REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

26th August 2026 Vol. V No. 81

THE HANSARD

Wednesday, 26th August 2026

(The House met at 2.30 p.m.)

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

PRAYERS

QUORUM

The Temporary Speaker (Hon. Martha Wangari): Serjeant-at-Arms, ring the Quorum Bell for ten minutes.

(The Quorum Bell was rung)

Order, Members. Hold the ringing of the Bell. We have the numbers to start this sitting. Clerk-at-the-Table, call out the Orders.

COMMUNICATION FROM THE CHAIR

DELEGATION FROM THE PARLIAMENT OF UGANDA

I wish to introduce to you a delegation from the Parliament of Uganda, who are seated in the Speaker's Row. They are the Hon. Namara Dennis, the Leader of the Delegation, and Hon. Linos Ngompek. The delegation, accompanied by two parliamentary staff, is on a visit to our institution to gain insights into the framework governing the determination, appointment and removal of the Majority and Minority Leadership in the House.

(Laughter)

On our own behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful engagements.

(Applause)

I will indulge the Deputy Leader of the Majority Party to welcome the delegation. I will also give the Member for Baringo, who worked with one of the Members, an opportunity to welcome them, and that will be it for this Order. Hon. Owen, they are here to learn how to remove you from office.

(Laughter)

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Temporary Speaker.

I would like to take this opportunity, on behalf of this House, to welcome our counterparts from Uganda to this honourable House. This august House has never learned how to remove the Leader of the Majority Party. This is because there has never been any ground, either now or in the future, to remove the Leader of the Majority Party. However, we have a precedent in the Senate. There was a time when the Senate actually removed the Leader of the Majority Party and the Deputy Speaker. So, you are welcome to learn from the other House, but not this House.

I also want to tell you that I have been to the Chamber in Uganda. I had a great time, and I visited Uganda and learnt many things from its Assembly. I realised it is one of the most complex Parliaments that I have ever visited. Therefore, you are most welcome. Find some time to have a discussion with me. I will help you in one way or the other.

On behalf of the House, I welcome the delegation. Thank you very much.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Hon. Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you, Hon. Temporary Speaker. I also want to take this opportunity to welcome my former colleague. We served in a multipurpose Committee in the East African Legislative Assembly (EALA). Dennis is one of the youthful Members of Parliament. I remember we contributed so much to legislation in EALA.

I want to tell my friend and colleague that I did not know he was coming to learn how to remove the Leader of the Majority Party. But all in all, you are welcome. We will support you. We will give you all the notes, but most of all, we will help you to retain them in office.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Removal is part of our job; it is stipulated in the Standing Orders. He is in order.

Hon. Jematiah Sergon (Baringo County, UDA): Well guided.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Jematiah. I was lucky to have been part of the observer mission for the last Ugandan elections. So, it is good to have you in the House. We wish you fruitful deliberations.

Next Order.

PAPERS

Whip of the Majority Party, you have quite a number.

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

1. Reports of the Auditor-General and Financial Statements for the years ended 30th June 2021, 30th June 2022, 30th June 2023, 30th June 2024, 30th June 2025 and the certificates therein in respect of the following –
    - (a) A.C. Butonge High School – Bungoma County;
    - (b) A.I.C Song'ot Boys Secondary School – Turkana County;
    - (c) AIC Girls Secondary School – Kessup – Elgeyo Marakwet County;
    - (d) Bujumba Boys Secondary School – Busia County;
    - (e) Chebosi S.A. Boys' High School – Bungoma County;
    - (f) Kapcheplanga Secondary School – Kericho County;
    - (g) Kapkenda Girls High School – Elgeyo Marakwet County;
    - (h) Kapsowar Boy's High School – Elgeyo Marakwet County.
    - (i) Kiarithaini Boys High School – Nyeri County;
    - (j) Kibendo Secondary School – Elgeyo Marakwet County;
    - (k) Kipsis Secondary School – Bungoma County;
    - (l) Lelu Secondary School – Kericho County;
    - (m) Lesirwo Secondary School – Kericho County;

(n) Moi Kapcherop Girls Secondary School – Elgeyo Marakwet County;
(o) Sigalame Boys High School – Busia County;
(p) St. Barnabas Girls Secondary School – Trans Nzoia County;
(q) St. Benedict's Budalangi High School – Busia County;
(r) St. Jacinta Girls Chebororwa Secondary School – Elgeyo Marakwet County;
(s) St. Joseph's Nalondo Boys High School – Bungoma County;
(t) St. Mary's Sosio Girls High School – Bungoma County; and
(u) Tambach Boys High School – Elgeyo Marakwet County.

2. Reports of the Auditor-General and Financial Statements for the years ended 30th June 2023, 30th June 2024, 30th June 2025 and the certificates therein in respect of the following –
(a) Afraha High School – Nakuru County;
(b) Bishop John Njenga Secondary School – Taita Taveta County;
(c) Eldoro Girls High School – Taita Taveta County;
(d) Mghalu High School – Taita Taveta County;
(e) Mivumoni Secondary School – Kwale County;
(f) Mwakichuchu Secondary School – Taita Taveta County;
(g) Mwakitawa Secondary School – Taita Taveta County;
(h) Mwanambeyu Girls High School – Kwale County;
(i) Nyamira Girls High School – Siaya County;
(j) Our Lady of Perpetual Succour Girls Secondary School–Taita Taveta County;
(k) St. Anne's Kisoko Girls High School – Busia County;
(l) St. Clare Butula Girls High School – Busia County;
(m) St. Michael Unyuani Secondary School – Machakos County; and
(n) St. Thomas Amagoro Girls' Secondary School – Busia County.

