this policy is promoting competitive energy procurement and pricing to bring down the cost of power for households and industries. This is one of the pillars that we aim to promote in this policy on competitive energy procurement. I remember when Hon. Kawaya was the Chair of the Energy Committee, he had to deal with the dragon of energy pricing, especially the energy got through diesel generators. We can remember that.

I need five more minutes to finish. I request that I be given more time so that I can finish my contribution on this policy.

The Temporary Speaker (Hon. Martha Wangari): You cannot take more time than the Mover and the Seconder. You will have an extra one minute.

Hon. Owen Baya (Kilifi North, UDA): One minute is not enough, but let me try. We need to procure better. Sometimes these energy producers fleece this country. We need to reign on independent power producers. If we must achieve energy sufficiency that is better priced and affordable to Kenyans, we must reign in on independent power producers to bring down the cost of energy so that we actually achieve the things that this policy is talking about.

Mainstreaming energy transmission, green industrialisation and absolute environmental and social sustainability is one other key pillar in this policy. You know, I was one of the people who had an opportunity to have a talk about nuclear energy. The producers of nuclear energy came to my county and constituency and the county said no. I hear it is now in Nyanza. What is our thought as a country about nuclear energy? What is our thought as a country about other sources of energy? How are we investing? How are we transitioning from petrol? I like the idea of what the President said. We need to invest more in electric cars and electric motorcycles. How are we transitioning to such energy levels? We have seen in other countries where people are reducing the use of petroleum fuels and moving into other biofuels and other energy products. How are we transitioning? Are we going to be stuck in the old systems of energy, or are we going to transition into new systems of energy? Energy transition and mainstreaming are very important. But, above all, how are we protecting our environment by ensuring that we use the right sources of energy? These are some of the key pillars, as well as enhancing institutional capacity, governance and seamless collaborative frameworks across the entire sector. These are very important things.

Without proper governance of the energy sector, we are going to kill the energy sector in this country. Proper governance: How is the Rural Electrification and Renewable Energy Corporation (REREC) being governed? How is Kenya Power and Lighting Company (KPLC) being governed? How is Kenya Electricity Transmission Company (KETRACO) being governed? How are we addressing the issues of governance within the energy sector? It is one of the key pillars of this. We are saying, as a country, we need to mainstream governance, ensure there is no corruption in the energy sector and ensure there is proper governance in the energy sector to achieve the milestones that we want to make.

Having said all those many things, and I think that the light is red, if you allow me, that one minute has not been given to me. But if they give it to me now, I will say this: This policy successfully aligns Kenya with global energy trends by integrating electric mobility, smart

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grids and clean energy pathways. That is one of the important pillars in this. Secondly, there are notable gaps, including expanding explicit biodiversity protection, hazardous and electronic waste management, and clear decommissioning of…

(Hon. Owen Baya spoke off the record)

The Temporary Speaker (Hon. Martha Wangari): You have made your point. I already gave you the extra minute, Hon. Owen. Allow me to indulge the Member for Funyula to make his contribution.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. The Deputy Leader of the Majority Party is a friend of mine. We normally have a banter once in a while, and I am surprised that he also does not have electricity in his area, yet he said it is only people from Funyula who do not have it. Pure contradiction. That is inimical to this wretched regime.

I also stand here to support the Committee Report on its review of Sessional Paper No. 5 of 2026 on the National Energy Policy 2025. Energy is central to economic development, is central to social development and, indeed, it promotes better welfare for the people of Kenya. This country has a bit of a contradiction, and I want to pick those contradictions directly from the Report and the Sessional Paper. This country, when you look at page one of the Sessional Paper, shows that Kenya's total installed electricity capacity as of June 2025 was 3,081 MW against a peak demand of 2,316 MW. That is where the paradox comes from, and this belies what we have always believed: that there is excess power in this country. So, it becomes a bit self-defeating and interesting that, when we go to page five of the same policy, it says that by 2025, the national electricity access rate was approximately 75 per cent, with 90 per cent and 68 per cent access in urban and rural areas, respectively. I represent a rural constituency, and therefore my concern is the 68 per cent connectivity in a rural constituency.

Hon. Temporary Speaker, if connection to energy is a basic human right, why do we only have 68 per cent access in rural areas 60 years since Independence? This statistic of 68 per cent could be more or less correct. When I became the Member of Parliament for Funyula Constituency in 2017, only about 18 per cent of the households in the constituency were connected to electricity. Through the good work of President Uhuru Kenyatta, I managed to improve that connectivity to about 50 per cent. At the time, the typical cost of a scheme was about Ksh5 million. In this regime, which my good friend Hon. Baya is the chief choir master, a single scheme now goes for almost Ksh12 million. Hon. Gikaria and those of us who were here know. This means the rate of connectivity in our rural areas has reduced considerably. Even if we use the Rural Electrification and Renewable Energy Corporation (REREC) Matching Fund Program, we can only do one project each year. Each constituency is allocated only Ksh5 million in the Matching Fund Program. The number of connections that can be done with this amount become a challenge.

I appreciate the issue of strategic objectives raised here. We hope to achieve universal electricity access by 2030. Chair, Hon. Gikaria, I pray and hope to God we will be here in 2030. By then, I want the entire Kenya to be connected to electricity. Many development economics will tell you that the measures of development are electricity connectivity, diversifying the energy mix and prioritising renewable energy sources while ensuring energy security and grid stability. Allow me to deal with the issue of grid stability. In Busia County, whenever the wind blows or there are signs of rain, power goes off completely. We can go three to four days without power. In Busia, power seems to have a very negative relationship with rain. When we asked, we were told the grid is old, outdated and cannot sustain the demand we require.

The second issue we need to look at is renewable energy sources. Over the years, we have promoted solar energy. Indeed, quite a number of homesteads have solar energy. But we

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have a big problem. The kind of solar panel technology we have in this country is starting to be a let-down. We have a project called Kudura that uses solar power. Just today, the people called me to inform me that around 7:00 p.m., all the lights go off and nothing can be run. They literally have no power. We then start asking the question, is there a way to ensure solar technology operates and runs the whole night? Many of us probably have solar security lights. If you are a man like me who gets home at 3:00 a.m., most likely the lights are off. Can the Committee, through the State Department of Energy, relook at the quality of this technology to ensure that it serves many people throughout? Regarding clean cooking solutions and technology, there is so much technology we need to invest adequately in this. Otherwise, I just want to assure Mheshimiwa Owen Baya that we are making strides in the next government of Linda Mwananchi. By 2028, we will have connected every Kenyan.