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) AIC Nyayo Girls Secondary School – Machakos County;
(b) Chinga Boys High School – Nyeri County;
(c) Dr Krapf Memorial Secondary School – Kilifi County;
(d) Dundori Secondary School – Nakuru County;
(e) Gachoire Girls School – Kiambu County;
(f) Karatina Girls Secondary School – Nyeri County;
(g) Kiamaina Secondary School – Nakuru County;
(h) Kibiko Secondary School – Kajiado County;
(i) Kimana Girls High School – Kajiado County;
(j) Kulamawe Secondary School – Isiolo County;
(k) Mucharage Secondary School – Nyeri County;
(l) St. Mary's Lwak Girls' High School – Siaya County;
(m) St. Teresa Moi Equator Girls Secondary School – Nyeri County;
(n) Vitengeni Baptist Secondary School – Kilifi County; and
(o) Watuka Secondary School – Nyeri County.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. Chairperson of the Departmental Committee on Justice and Legal Affairs.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Speaker, I beg to lay the following Paper on the Table:

> Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Law of Contract (Amendment) Bill (National Assembly Bill No. 49 of 2025).

Thank you very much, Hon. Temporary Speaker.

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

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, I shall indulge the Member for Kilifi North.

DISRUPTION OF WATER SUPPLY IN THE COAST REGION

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Temporary Speaker. Pursuant to Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation regarding the status of water supply in Kilifi, Kwale, Taita Taveta and Mombasa counties.

Kilifi, Kwale, Taita Taveta and Mombasa counties continue to experience persistent water shortages, largely attributed to inadequate pumping and production capacity at the Baricho Water Works, operated under the Coast Water Works Development Agency. Although the Government has installed solar-powered systems at the Baricho Water Works, the energy generated remains insufficient to significantly reduce the cost of electricity required for pumping and water production. Consequently, the maximum production capacity of Baricho Water Works remains low, currently approximated at 110 million cubic metres, resulting in a significant shortfall in supply in the regions. Notably, Kilifi County receives only about 50 million cubic metres of water per day against 200 million cubic metres estimated to meet the needs of over 1.5 million residents, institutions and health facilities.

The inadequate and intermittent supply has also contributed to a substantial increase in non-revenue water, which is estimated to account for nearly 50 per cent of the water distributed in Kilifi County. The persistent shortage of water supply further threatens livelihoods and risks undermining the coastal tourism industry, which is heavily dependent on a consistent supply of water. Additionally, the Baricho Water Works also experiences frequent downtime in its production processes, compounded by repeated power disconnections arising from outstanding historical electricity bills. The resulting interruptions have affected water production and distribution to the affected counties. The situation has been further aggravated by the disconnection of water services by the Coast Water Services Board, leaving large parts of the coastal region without a reliable supply of water and raising concerns regarding the efficiency and sustainability of water service provision in the region.

As we speak now, Coast Water Works Development Agency has disconnected water in the coastal counties and that from yesterday, there has been no water in the whole region. This is an affront to the constitutional rights of the people. The people enjoy the right to water and Coast Water Services Board cannot disconnect water completely in the whole region. The inefficiency of the Coast Works Services Board, should not in any way affect the residents. The said Board is inefficient, insensitive and operates unconstitutionally.

The Temporary Speaker (Hon. Martha Wangari): Hon. Owen, you are debating your request for Statement. You know that. Submit your request for Statement, as approved. I understand that it is an emotional issue and the Chair has heard you.

Hon. Owen Baya (Kilifi North, UDA): Let me stop there and finish reading what was approved.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation on the following—

1. The measures being undertaken to immediately restore and maintain a constant and adequate supply of water in the said counties, including addressing outstanding electricity bills, possible waiver or restructuring or review of the bills at the Baricho Water Works.
2. The interventions to increase production capacity at the Baricho Water Works to ensure that water supply meets the growing demand in the coastal region.
3. The long-term strategy for ensuring sustainable and adequate water supply in the coastal region, taking into account population growth, the needs of public institutions and health facilities, and the importance of a reliable water supply to the tourism sector and the region's economic development.
4. This House, through the Committee, orders that water be reconnected immediately.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Baya, you are even prescribing the response.

(Laughter)

Hon. Kangogo, this sounds like quite an urgent matter.

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Temporary Speaker, the request for Statement by the Deputy Leader of the Majority Party, is a very serious issue. Hon. Owen needs to listen to me. This House passed the Water (Amendment) Bill which seeks to operationalise the bulk water supply. In the coastal region, Mombasa Water Supply and Sanitation Company and Kilifi Mariakani Water and Sewerage Company, do the last mile connectivity of water around the two counties. The two counties have refused to pay Coast Water Development Agency the water they supplied to the two water service providers.