(Hon. David Gikaria spoke off the record)

The Temporary Speaker (Hon. Martha Wangari): Hold on, Hon. Oundo. What is out of order Hon. Gikaria? Are you on a point of order or a point of information?

Hon. David Gikaria (Nakuru Town East, UDA): It is a point of information, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. (Dr) Oundo, do you want to be informed?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): He is a good, honest and sincere man. I would wish to be adequately and comprehensively informed by him. Thank you.

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Temporary Speaker. I appreciate Hon. (Dr) Oundo. The Sessional Paper No. 5 on the National Energy Policy 2026 is available in our offices up here, and you can get it. When we delve deeper into the document, it addresses the matters he has raised. Yes, we have noticed issues regarding innovation and technology, particularly with solar energy; it does not last, and that is why the lights are off by 7 p.m. However, we now have storage batteries. After the sun sets, we can store enough energy in those batteries that can be switched on afterwards. This is the information I wanted to pass to Hon. (Dr) Oundo.

The Temporary Speaker (Hon. Martha Wangari): Yes, please wind up.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Allow me to receive the information with gratitude.

The Temporary Speaker (Hon. Martha Wangari): I will give you a minute.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Indeed, the same problem exists with solar energy. Those of us who have operated solar-powered pumps…

Hon. Ken Chonga (Kilifi South, ODM): On a point of order.

The Temporary Speaker (Hon. Martha Wangari): Hon. Chonga, Hon. (Dr) Oundo hardly received the information. What is out of order?

Hon. Ken Chonga (Kilifi South, ODM): Thank you. To be very honest, we are discussing a very serious subject. Is it in order for Hon. Oundo to mention the next government of Linda Mwananchi? What is Linda Mwananchi in the first place? He seems to imply that it is a government that will perform better than the current government.

The Temporary Speaker (Hon. Martha Wangari): Hon. Ken Chonga, that is a point of debate, and you are allowed to dream. You may even say when you become the president next year; it is up to you. Hon. Members, I do not want us to stifle each other's aspirations, as this is a House of debate. Unless something is utterly out of order.

Yes, Hon. Owen.

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Hon. Owen Baya (Kilifi North, UDA): I want to support Hon. Ken Chonga. You see, dreams are valid. However, dreams must also have a foundation or a pedestal of sorts. Linda Mwananchi have lost the party. They have lost the slogan. They have no ideas.

The Temporary Speaker (Hon. Martha Wangari): Order, Hon. Members. Hon. Owen, it can actually be you saying you are the president next year; it is within your rights. I do not think there is anything out of order. Hon. (Dr) Oundo, you have one minute.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): As I was saying, we need to be brutally honest. It is very embarrassing that someone has to walk for two kilometres to find somewhere to charge a phone. It is very embarrassing that someone cannot iron a shirt to look clean while walking around simply because he cannot connect to electricity. That is why it must be a top priority for us to achieve the target set here by 2030 to ensure universal connectivity by whatever means—be it solar, off-grid, or main grid. I can assure the Deputy Leader of the Majority Party not to worry. When he mentions Linda Mwananchi, my heart warms up. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Hon. Naisula.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you very much, Hon. Temporary Speaker. I was also intending to raise a point of order to urge my colleagues not to let the time for this session end before I contribute to this very important Motion by the Chairperson of the Departmental Committee on Energy. I commend my good friend, Hon. Gikaria and his committee, for bringing this Sessional Paper No. 5 of 2026. I believe it is a very important document. I have gone through various issues within it, and as I mentioned earlier, this is the third or fourth time I have brought a statement to inquire about power in Samburu County, specifically in Samburu West Constituency.

Hon. Temporary, we have to be very careful with these Sessional Papers. We are aware of previous Sessional Papers that were brought way back, that marginalised some of the communities and counties. I have read through this Sessional Paper, and there are some very important issues. I will talk about issues of implementation. Chairperson of the Committee, Hon. Gikaria, this can look very good on paper: the aspirations of Linda Mwananchi or the current regime, but the *raia* just need power. At the end of the day, it is as simple as that.

I just want to say a thing or two about the other Sessional Papers that have marginalised areas on energy matters. For example, when we had the Last Mile Connectivity Project, people assumed that Samburu and other areas had sunlight; we used to install solar in schools, hospitals and other public institutions while the rest of the country got electricity from the main grid. And since the Last Mile Connectivity Project provided that any household within 600 metres of an electricity connection would be connected to power, connecting a public institution to solar meant that the solar power would not benefit any other households. The solar power was only installed for that particular institution.

I remember when that policy was brought to this House, I opposed it. I have tried to read through and I hope we are not doing that anymore in this Sessional Paper, because you will be marginalising the same places based on assumptions. People just assume that those areas are sunny. What about the days when there is no sun in those areas? We do not want to have any Sessional Papers that continue to marginalise some areas while others keep moving forward.

The other reason I would like to comment on this Sessional Paper is because of power supply and monopoly. This issue with Kenya Power, some call it "Kenya Power and Lightning"- because they fear that any time there is rain in any town, there will be a problem. We have talked about monopoly for a long time. The same way His Excellency the President has been bold in addressing some of the policies in this country is the same way we should address the issue of the monopoly of Kenya Power. We have witnessed the entire country

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having blackouts, even in our main airport, leaving people stranded. How do we even market ourselves as an international airport when we do not have power at our international airport?

It will take bold steps for us to deal with these issues concerning Kenya Power once and for all. Samburu County is also a part of this country. It cannot go for three days without power. We are being told that there is a problem with the line all the way from Lanet, Nyandarua, and now Samburu which is at the end. There is a substation which we were promised would be fixed by December, but we are almost in December, and it has not happened; yet there are business people there, school going children and households that depend on electricity. We have to be serious as a country. We are the best in the region and we cannot continue to lag behind. I call upon the Chairperson of the Departmental Committee on Energy, Hon. Gikaria, to leave a legacy of enough supply of energy in our country.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Ruweida, are you on this? Kindly note that you contribute for five minutes as had been allowed before.

(Hon. David Gikaria spoke off the record)

There is no one on the Floor, Hon. Gikaria. You can give the information as you reply. Hon. Ruweida.

Hon. Ruweida Mohamed (Lamu East, JP): Ahsante, Mhe Spika wa Muda. Ningependa kumpongeza Mwenyekiti kwa kutoa maneno muhimu kama haya. Nimesoma Ripoti hiyo ila sijamaliza yote. Mwenzangu Mhe. Lesuuda amezungumza maneno ya ukweli kwamba mpaka sasa kuna sehemu nyingine ambapo wadi nzima haina stima. Hata katika shule, hakuna hata *solar*. Katika wadi ya Basuba kule kwangu, *Chairman* anafaa kujua kwamba wadi nzima mpaka, zikiwemo shule na zahanati hazina stima.

Pia naona Kamati imezingatia mambo ya wakazi wa visiwa vya bahari kwa sababu majenereta ni kazi sana. Kwa mfano, kule Faza Ward tuna jenereta ambayo tunatumia kwa stima na kila mwezi matatizo hayakosekani. Wakati wa jua zaidi ndipo jenereta huharibika zaidi. Tumekuwa tukigawanyiwa stima, mara mji huu unapata mara huu haupati. Siku zote imekuwa Mbunge ni maswali hapa Bungeni kuhusu jenereta. Natarajia kwamba hii *Sessional Paper* itakuwa imetibu haya matatizo yote ambayo sisi tunapata.

Wakenya wameunganishwa kwa mambo kadhaa. Mojawapo ni *National Grid*, nikisema kwa lugha ya kimombo. Sisi, Lamu Mashariki, hatujaunganishwa na Wakenya kwasababu eneo Bunge lote hakuna laini ya *National Grid* hata inchi moja. *Chairman*, ningependa nisikie vizuri kwa hivyo naomba uzingatie matarajio yangu. Kumekuwa na ubaguzi sana hapa Bungeni hasa kwa bajeti upande wa *Energy*. Ubaguzi unaofanywa ni kuwa tutahakikisha kwenye bajeti hapa tunaenda mbio lakini utaona katika hiyo bajeti eneo Bunge moja limepata milioni mia nne na hamsini na eneo Bunge langu, Lamu Mashariki, ipate milioni nne peke yake. Haya ni matatizo sugu ambayo yamekuwa hapa. Wale tumekuwa nyuma, tumeendelea kuwa nyuma na hii ndio sisi tunategemea angalau tuunganishe na wengine kwa hii stima.

Kuna mradi umekuja kule Lamu Mashariki wa Kenya Off-Grid Solar Access Project (KOSAP) kwenye visiwa vya Ndau, Kiwayu na Mkokoni. Lakini huo mradi umechukua muda. *Contractor* amekuja akanusa tu na kuondoka, hajarudi. Chairman, najua kuna matatizo mengi na kwa sababu tumepata nafasi wacha tukuambie. Tumekuwa tukikuelezea kwamba tuangalie na sehemu nyingine. Najua wewe ni muungwana na ni matarajio yangu kwamba wewe na Kamati mumefanya kazi nzuri kuleta hii Sessional Paper na ndio itatatua matatizo yetu.

Ahsante Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Martha Wangari): Thank you. There seems to be no more interest on this Motion. I will call the Mover to reply.

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Hon. Geoffrey Mulanya (Nambale, Independent): Thank you, Hon. Temporary Speaker. Allow me to thank Members who have contributed to this, Hon. Owen Baya, Hon. Oundo, Hon. Naisula and Hon. Ruweida. I encourage Members to support the Government on this. This is because the paper outlines government policy and provides a roadmap on where we need the country to be in the next ten years, in terms of energy production and distribution.

You noted from the debate that energy is core in the contributions of every Member who has contributed. I am sure it is also core to those who have not contributed. As they say, for any country to move forward, energy is the key enabler of the economy. That is why we must thank this government. This is because in just four years they have come up with this Sessional Paper to provide a roadmap on where we need to be as a nation. This is what Hon. Owen Baya pointed out to Hon. Oundo who is my neighbour. Hon. Oundo maybe just failed to point out to the House that he has benefited in electricity distribution from my county to his constituency in the last four years, more than he did in the last five years.

(Laughter)

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

The Temporary Speaker (Hon. Martha Wangari): There is a point of order from the Member for Funyula. He has been mentioned.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, my young brother is completely out of order. First, he was not here in the 12th Parliament and, therefore, does not know what happened. Second, the electricity projects we have gotten this term cannot be comparable to the ones we got last term. Let him not delude himself trying to defend what is not defendable. Let him just reply. Yes, we have moved from 18 per cent to about 60 per cent, and I thank God for my effort in this House. In any case, it is not me who has benefitted. Those projects have gone to taxpayers. It is not me. He needs to put it very clearly.

The Temporary Speaker (Hon. Martha Wangari): You have made your point.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): There is nothing out of order, Member for Trans Nzoia.

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

The Temporary Speaker (Hon. Martha Wangari): What is out of order?

(Hon. Owen Baya spoke off the record)

Hon. Owen Baya, you will not do the Speaker's job. What is out of order?

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Temporary Speaker. I felt like he was out of order because we cannot do a comparison of four years against ten years.

The Temporary Speaker (Hon. Martha Wangari): What ten years?

Hon. Lillian Siyoi (Trans Nzoia County, UDA): He is talking about the previous government…

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, you know this is a House of debate. I am being very patient. I have listened to Hon. Mulanya who has made Hon. Oundo to respond to last term. If I heard him right, he said that his last term compared to this term is different. That is what I heard him say.

Hon. Naisula Lesuuda (Samburu West, KANU): On a point of order, Hon. Temporary Speaker.

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The Temporary Speaker (Hon. Martha Wangari): What is out of order, Hon. Naisula? I do not want us to make points of debate controversial when they are not.

Hon. Naisula Lesuuda (Samburu West, KANU): No, Hon. Temporary Speaker. It is out of order that we are starting debate afresh. What we need to hear from the Mover of the Motion is a reply by giving concrete solutions on this matter. What was being brought up here is not a joke and it is also not politics. We have politicised it for too long. We want to know what this Sessional Paper will solve on the issues that have been raised here by Members. Otherwise, we will waste time while we still have not heard answers to our questions.