At the same time, Hon. Owen Baya said that the two counties rely on Baricho Water Works which uses pumping stations. The cost of pumping water is very high. If these two water service providers do not pay Coast Water Works, how will they supply water?

As I bring the answers, even tomorrow, it is important to note that there is a problem in the counties. The water service providers, which are managed by the governors, are not paying the bulk water supply. I ask Hon. Owen Baya, who is also the Deputy Leader of the Majority Party, that since he is the kingpin of the Coast region, he can engage the governors of Mombasa and Kilifi counties to pay Coast Water Works so that those pumping stations can pump enough water.

The Temporary Speaker (Hon. Martha Wangari): Chairperson, I feel like you have already given some preliminaries and the causes of the predicament that the people of Kilifi are going through. But we need specific answers to this request for Statement. Would you do that tomorrow or Tuesday?

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Temporary Speaker, on Tuesday afternoon.

The Temporary Speaker (Hon. Martha Wangari): Chair, we are proceeding to recess on Thursday.

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Temporary Speaker, let me give a preliminary report tomorrow afternoon because water disconnection is a serious issue.

The Temporary Speaker (Hon. Martha Wangari): Yes, tomorrow afternoon. It is so directed. Next Order.

BILLS

First Readings

THE KENYA BLOOD, CELLS, TISSUES AND ORGANS BILL
(National Assembly Bill No. 18 of 2026)

THE HERALDRY BILL
(National Assembly Bill No. 45 of 2026)

(The Bills were read a First Time and referred to the relevant Committee)

The Temporary Speaker (Hon. Martha Wangari): Next Order.

SPECIAL MOTION

The Temporary Speaker (Hon. Martha Wangari): Chairperson of the Committee on Delegated Legislation, Hon. Chepkonga.

CONSIDERATION OF THE INCOME TAX EXEMPTION

Hon. Samwel Chepkonga (Ainabkoi, UDA)]: Thank you, Hon. Temporary Speaker. This is a very brief Motion. I beg to move the following Motion:

> THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Income Tax Exemption (Amendment of Legal Notice No. 15 of 2021), laid on the Table of the House on Tuesday, 25th August 2026, and pursuant to the provisions of section 13(3) of the Income Tax Act, Cap 470, this House approves the Income Tax Exception (Amendment of Legal Notice No. 15 of 2021) (published as Legal Notice No. 191 of 2025).

The import of this Motion, is to seek to introduce one more project under Legal Notice No. 15 of 2021. We have 16 projects that have been exempted from the Income Tax Act. This Legal Notice seeks to exempt another project, named, the Project for Strengthening Research Capacity for Kenya Medical Research Institute (KEMRI), 2024. As you know, sometime this year, we approved the establishment of KEMRI as a research university. The Japanese Government, through Japan International Cooperation Agency (JICA), has extended three billion Kenya shillings for research to this institution, and they have required under the bilateral agreement signed between Kenya and Japan, that the monies that will be given and paid out of this project be exempted from income tax.

That is the only thing that we are seeking to do. It is a very brief one; just a one-liner, to introduce number 17 in Legal Notice No. 15 of 2021. I would like to request Vice-Chairperson, Hon. Gichimu, to second.

The Temporary Speaker (Hon. Martha Wangari): Hon. Githinji from Gichugu.

Hon. Gichimu Githinji (Gichugu, UDA): Hon. Temporary Speaker, I beg to second. I have nothing useful to add.

The Temporary Speaker (Hon. Martha Wangari): Or nothing at all.

(Question proposed)

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

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Temporary Speaker, I am privileged to sit both in the Committee on Delegated Legislation, as well as the Departmental Committee on Health, and the matters under discussion today affect KEMRI. We are asking that KEMRI be included among those organisations that are exempt from the provisions of the Income Tax Act and regulations. This is a very useful thing because recently KEMRI became a university and it is our prime research organisation. We need to understand that research is a very important aspect of our development and that many organisations that have benefited from development have started by benefiting from research. Therefore, in order to allow KEMRI to do fundraising around the world, from Korea, Japan or wherever is available, countries that favour research, we support that this provision be supported. I, therefore, support.

The Temporary Speaker (Hon. Martha Wangari): Wuod Chief, one minute.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Temporary Speaker. Any development is anchored on research, and KEMRI is doing a great job. I think it is an oxymoron for any country that is receiving grants to ask for income tax. This is timely, and I urge all Members, let us support this Motion. Thank you.

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

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Temporary Speaker. Allow me to rise and support this amendment by the Committee on Delegated Legislation. One crucial thing, you have been here on that Chair when I was moving the Report of the Auditor-General touching on KEMRI which is a research institution, but having been expanded to a research university, especially on issues touching on health, they require to be supported. The only way to support them is to allow them not to be subjected to income tax so that they can go out and look for resources which will wholly go into research, especially on matters touching on our health.

Thank you, I support.

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

Hon. Jared Okello (Nyando, ODM): Hon. Temporary Speaker, thank you for the opportunity. As I support this, it is important to note that this has already been published by the Cabinet Secretary in charge of Finance, Hon. John Mbadi, who is just about to walk into this Plenary. The Committee I belong to, the Committee on Delegated Legislation, is in concurrence with this kind of proposal. JICA intends to inject three billion Kenya shillings and the only thing blocking this is to give them a leeway to be tax-exempted when they either bring materials or members of staff to help control this money. Therefore, to lose three billion shillings at the altar of taxation does not really make sense.