The Temporary Speaker (Hon. Martha Wangari): Hon. Mulanya, kindly reply. The idea of a reply is to listen to your colleagues' contribution…

Hon. Geoffrey Mulanya (Nambale, Independent): Hon. Temporary Speaker, I was just responding to my neighbour…

The Temporary Speaker (Hon. Martha Wangari): Order, Hon. Mulanya. You are supposed to listen to your colleagues' contributions, respond, and say whether there is anything that can be done to improve your proposal. That is the idea of a reply. Any Member is allowed to make reference to their constituencies. It is in order.

Hon. Geoffrey Mulanya (Nambale, Independent): Thank you, Hon. Temporary Speaker. The Sessional Paper raises nine key points that address the issues that my colleagues have debated on. One of the key things that Members have raised on the Floor of the House is constant power blackouts. This is caused by aging electricity lines. The Sessional Paper states that going forward we need to address this by replacing the ageing network. This will enable us to have a reliable power supply in the entire country.

The Sessional Paper also addresses the issue of electric mobility (e-mobility). My colleagues will note that, a few months ago during the Iran-America War, we had problems because of our reliance on petroleum products for movement. So, when the Paper talks about e-mobility, it means that we must have reliable power supply in the country. We can then have electric vehicles, electric motorbikes and other automobiles so that in future, when we have similar incidences to the Strait of Hormuz situation, we are not gagged down by not having fuel for the country to move forward.

The issue of clean cooking was also started by this Government. We are saying that the State Department for Energy is giving a roadmap on where they want us to be. In rural areas, especially, our people still use charcoal and firewood, which are not clean cooking methods. We are therefore stating in the Sessional Paper that we need to move forward to ensure that our mothers, brothers and sisters in the rural areas can access clean cooking methods. This can only be done if we have a stable supply, generation and distribution of power which we are talking about.

With those few remarks, and before I reply, I wish to donate one minute to my Chairman.

The Temporary Speaker (Hon. Martha Wangari): You are totally out of order. Hon. Members, please refer to your Standing Orders. If you want to donate time, you should do it before you reply. Reply, Member for Nambale.

(Hon. (Dr) Ojiambo Oundo and
Hon. Naisula Lesuuda consulted loudly)

Order, Hon. Members. You should also realise that you cannot donate time to a Member who has already spoken to this matter. It is totally out of order. Member for Nambale.

Hon. Geoffrey Mulanya (Nambale, Independent): Yes, thank you.

The Temporary Speaker (Hon. Martha Wangari): Could you reply? Are you on record?

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Hon. Geoffrey Mulanya (Nambale, Independent): Thank you, Hon. Temporary Speaker.

With those few remarks, I beg to reply.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, allow me to defer putting of the question on this Motion to a later appointed date.

(Putting the question deferred)

Next Order.

BILL

Second Reading

THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL
(Senate Bill No. 34 of 2023)

The Temporary Speaker (Hon. Martha Wangari): This Bill is to be moved by the Chairperson of the Departmental Committee on Labour. Hon. Chairpersons, allow me to recognise that today, you have done very well, including the Chairperson of the Committee on Implementation who is still waiting for his Order to be read out. Chairperson, Departmental Committee on Labour.

Hon. Ken Chonga (Kilifi South, ODM): I always carry out my responsibilities very well. I know you know that.

The Temporary Speaker (Hon. Martha Wangari): Hon. Chonga, do not take us back to last week. I think the Speaker already prosecuted that problem. So, kindly move.

Hon. Ken Chonga (Kilifi South, ODM): Hon. Temporary Speaker, I beg to move that the County Assembly Services (Amendment) Bill (Senate Bill No. 34 of 2023) be now read a Second Time. The Bill was read a First Time in the House on Tuesday, 27th May 2025 and was thereafter committed to the Committee in line with Standing Order 127(1). The Bill seeks to amend the County Assemblies Services Act No. 24 of 2027 to clarify the procedure for removal of a member of a County Assembly Service Board. Additionally, the Bill proposes to provide a procedure for the suspension of a Clerk of the County Assembly, taking into account principles of fair administrative action. In this respect, the Bill proposes to set out the pendency of suspension. Further, the Bill seeks to ensure that the Clerk of a County Assembly exercises effective control over the staff of the Assembly in order to ensure efficient running of the respective legislatures.

In compliance with Article 118(1)(b) of the Constitution and Standing Order 127(3), the Committee placed an advert in the print media on 24th June 2025, inviting the public to submit memoranda by way of written statements on the Bill. The memoranda were to be received on or before 4th July 2025 at 5 p.m., East African time. In addition, the Committee by letter Reference No. NA/DDC/LAB/2025/025, dated 23rd July 2025, requested the key stakeholders to share their written memoranda by Friday, 1st August 2025. By the close of the submission deadline, the Committee had received three written memoranda. The Kenyan Law Reform Commission (KLRC), the County Assemblies Forum (CAF) and the Society of the Clerks at the Table (SOCCAT) in the Kenyan legislature gave their views on the Bill, which the Committee considered and it is contained in Part 3 of the Report.

Before I provide the findings of the Departmental Committee, allow me to give a brief overview of the Bill for Members' guidance. The Bill contains eight clauses. Clause 1 provides the Short Title, which is the County Assembly Services (Amendment) Bill (Senate Bill No. 34 of 2023). Clause 2 proposes to insert the word "administrative" after "procedural" to ensure

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that the Act covers both procedural and administrative functions of the County Assembly. Clause 3 proposes a detailed petition process for the removal of a board member. Clause 4 clarifies that the clerk of a county assembly is responsible to a County Assembly Service Board and not to the chairperson of a County Assembly Service Board.

Clause 5 proposes to assign a Clerk of a County Assembly the power to exercise supervisory control over the County Assembly staff. Clause 6 introduces a new Section, which is 22A, to provide for a fair procedure for suspending a clerk of a county assembly. Clause 7 seeks to provide the timeline for responding to allegations by a clerk of a county assembly and the threshold for a county assembly resolution for removal, requiring the support of two-thirds of the members. Clause 8 seeks to safeguard the rights of staff on secondment.

Upon reviewing the Bill and the submission received, the Committee made the following observations:

1. The procedure for the removal of a board member is outlined under Section 58 of the County Government Act, 2012.
2. The Bill seeks to assign a clerk of a county assembly the power to exercise supervisory control over the county assembly staff.
3. There is a need for clear guidelines or provisions for payment of remuneration and benefits to the officer on secondment by the primary employer or the receiving entity and guidelines on terms of secondment, including timelines and preservation of the primary employment terms.
4. The provision of Clause 4 on the functions of the secretary will streamline the reporting structure of the clerk of the county assembly and ensure that the clerk is directly accountable to the County Assembly Service Board rather than to the chairman of the Board.
5. The provision of Clause 8 might disadvantage the primary employer, noting that the host organisation benefits from the officer's expertise and skills.

(Hon. Raphael Wanjala stood in the aisle)

The Temporary Speaker (Hon. Martha Wangari): Hon. Wanjala, you know you are out of order. Continue, Hon. Chonga.

Hon. Ken Chonga (Kilifi South, ODM): Thank you Hon. Temporary Speaker. Hon. Wanjala is like that.

6. Highlighting the causes of abuse of secondment in both levels of government which involve regular transfer of staff, the Committee noted the need for legal provisions to guide secondment that will enhance protection of officers on secondment, ensure uniformity, and ensure that secondment is guided by the need for skills transfer or critical support.

Hon. Temporary Speaker, emanating from the above observations, the Committee proposed the following amendments to the Bill. Clause 3 will be amended by deleting clause 3(b) of the Bill because the procedure to remove a board member is outlined under Section 58 of the County Governments Act of 2012. Clause 5 of the Bill will be amended by deleting the proposed amendment to Section 19(1) and inserting the following subsection immediately after Section 19(1): "Perform such other duties as may be assigned by the county assembly." Clause 7 of the Bill be deleted because the existing framework is satisfactory. Clause 8 of the Bill be deleted because it might disadvantage the primary employer while the host organisation benefits from the officers, expertise.

In view of the above, the Committee recommends that the House approves the Bill with amendments as contained in the schedule of amendments forming part of the Report. I beg to

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move and now request Hon. Lillian Siyoi, a Member of the Committee, to second this Motion. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Siyoi.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you for giving me the chance. I congratulate my Chair and fellow members of the Committee for going through the Bill. We found out that this is a very good Bill to support because we have seen the manner in which Clerks and Speakers are handled. I might quote the example of how the Speaker of Nyamira was removed from office. He was removed in a very awkward and wrong manner. I think he even went into depression. If you remember, he even formed another Chamber in his house. Just to be fair to officers in office such as Clerks, Speakers and even members of boards, it is important to have procedures through which they can be removed. We sat down, listened to the proposer and realised that the clauses that my Chair has just read out are prudent to be adopted. In that case, I second the Bill.

The Temporary Speaker (Hon. Martha Wangari): Very well.

(Question proposed)

Member of Nambale?

Hon. Geoffrey Mulanya (Nambale, Independent): I am not on this.

The Temporary Speaker (Hon. Martha Wangari): Not on this. Member for Funyula, are you on this?

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

Hon. Owen.

Hon. Owen Baya (Kilifi North, UDA): Thank you. I stand to support the Bill as moved by Hon. Ken Chonga. The devolved unit space has a lot of legislation that must be enacted to align things so that they are properly done. Removal of Speakers, Clerks, CECMs and Governors, and chaos are among the things we have seen. That space requires some neatness. It is not neat yet. I think this Bill brings that neatness.

Hon. Ken Chonga, having moved the Bill and brought it to the House, will guarantee safety of officers who work in assemblies and particularly county assemblies. Sometimes the removal of certain senior officers in county assemblies including the Speaker, the Clerk and other staff is very untidy. Sometimes it is done maliciously and in such a way that brings chaos. I think this Bill will bring sanity and order to that space. That is what we need.

This Chamber has survived many years. It has been there for many years. This House has existed for many years. The Senate is a recent addition but I am yet to see them move a Motion to impeach their Speaker or to remove their Clerk from office. The devolved units have been in existence for only 15 years yet we see their speakers and clerks being untidily removed from office. The National Assembly has not removed a cabinet secretary from office in its entire existence. Removal of a clerk or a speaker from office seems to be child's play in the county assemblies. It is as if they are not governed by law and order.

This law will bring order and sanity to county assemblies. This hallowed august House must bring order to the county assemblies. I support the fast-tracking of the County Assembly Services (Amendment) Bill to give proper power to the clerk and to provide a proper mechanism for removing erring members of county assemblies (MCAs) who may not be properly aligned with the existing system. This is a good Bill which we must support to ensure that we bring order. It is this House that will bring sanity to the county assemblies. We have seen chaos. I saw a county assembly speaker who felt that he was erroneously removed from office. So, he went and set up his own chamber and got his own Serjeant-at-Arms.

The Temporary Speaker (Hon. Martha Wangari): That was in Nyamira.

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Hon. Owen Baya (Kilifi North, UDA): Yes, it was Nyamira. Nyamira County was running two parallel assemblies and an MCA could choose which assembly to attend. You wonder whether this is Kenya. The county assemblies must learn from this House as it has ensured that law and order prevails. We do have our own ups and downs but we always respect the Speaker, the Clerk, the Mace and our Standing Orders. We must bring that order to the county assemblies. The National Assembly is ready to midwife such a transition.

Thank you, Hon. Ken Chonga, Chairman of the Departmental Committee on Labour, for trying to bring order to the county assemblies. May God bless you and may the people of Kilifi South look at you with favourable eyes in the next election.

(Laughter)

The Temporary Speaker (Hon. Martha Wangari): Very well. Let us have Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I am sorry, I was looking for the Bill. I had read it earlier on and noted some comments but I cannot see it. I rise to support the County Assembly Services (Amendment) Bill (Senate Bill No. 34 of 2023), which sets out procedures for the removal of the Clerk and members of the County Service Board. I also want to implore the Senate, our parallel House, to fast-track our Bills. They told us not to call them "the junior House". While we go out of our way to expeditiously review and process their Bills, our Bills stall in the Senate. They do not move at all. We are legislating for Kenyans. It is not about sibling rivalry. We will pass this Bill and it will be assented to.

I also want to join my colleagues who have stated that what happens in the county assemblies is a terrible embarrassment to democracy, which probably has to do with the quality of those who, fortunately or unfortunately, get elected to those county assemblies. They still treat the county assemblies like county councils or *kanjos* to the extent that there is no law and order. It is about goonism and unbridled use of force.