Therefore, it is important that this is given to them and that, as a consequence, we are going to create more jobs using these three billion shillings. Most of our young people who are currently jobless will be plugged into various opportunities when this comes to fruition. Therefore, I support, and thank you for the opportunity.

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

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Thank you, Hon. Temporary Speaker, for the opportunity to contribute. As we all know, research powers development. The Committee has clearly explained that the monies we are exempting are not monies coming from the institution, but those coming from external sources. Therefore, I support the wisdom of exempting monies that are coming from external sources to support our own research; research that is likely to power innovation and our own development.

I support.

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

Hon. Gideon Ochanda (Bondo, ODM): Thank you, Hon. Temporary Speaker. If you look at the cumulative effort in terms of placing resources to research in this country, it is very minimal, to an extent that even if you look at an agency that supports this Government in every other matter, whether economic or not, like the Kenya National Bureau of Statistics (KNBS), they all the time do not have enough money. When we get an opportunity like this for those institutions that do research, it is important that we do not subject them to other additional requirements.

Sometimes, it is also not very nice at all to place taxes on somebody else's money. If at all we were the ones generating the money and are able to place some taxes on them, that is totally different. However, when you are given a grant and then you want to subject it to taxation, it is not very nice.

I support.

The Temporary Speaker (Hon. Martha Wangari): Finally, Hon. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. As much as this is a very quick Motion that we need to pass, it is extremely important. As the Mover said, KEMRI has moved a step further. What we need to know is that KEMRI is now not just a research institution, it is actually a degree awarding institution, dealing with postdoctoral research. Basically, that is where research that runs the systems is. Nationally, we actually give very little money to research. If you look at the National Commission for Science, Technology and Innovation (NACOSTI), the total amount of money in this country that is given for research is just about two per cent of our budget. This is extremely small. In many cases universities receive funding from outside in order to grow. Postdoctoral research is extremely important because it gives rise to findings that eventually go into production of even drugs, like in the case of KEMRI. Therefore, we stand to earn a lot in the future if we promote research and have these new graduates supported, not only from JICA, but from any other source. This is something we should support a lot. KEMRI should be supported. I only want to sound a warning which I have said before, that now that it is a university, the biggest error we can make is for it to start taking undergraduate students. This would kill the research. Let us support them. Let them depend on this funding from outside even if there is little from inside.

With that, I support.

(Question put and agreed to)

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

The Temporary Speaker (Hon. Martha Wangari): Next order.

MOTION

CONSIDERATION OF REPORT ON SENATE AMENDMENTS
TO THE KENYA NATIONAL COUNCIL FOR
POPULATION AND DEVELOPMENT BILL
(National Assembly Bill No. 72 of 2023)

The Temporary Speaker (Hon. Martha Wangari): Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move:

THAT, the Senate amendments to the Kenya National Council for Population and Development Bill (National Assembly Bill No. 72 of 2023) be now considered.

These are amendments that were done from the Senate. Largely, we are in concurrence. I beg the House to support these amendments. I beg to move.

The Temporary Speaker (Hon. Martha Wangari): Who is seconding?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Sorry, Hon. Temporary Speaker. May I request Hon. Wangwe to second the Motion.

The Temporary Speaker (Hon. Martha Wangari): Member for Navakholo.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Temporary Speaker, I second.

(Question proposed)

(Loud consultations)

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, we shall be going to the Committee of the whole House, but I will indulge you, Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. By accepting the Senate amendments, we are sending a very strong message to the Senate that we are not in a big fight with anybody. We are not in a competition with them. We are only interested in the good of this country. Likewise, when we send anything to them, they should expeditiously consider it and accept our reasoned views, for we could be much wiser than them because we are many. When many heads are put together, good things come out of it. That is why we need the leadership to pass the message to the Senate that we are not rivals. We are complementing each other. We just happen to be their slightly elder brother and they must live with that and accept it moving forward.

Thank you. I support.

The Temporary Speaker (Hon. Martha Wangari): Leader of the Majority Party, reply.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to reply.

(Applause)

(Question put and agreed to)

The Temporary Speaker (Hon. Martha Wangari): Next order.

CONSIDERATION OF REPORT ON SENATE AMENDMENTS TO THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (NO.4) BILL
(National Assembly Bill No. 45 of 2024)

The Temporary Speaker (Hon. Martha Wangari): Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move:

THAT, the Senate amendments to the Public Finance Management (Amendment)(No.4) Bill (National Assembly Bill No. 45 of 2024) be now considered.

Again, these are some three Bills that we have passed in the House. When they were relayed to the Senate, they passed some minor amendments then consolidated all the Bills into one Bill, which is now this Bill that we are considering. We are in full agreement with the amendments that were passed by the Senate. Just to reiterate what the Hon. Oundo has said, we are not in competition with the Senate. That is what a bicameral Parliament ought to do. Where you can generate new ideas that improve a piece of legislation, we support it. Not what we saw with the Road Maintenance Levy Fund (RMLF) Bill, where they rejected the Bill including the title of the Bill. I even wonder whether they read it.