The Bill seems too descriptive and verbose. Some of the issues being legislated in the Bill could be included in the Standing Orders. We should amend the Bill during the Committee of the whole House because some of the set-out procedures are unnecessarily too long to be included in a Bill. They should be in the Standing Orders of the respective county assemblies. For example, the Bill provides that once a petition is received, the Speaker shall report it to the Assembly within seven days. Upon reporting the petition, the Speaker shall refer it to a Select Committee of the County Assembly to investigate the matter.

Even our Parliamentary Service Commission Act does not contain all these elaborate procedures. Those matters are provided for in the Standing Orders. We would therefore request the Committee to consider a bipartisan approach to the amendments to avoid such provisions and make the process much easier. The same applies to the removal of a member of the County Service Board. The procedures involving an advocate, investigations and other such requirements do not apply to a constitutional office. These are offices held by virtue of a statute. Therefore, there is no need to provide such an elaborate process in an Act of Parliament.

Another amendment I have included here, in Clause 8, is to amend Section 25 of the principal Act by adding a provision on secondment. A member of the Board can be seconded elsewhere while retaining their benefits. In essence, I hope and believe that once the Bill is cleaned up, it will meet the standards of the National Assembly. Sometimes Bills that come from the Senate have challenges. When they come here, since we have the technical capacity, we must clean them up so that when they become law they reflect the quality required.

Allow me to make a few general comments on the issue of county assemblies. The Constitution of Kenya mandates the county assemblies to oversee the county governments, including the county executives. Now that the clerk and the speaker have some security of

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tenure, I believe they will guide the county assemblies to discharge their mandate properly. It becomes difficult for a member of county assembly to complain that there is no development in his or her ward yet the same member is responsible for oversight in the county assembly. He participates in processing of Bills and the budget. It is therefore important that we up our game so that we produce quality Bills and policy papers that guide and ensure that the county governments function properly.

With those few remarks, I support the Bill. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, I do not see any more interest in this Bill. Hon. Chonga, reply.

Hon. Ken Chonga (Kilifi South, ODM): Thank you, Hon. Temporary Speaker. First of all, let me take this opportunity to appreciate the seconder and all the Members who have participated in debating this Bill. There are many cases where we witnessed indiscipline in our county assemblies. One such case has just been mentioned by Hon. Owen Baya. We have the case of Mandera, which turned very ugly. It almost turned fatal.

As Hon. Oundo has said, such incidents give a very bad image locally and internationally. The time has come for us to ensure that that the county assemblies operates with the level of dignity that is upheld by this House. They have rules of the House just like we do. It is timely that all the rules pertaining to the conduct of the business of an assembly, including matters of discipline, are properly provided for and adhered to.

With those remarks, I reply.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, I defer putting the question to an appropriate time.

(Putting the question deferred)

Next Order.

MOTION

ADOPTION OF 3RD REPORT ON STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE

The Temporary Speaker (Hon. Martha Wangari): Chairperson of the Committee on Implementation, Hon. Wanjala.

Hon. Raphael Wanjala (Budalang'i, ODM): Hon. Temporary Speaker, I beg to move:

> THAT, this House adopts the Third Report of the Select Committee on Implementation on status of Reports on Petitions and Resolutions passed by the House, laid on the Table of the House on Thursday, 5th December 2024.

The Committee on Implementation is established pursuant to Standing Order 209 of the National Assembly Standing Orders. The Committee is mandated to scrutinize and track resolutions of the House, including adopted Committee reports, petitions and undertakings by the National Executive. In addition, the Committee is required to ascertain whether such decisions and undertakings are implemented within the prescribed timelines and where delays or non-implementation arise, they ensure that satisfactory explanations are furnished. Standing Order 201 provides that within 60 days of a resolution of the House or the adoption of a Report of a Select Committee, the relevant Cabinet Secretary shall submit to the appropriate Committee a report outlining the status of implementation of the resolution.

Consistent with Article 153(4)(b) of the Constitution, Cabinet Secretaries are obligated to provide Parliament with full and regular reports on matters under their respective dockets. The Committee on Implementation, therefore, plays a central role in ensuring that resolutions

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of the House are translated into tangible outcomes for the citizens by holding the Executive to account and safeguarding the efficacy and authority of Parliament.

In the discharge of its mandate, the Committee engaged various Ministries, state corporations and agencies, seeking comprehensive status reports on the implementation of House resolutions, petitions and adopted Committee reports. To this end, the Committee received both written and oral submissions from Cabinet Secretaries and Accounting Officers during sittings held between February and April 2023. Further, the Committee formally communicated with Ministries, state corporations and agencies requesting updates on the implementation of resolutions, petitions and adopted Committee reports passed by this House.

In response, the Committee received detailed oral and written submissions from Cabinet Secretaries and accounting officers of their respective state corporations outlining the progress made in implementing the recommendations contained in the reports adopted by the House as follows:

1. The 22nd Report of the Public Investments Committee on the financial statements of the National Social Security Fund (NSSF) for Financial Years 2013/2014 - 2015/2016.
2. The 22nd Report of the Public Investments Committee on its consideration of the Auditor- General's reports on the financial statements of Kenya Medical Supplies Agency (KEMSA) for Financial Years 2012/2013 - 2016/2017.
3. The 22nd Report of the Public Investments Committee on the consideration of the Auditor-General's report on the financial statements of National Cereals and Produce Board (NCPB) for Financial Years 2015/2016 and 2016/2017.
4. Report of the Departmental Committee on Lands on a public petition regarding the restoration of land belonging to Ms Teresia Wambui's case in Kilifi North Constituency.
5. Report of the Departmental Committee on Lands on a public petition regarding securing land ownership rights of Mwananguvuze residents in Likoni Constituency.
6. Report of the Departmental Committee on Lands on a public petition regarding the irregular annexation and fencing of private land by Grat Co Limited, Matuga Constituency in Kwale County.
7. Report on the implementation status of a request for a Statement by Hon. Owen Baya on Luigi Broglio Space Centre in Malindi, Kilifi County.
8. Report on implementation status of a Motion by Hon. Gathoni Wamuchomba regarding implementation status of house resolutions on standardization and production of school uniforms.
9. Report of the Departmental Committee on Finance and National Planning on consideration of the public petition on payment of terminal dues of former employees of Pan Paper Mills Company Limited.
10. Report of the Public Petition Committee on a Petition by Pastor Ochieng Odindo regarding Ethics and Anti-Corruption Commission investigations of West Kano Irrigation Scheme.
11. The Public Investments Committee's Special Report on the inquiry into allegations of fraud and financial management at the Youth Enterprise Development Fund.
12. The 19th Report of the Public Investments Committee on audited financial statements of State Corporations, Volume 1, reports of the Auditor-General

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on the financial statements of Agricultural Finance Corporation (AFC) for the Financial Years 2003/2004 - 2011/2012.

13. Report on the implementation status of the 13th Report of the Special Funds Accounts Committee (SFAC) on the status of the Equalization Fund.
14. Report on the implementation status of the Public Investments Committee's (PIC) 21st and 23rd Reports on consideration of the Auditor-General's report on the financial statements of State Corporation, Coast Water Works Development Agency.
15. Report on the status of implementation of the resolution of the House on the Motion sponsored by the Member for Kakamega County, Hon. Elsie Muhanda, that the Ministry of Education develops a school feeding policy to cover basic education for pupils and sustains the programme in order to ensure that children are maintained in schools for effective learning and improve their wellbeing.
16. Report on the implementation status regarding a Motion on the establishment of the National Kiswahili Council in Kenya, by the Cabinet Secretary, Ministry of Gender, Culture, the Arts and Heritage.
17. Report on implementation status of a Motion sponsored by the Member for Maragua Constituency, the Hon. Mary Wamaua, urging the Government to establish database centres in all civil registration centres for purposes of storing all the necessary information required for issuance of birth certificates to all children.
18. Report of the Departmental Committee on Labour and Social Welfare on the visit to Riyadh, Saudi Arabia, on a fact-finding mission on the welfare of migrant Kenyan workers in the Kingdom of Saudi Arabia from 27th February to 3rd March 2019.
19. Report from the Departmental Committee on Energy relating to a public petition regarding the degradation of the environment along the Sondu Miriu Dam due to the failure by Kenya Electricity Generating Company PLC (KenGen) to fully comply with the environmental impact assessment of 1995 and report.
20. The report of the Auditor-General on the financial statements of Kenya Tourism Development Corporation for the year ended 30th June 1997 to 2012.

Hon. Temporary Speaker, in addition, the Committee undertook inspection visits to selected projects and state corporations to verify progress in the implementation of our House resolutions. This Report, therefore, contains a comprehensive analysis of the responses received, the status of implementation at the time of reporting as well as the Committee's observations and recommendations.

Hon. Temporary Speaker, in its consideration of the implementation status of House resolutions, the Committee made several general observations which have a direct bearing on effective implementation:

1. The majority of the House resolutions require financial obligations for adequate implementation to be carried out by the Executive. There is need for appropriation of funds to ensure that the resolutions are implemented as directed. There was inadequate budget allocated to the Ministries, Departments and Agencies to implement the recommendations.
2. Government officials in the Executive do not implement House resolutions promptly thus causing matters to delay unnecessarily. A case in point is the payment of former employees of Pan Paper Mills, which has been pending

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yet the Report of the Departmental Committee on Finance and National Planning on its consideration of the public petition on payment of terminal dues to former employees of Pan Paper Mills Company Limited recommended that the Government of Kenya, through the National Treasury, avails funds within the 2017/2018 Financial Year for payment of terminal dues to the former employees of Pan Paper Mills Company Limited.

3. Some state corporations have failed to expedite their acquisition of titles and ownership documents to their parcels of land as recommended in the 21st and 23rd Public Investments Committee Report. This has resulted in delay in updating their respective asset registers and the involvement of government officials in the irregular acquisition of the land as well as falling victim to land grabbers. A case in point is the Coast Water Works Development Agency. The Ethics and Anti-Corruption Commission (EACC) was frustrated in its quest to obtain crucial documents needed for the land case and in many instances, documents disappeared whenever EACC wrote to the Ministry of Lands and Physical Planning.
4. A majority of the recommendations addressed to the EACC have not been implemented with some investigations dating back to more than a decade. The EACC admitted in the Public Petition Committee Report on Petition No. 8 of 2022 by Pastor Ochieng Odindo regarding the EACC investigations of West Kano Irrigation Scheme where the EACC received reports of the allegations of fraud in 2015 but were yet to act on the suspects by the time of compiling this Report.
5. Relevant government ministries and officials responsible for the appointment of heads of parastatals and officers playing supervisory roles such as the Inspectorate of Government Corporations should ensure that office holders are confirmed to enable effective delivery of services and execution of roles.
6. There is need for Committee recommendations to be specific, measurable, achievable, realistic and time-bound (SMART) so as to facilitate smoother implementation of House resolutions.

Hon. Temporary Speaker, to address these challenges, the Committee makes the following key recommendations:

1. Government agencies and departments tasked with implementing House resolutions should endeavour to incorporate the resolutions in their work plans and deliver the same within the stipulated time frame, failure to which sanctions should be imposed against the responsible officials.
2. The National Treasury should ensure that appropriation of funds for the implementation of House resolutions is done within one financial year following the adoption of a House resolution for the public to drive the intended benefits. Further, the National Assembly should allocate sufficient funds to the implementing agencies for effective implementation of Reports passed by the House and adequate oversight of entities under their ambit.
3. State corporations should prioritize acquiring title deeds for all parcels of land to avert loss of these assets to grabbers.
4. The EACC should take note of all recommendations directed to it and provide a status report within 60 days of the adoption of this Report.

Hon. Temporary Speaker, the Committee is persuaded that if these recommendations are adopted and implemented, they will significantly enhance accountability, transparency,

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efficiency, prudent financial management, commercial viability of state corporations and ultimately ensure value for money for the Kenyan people.

Hon. Temporary Speaker, having carefully considered the proceedings and findings of the Committee on Implementation, I beg to move that this House adopts the Third Report of the Committee on Implementation. I request Hon. Mulanya to second the Motion.

The Temporary Speaker (Hon. Martha Wangari): Hon. Mulanya.