I beg to move and request the Hon. Oundo to second this Motion in agreement. We will support these amendments in Committee of the whole House. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. Since I already commented on the generality of the matter, allow me to second and have nothing else to add.

Thank you.

(Laughter)

(Question proposed)

Hon. Members: Put the questionQ

The Temporary Speaker (Hon. Martha Wangari): The mood of the House is that I put the Question.

(Question put and agreed to)

Hon. Members, we shall reorder the Order Paper slightly, so that Order No. 16 comes now before Order No. 13. Call out Order No. 16.

SPECIAL MOTION

CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE TEACHERS SERVICE COMMISSION

The Temporary Speaker (Hon. Martha Wangari): Chairperson, Departmental Committee on Education.

Hon. Julius Melly (Tinderet, UDA): Hon. Temporary Speaker, I beg to move:

> THAT, taking into consideration the findings of the Departmental Committee on Education in its Report on the Approval Hearings of Nominees for Appointment as Members of the Teachers Service Commission, laid on the Table of the House on Tuesday, 25th August 2026, and pursuant to the provisions of Article 250(2)(b) of the Constitution, Section 8(8) of the Teachers Service Commission Act, Cap 212 and Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F, this House approves the appointment of the following persons as Members of the Teachers Service Commission –
> (i) Ms. Antonina Lentoijoni; and
> (ii) Hon. Wilson Sossion.

Hon. Temporary Speaker, pursuant to the provisions of the Constitution and Standing Orders of the House, the Departmental Committee on Education took the two nominees through the actual vetting process of the House. The President, via communication from Hon. Speaker, communicated to this House on the nomination of the two nominees. We also need to note that immediately the President gave that notification, the Committee was given the mandate to undertake the process. Therefore, the Clerk of the National Assembly conveyed the message on 30th July 2026. We went into the Committee session and undertook the process of approval hearing, as per the requirements of the Constitution, Standing Orders and most importantly, the Teachers Service Commission Act.

Throughout the vetting process, the Committee put in the print media all the requirements of the two positions. The public was notified on the recruitment stage and was extended to place Parliament in the process, pursuant to Article 118 of the Constitution, Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act and Standing Order 45(3). In the notification, this House, through the Clerk of the National Assembly, notified the general public, through a gazette notice on 19th and 20th August 2026, inviting them to submit memoranda, by way of written statements, on the suitability of each nominee. The process started.

The Clerk of the National Assembly, vide letters dated 23rd August 2026, wrote to the Ethics and Anti-Corruption Commission (EACC), the Director of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and all the relevant Government agencies about the compliance of the two candidates on their suitability or making sure that they follow the Government requirements. The relevant Government agencies responded that both officers had complied with the statutory requirements.

I also note that a court in Kerugoya placed a stay on the process and the Committee complied. We waited until 18th August 2026, when the statutory process was lifted and the Committee now proceeded to vet the two candidates. During the vetting process, the two candidates appeared before the Committee in a plenary where we vetted them on the requirements of Chapter Six of the Constitution. We went through the oral interviews, checked their documents, went through the process of the law and found out that the two candidates adhered to all the requirements.

We also went through their educational qualifications, work experience and looked into several other issues. Firstly, Ms Lentoijoni proved to us that she had a wealth of experience in teaching and education. She rose through the ranks as a classroom teacher. She became a school administrator and rose through the ranks to become an administrator in the teaching service. Throughout her career, she showed a lot of competence and knowledge in the teaching service. Most importantly, she rose through the ranks to become the Director of Staffing at TSC. During her time as an administrator and public servant, at no time was she found to be wanting in attending to her duties. In fact, the Committee noted that she had shown exemplary performance in her work. She received a lot of accolades, in form of certificates and acknowledgement, from various Government officials on her performance.

Similarly, Hon. Sossion rose through the ranks. He was a classroom teacher who taught biology and agriculture. He was also an administrator. He rose through the ranks to become the Secretary-General of Kenya National Union of Teachers (KNUT). Secondly, he also served as a nominated Member of Parliament in the 12th Parliament. He was nominated by Orange Democratic Movement (ODM). We asked him if he had resigned and we got a clean bill of health from the office of the Registrar of political Parties. Hon. Sossion also showed a lot of knowledge in education, administration and the teaching service.

Through those approval hearings, we realised that the two candidates are suitable and able to carry out their duties as commissioners of the TSC. We also took them through a test to establish if they understand the mandate of the TSC. They showed a lot of excellence in understanding their mandate.

Members of the Committee participated a lot in the plenary. I thank those who participated in the process. Over 13 Members sat down, interviewed the two candidates, asked them questions and followed the law to the letter. Finally, the Committee agreed that the House should approve the two candidates as members of the TSC.

Hon. Temporary speaker, I, therefore, move and call upon the Vice-Chairperson of the Committee, Hon. Eve Obara, to second this Motion.

I thank you.

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

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker. I beg to second the Motion which was ably moved by the Chairman of the Departmental Committee on Education.

Having sat through the entirety of these appraisal hearings alongside Hon. Chairman and other Members of the Committee, I rise to associate myself fully with the findings presented to the House and underscore a few matters that in my respectful view, put beyond doubt the case for approving both nominees. I wish to draw the attention of the House to the manner in which this process was conducted because it is the process, as much as the individuals, that this House is being asked to endorse. Two hundred and fifty five Kenyans competed for the two positions before a selection panel constituted by law. Nine memoranda were received from members of the public during the participation window this Committee opened. Everyone supported the nominees.

When the process was interrupted by a court order, this Committee did not push through. It stopped and resumed only when the High Court, after hearing all parties, lifted that order. A process that withstands both open public and judicial scrutiny, and emerges from both unshaken, is a process this House can rely on. Beyond the process, I was personally persuaded by the calibre of the two individuals who appeared before us.

Hon. Wilson Sossion answered the questions this Committee asked him on his years of KNUT leadership and his recent time in this House. On her part, Ms Antonina Lentoijoni did not shy away from the fact that she is presently a senior officer of the very Commission she has been nominated to help govern. She openly committed to recuse herself whenever a conflict of interest arises. I am satisfied that her decades of institutional experience will serve the Commission well rather than compromise it.

Hon. Temporary Speaker, for these reasons and those already set out by the Chairman when moving, I beg to second the Motion. I urge the House to approve the appointment of Hon. Wilson Sossion and Ms Antonina Lentoijoni as members of the Teachers Service Commission.

Thank you.

(Hon. George Sunkuyia consulted loudly)

The Temporary Speaker (Hon. Martha Wangari): Order, Hon. Sunkuyia.

(Question proposed)

Hon. Members, the Cabinet Secretary for the National Treasury and Economic Planning is expected to be in the House shortly. In the meantime, I will allow you to debate. So, do not lift your hands. As long as you are in the Chamber, I will see you.

(Loud consultations)

Order, Members. If we keep the contributions brief, many Members will get an opportunity to speak. Member for Moyale.

Hon. Prof Guyo Jaldesa (Moyale, UPIA): Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Can we have our team assist Hon. Millie and other Members who are struggling with the system?

Hon. Prof Guyo Jaldesa (Moyale, UPIA): Thank you.

The Temporary Speaker (Hon. Martha Wangari): In the meantime, use the intervention button. It is working.

Hon. Prof Guyo Jaldesa (Moyale, UPIA): Hon. Millie, you do not have a card.

The Temporary Speaker (Hon. Martha Wangari): Member for Moyale, you have the Floor. Do not respond to Hon. Millie.

Hon. Prof Guyo Jaldesa (Moyale, UPIA): Thank you, Hon. Temporary Speaker. I rise to support the Motion on the appointment of the two officers as members of the Teachers Service Commission. I wish to state that Hon. Sossion, having served as the Secretary-General of KNUT, understands the education sector in Kenya.

Ms Antonina, a girl from Samburu in northern Kenya, who rose through the ranks to become Director of Staffing at the TSC, understands the education sector and the TSC more than anybody else. No one is more suitable for this position than this pastoralist girl. She demonstrated her ability to lead the Commission.

With those few remarks, I support the Motion.

The Temporary Speaker (Hon. Martha Wangari): Thank you. You have done very well with time. If you continue that way, many of you will get an opportunity to speak. Let us have Hon. Naisula.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Temporary Speaker. I rise to support the Motion. I would like to thank the Departmental Committee on Education for this Report. Please protect me from the Leader of the Majority Party. I have worked with Hon. Sossion and know him well. I know the work he did for this country when he was the Secretary-General of KNUT. I know he will bring a lot of competence to the Commission.

Allow me to say one or two things about Ms Antonina Lentoijoni, a girl from Samburu East Constituency in Samburu County, and the role she has played at the TSC, where she has been the Director of Staffing, a position she initially held in an acting capacity before being appointed substantively. Let me highlight three things that Ms Antonina, as the Director of Staffing at TSC, did. She spearheaded the development of the Teacher Staffing Norms, 2025; the Teacher Internship Policy; the Policy on Appointment of Institutional Administrators, Teacher Recruitment and Selection Policy; the Policy Framework for the Utilisation of Teachers Outside Kenya; and the Recognition, Reward and Sanctions Policy. Most importantly, the 100,000 teachers who have been recruited so far were overseen by Ms Antonina Lentoijoni in her capacity as the Director of Staffing. She also coordinated the promotion of over 100,000 teachers countrywide.

Finally, this appointment shows that it does not matter which part of this country you come from. People from where I come from serve diligently and should be given more opportunities to serve in this country.

Thank you, Hon. Temporary Speaker.

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

Hon. Julius M'anaiba (Igembe North, UDA): Thank you, Hon. Temporary Speaker, for this opportunity to support the appointment of the two nominees, Hon. Sossion and Ms Antonina Lentoijoni. I am a Member of the Departmental Committee on Education that conducted the vetting process. Having been a KNUT official for about 11 years, I have known these two nominees for quite some time. Hon. Sossion understands the education system in this country. We have seen him in all media houses across the country trying to defend the Government on matters concerning the CBC and all the programmes it has undertaken.