Hon. Geoffrey Mulanya (Nambale, Independent): Thank you, Hon. Temporary Speaker. Having listened to the Chair of the Committee on Implementation, I wish to second the Motion. The issues raised by the Chair, particularly lack of funding, are curtailing the efforts of both the Committee and state agencies. This afternoon, issues were raised regarding the implementation of reports and resolutions of this House. Our duty is to exercise oversight, and oversight must go hand-in-hand with implementation of what we deliberate upon. It would be futile for us to deliberate, spend hours debating matters and arrive at resolutions, only for those resolutions not to be implemented.

At the same time, if we require state agencies to implement our recommendations without providing them with adequate budgetary allocations, we create an impediment to their work. They are left with reports but without the resources to implement them. As you have heard from the Chair, some matters remain pending for as long as 10 years. For instance, where the Ethics and Anti-Corruption Commission (EACC) is required to investigate and prosecute a matter involving forensic evidence, when you spend more time with the reports, the delays can allow the same culprit that you are investigating to destroy the evidence that would otherwise be used in the prosecution of the offence.

There is also the issue of Pan Paper Mills, which has been raised in the report. As a Member from the Western Region, I know that many people, including some from my constituency, worked for Pan Paper Mills. Since they lost their employment, many of them have never been paid their dues. A report was submitted to the Departmental Committee on Finance and National Planning for consideration of a public petition on payment of terminal dues to former employees of Pan Paper Mills Limited. The Committee had recommended that the government, through the National Treasury, provide funds within the 2017/2018 financial year to settle the terminal dues owed to the former employees but the recommendation has not been implemented to date. We are now in 2026. As a legal practitioner, I know that when a court makes a decision, there must be a mechanism of enforcing it. Ultimately, a person who has gone to court seeking justice must be able to enjoy the benefit of that decision through enforcement, whether by an auctioneer or the police. However, we have a situation where resolutions and decisions of this House have not been implemented.

There is also the issue of title deeds, as raised by the Chair. Under the law, the person who acquires the first title obtains an irrevocable title. We could therefore reach a situation where we lose public land, not because nobody cares but because of our own laxity and our failure to provide the necessary resources to support the Committee and the relevant state agencies.

With those few remarks, I second the Motion.

(Question proposed)

(Hon. Baya walked entered the Chamber)

The Temporary Speaker (Hon. Martha Wangari): Hon. Owen, you have the Floor. Get to your seat as quickly as possible.

Hon. Owen Baya (Kilifi North, UDA): Why have I been given the Floor?

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The Temporary Speaker (Hon. Martha Wangari): Deputy Leader of Majority Party, the reason as to why I have given you the Floor is because earlier on this afternoon, the issue of no-implementation of resolution of this House arose. Honourable Members, including the Leader of the Majority Party, raised many questions on the non-implementation of Petitions and Resolutions of the House. So, before the House now is a Motion on a very important Report.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I want to thank the Chairman for moving two important Reports. I congratulate him and his Committee. I served in that Committee with him during the 12th Parliament. It is a very important Parliamentary committee. It is actually a very powerful Committee. It is one of the Committees that our Standing Orders stipulates very clearly that they must be headed by Members from the opposition or the minority side of the House.

In looking at implementation of House resolutions, there are many resolutions that this House passes. The resolutions are not passed in vain. It is understood that Parliament does not act in vain. Everything that is approved by Parliament must be implemented to the latter. Anybody who does not implement the resolutions of Parliament must face the wrath of the Committee that is chaired by the Member for Budalang'i.

The Member for Budalangi did something very good for me. There was a time when we passed a resolution in this House on the issue of Baricho water and it was not followed up for implementation. There were resolutions on solarization and power tariffs. The resolutions were partly implemented because the Committee took interest in them. It actually visited the place and asked why they had not implemented the resolutions. I want to report to the Chairman today that solarization has been done. That is how powerful this Committee is. In fact, it will be in the best interest of the Committee to visit Baricho today and see the fruits of its work. The Committee will confirm that solarization has been done. What we are waiting for is the reduction of the tariff on energy. The component of solarization has been done. That is how powerful this House Committee is.

Many Committee Reports are passed in this House and Members imagine that because a Report has been passed, it is the end of it. The chairpersons of the Committees never follow up the matter in terms of informing the Chairman of Implementation Committee that their resolutions have not been implemented, and that the Committee should kindly follow up. That is how Members of Parliament ought to work. We bring to the House Committee Reports, Petitions and requests for Statements, and people make promises. When they do so, we sit down assuming that we have achieved something. However, we do not achieve anything until the resolutions are implemented. We spend Parliament resources on them. The Committee that does the follow-up on behalf of this House is the one led by Hon. Wanjala. As I commend Hon. Wanjala for the good job that he is doing, I also want to call upon Members of this House to follow up on their reports. When they are not implemented, they should go to the Chairman and ask him to follow up.

I also remember another thing that Hon. Wanjala did for me because I follow up on issues. When we passed the resolution on restoration and revival of the Kenya Cashew Nuts Factory in Kilifi, it was passed here and resolutions were made. I followed up the matter. Hon. Wanjala and his team visited and inspected the factory. They asked very tough questions as to why that resolution of Parliament had not been implemented. I said, yes, this is the power of Parliament. That is why we need to change the way we do things. We do not just pass resolutions for the sake of saying, "You presented something." Has that which you brought to this House been implemented? If it has not, Parliament has provided a way through which you can enforce the implementation of that resolution.

Hon. Wanjala, I thank you, and I want to thank the Members who followed up with you. I want to urge other Members of this House that every time this House resolved on an

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issue, please; make sure that the Committee chaired by Hon. Wanjala is aware. Sometimes, on their own motion, the Committee follows up on issues. We have seen some resolutions being implemented because Hon. Wanjala and his team went and demanded that they be implemented because they are resolutions of the House. Therefore, I sincerely, from the bottom of my heart, thank you, Hon. Wanjala. I also want to say sorry for the loss of your relative last week and, therefore, for not being able to be here. However, I have seen you at work. I have seen your energy at work. I have seen your passion in ensuring that Parliament's resolutions are implemented. I congratulate you and I support you.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, this debate will continue. This is a very important Report. I hope the debate will continue in the next sitting.

ADJOURNMENT

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, the time being 7.00 p.m., the House stands adjourned until tomorrow, Wednesday, 19th August 2026 at 9.30 a.m.

(The House rose at 7.00 p.m.)

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