Hon. Sossion rose from being a classroom teacher, where he taught for about 12 years to become the Executive Secretary of KNUT, Bomet Branch, and later the Secretary-General of KNUT. His career in the teaching service spanned about 30 years. He was also a Member of this House during the 12th Parliament, representing the workers of this country. This means that Hon. Sossion understands the structure, needs and requirements necessary to better run the education system in this country.

Ms Lentoijoni has risen from a very humble background and has had a very illustrious career. She is highly professional, humble and conducts her business with the respect required of a person in her position. If you visit her office, she treats everyone with respect, regardless of where they come from or their status. These two nominees are highly qualified people, and I believe that once they are approved by this House, they will do their work diligently and serve the Commission with commitment. They will also help iron out the creases that might be in the teaching service concerning the Teachers Service Commission.

With those few remarks, Hon. Temporary Speaker, I support the Motion.

The Temporary Speaker (Hon. Martha Wangari): The Whip of the Minority Party.

Hon. Millie Odhiambo- Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. I stand to support the Motion on the appointment of the two nominees before the House. As other Members have indicated, Ms Antonina has had a very progressive career, and I think that enabling her to rise to the level of TSC Commissioner shows that commitment pays.

Another important consideration is that, because Ms Antonina comes from a minority community, her appointment demonstrates our commitment to the inclusion of minorities. I also want to say we have sat here with Hon. Sossion, who was a very strong advocate for teachers. Therefore, the two nominees bring a good balance. You have one who has risen through the ranks and worked in TSC, and so has very clear technical interests and support of TSC as an institution. You also have another one who also has a lot of interest in teachers' issues. I hope Hon. Sossion does not forget the teachers when he gets there. Sometimes you get to a place where you have been advocating and lobbying for and you forget. We are encouraging him not to forget the teachers that have enabled him to get there.

Hon. Temporary Speaker, I support.

The Temporary Speaker (Hon. Martha Wangari): Member for Endebess.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker. I rise to support the appointment of Hon. Sossion and Antonina Lentoijoni as TSC commissioners. Hon. Sossion served with us in this House as a Nominated Member of Parliament on the ODM party ticket, which is part of the broad-based Government. He has moved to support the Government on many of the stations, especially on matters of development and matters of education. He is the right person. He has also been KNUT Secretary-General for many years. That puts him in a position to understand both the needs of the teachers and also how the employer of the teachers can be able to perform well to make sure that there is harmony between our teachers in terms of their needs and also our employer in terms of what they need to offer.

With those few remarks, I support.

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

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Motion that Hon. Wilson Sossion and Ms Antonina be considered as nominees to serve as commissioners at the Teacher Service Commission. Hon. Wilson Sossion is a person known to me for 20 years. I have worked with him for 20 years. He rose from the position of a classroom teacher and became an Executive Secretary, Bomet Branch. He rose again, and teachers identified him because of his competency and zeal to serve them. Then he became the Secretary-General of the Kenya National Union of Teachers from 2010 up to 2021. Hon. Sossion was also the President of Kenyan Teachers in representing the Africa region, which draws 133 countries worldwide.

Hon. Wilson Sossion is a person who is committed in whatever he does in the education sector, bearing in mind that he was very pivotal in formulating the Education Charter, which oversaw the transition of CBC. He is known to be a champion of Kenyan teachers. I also want to say strongly, that having been an advocate of teachers, he stands in a very good position today when he is approved by this House to serve as a commissioner and bring tangible reforms. He should be pivotal in bringing tangible reforms that will see the teachers of this country enjoying the knowledge that he has because I am sure he has the capacity.

Ms Antonina is known to me also for a long period, having risen from a marginalised community, and rising to the position of becoming Staffing Director at the Teachers Service Commission. She is very pivotal in overseeing the transition and employment of the 100,000 teachers, who have been employed by this administration. I want to wish both Hon. Sossion and Ms Antonina well as they serve the Kenyan teachers.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): The Deputy Whip of the Majority Party.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to also contribute to this very special Motion of consideration of the two nominees. I also want to congratulate Hon. Wilson Sossion and Antonina Lentoijoni. The two are well known to us, and especially those of us who have gone to TSC, we have interacted with Antonina and she has served all of us and the entire nation with a lot of diligence. She is a very committed person and TSC needs people like this.

Hon. Wilson is well known to us and his experience and passion for teachers, students, and the entire Ministry is something that will benefit the entire nation. I wish both of them the best and also pray that they will continue serving this nation in a big way and also consider all the parts of this country so that even areas like Marsabit and Samburu will feel part of this country, because the President has done a lot. He has also tried to equalise by appointing people from the entire nation to different positions, even those who have believed that they are marginalised. Today, we feel that we are part of this country.

Thank you, Hon. Temporary Speaker. I congratulate the two.

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

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Temporary Speaker. First of all, I rise to support this Report, the appointment of the two. I sat in the Committee that vetted the two candidates, Hon. Sossion and Ms Lentoijoni. As a Committee, we got nine memoranda and seven of them were affidavits. None of these was negative to the two. They were all in full support, people of diverse backgrounds from the teaching and other sectors. They fully supported the appointment of the two.

Hon. Sossion brings a lot of experience, having been a classroom teacher, a KNUT official, and having been in the industry for years. He brings a lot of knowledge and having been on the side that was advocating for teachers, he now goes to the side that needs to implement some of the issues that he used to raise from the other side. We hope that some of the files that may have been sitting within TSC while he was in KNUT, he gets a clear opportunity to assist, have those issues implemented, and he will provide a very good bridge between TSC and the teachers in terms of communication.

Madam Lentoijoni has been with TSC, and within the period that I have served in the Committee, we have interacted with her as a Committee and known the depth of experience that she holds in that body of a teacher, the teachers' body. She is a calm and collected lady, always ready to listen and assist where she can in the best way possible. This is a strong person to have within the Commission to help steer it towards the coming days and years as we try to address the challenges facing the teachers in terms of teacher shortages, teacher tooling, and all those aspects that make a Kenyan teacher a better teacher. We have a couple of great Kenyans who we believe are going to be positive when it comes to the teaching profession.

I thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. Martha Wangari): Member for Samburu.

Hon. Pauline Lenguris (Samburu County, UDA): Thank you, Temporary Speaker, for giving me this chance to also contribute on the appointment of the two nominees. First, let me thank the Committee for the good work it has done in giving us the best candidates for these two positions that were announced by the Commission. I also want to thank the President for putting Samburu on top today. I have complained more than many times here that we always come to approve names here for big positions and Samburu has always been appearing very minimally. However, today, Hon. Temporary Speaker, we are the happiest county. One of our own has been appointed to a good position. We know Ms Antonina deserves this position because of the good work she has done for this country, from her position as a teacher to the position of Director that she currently holds. She is a very calm and bright lady, always ready to serve. I know that she is going to bring a wealth of experience to the Commission and provide good service to the teachers of this country.

So, let me thank the Departmental Committee on Education for giving us this opportunity, and the President, very sincerely, for giving Samburu County this position. I am sure Ms Antonina will not let you down, and she will not let down this country. She is going to bring a wealth of experience and serve this country diligently.

Thank you, Hon. Temporary Speaker.

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

Hon. Omboko Milemba (Emuhaya, ANC): Thank you. I support and thank the President for nominating the two. Antonina is a perfect machine at the TSC. She understands the system, and so she can do that work very well. Hon. Sossion is very experienced, and I thank the President for nominating a trade unionist to be a commissioner.

Hon. Sossion, you are our first person in that position. Therefore, do a good job so that in the future, trade unionists can also be considered for these serious positions. We are putting our eggs and all our investment in you to do a perfect job. What the Commission now requires is bravery and the ability to move forward, because we are lacking that agility to just make next steps. As you join the Commission, the two of you being very seasoned, you are confronted with the following issues, which you must tackle.

One, the Collective Bargaining Agreement (CBA) for teachers has not been completed, and there is a promissory note that the remaining Ksh16 billion be paid in one phase. These are business issues that you are confronted with.

Two, on the promotion of teachers, a promissory note from His Excellency is that there must be 50,000 teachers promoted per year, but the number given is 34,000 teachers per year. Therefore, you have a balance of 16 000 teachers to go and make sure that this happens while you are commissioners. You reach out to the Salaries and Remuneration Commission (SRC), the Presidency and the Ministry of Education to actualise what the President wanted to actualise for teachers.

Although the Career Progression Guidelines (CPGs) are not yet completed, teachers are waiting for the full realisation of it. The career progression has led to stagnation of teachers in the same job groups for the longest time.

Job evaluation is one problem that teachers are facing, and which has prevented them from being promoted, because job evaluation has never been done. I think, Hon. Sossion, you will be doing the best job here because you remember the woods we went through over the job evaluation for teachers. You now have a chance to actualise it so that teachers can benefit after the job evaluation.

As the two of you join the TSC, remember that more than half of the teachers are stagnated in C2, C3 and C4. But above all, half of the principals and deputies are acting. Therefore, we hope you will put in new effort to make sure that the acting teachers are made permanent and pensionable. There is a lot of exploitation of teachers serving as deputies and principals. This is a debt that the Government owes teachers because they are left to act in these positions for far longer than the required six months, without being paid for the additional responsibility. It is a pending bill that TSC owes teachers in Kenya moving forward. Therefore, they have to deal with this.

We have the issue of the Kenya National Examination Council (KNEC), which hires teachers and does not pay them appropriately as required. Sourcing of teachers as KNEC examiners has been one of the poorest areas, and we want the Commission, which the two of you are going to, to now streamline so that there is a way that KNEC can hire teachers without exploiting them. Hon. Temporary Speaker, the teachers who worked one year ago were only paid three weeks ago. This is something that we are looking into, and more so, we are investing in Hon. Wilson Sossion to go and give this Commission the agility to move forward.

Otherwise, I want to wish them well, but I cannot stop without telling the two nominees about the pensions, and I love the presence of Hon. Sossion there. Teachers take 10 years before they get their pensions, and many of them die before receiving them. We wish you well. I support.

The Temporary Speaker (Hon. Martha Wangari): I know Members are raising their hands, but I have a full screen. So, allow us to try and follow as much as we can.

Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. Allow me to also voice my support for these two nominees, and thank the Departmental Committee on Education for work well done. As for Hon. Wilson Sossion, for sure, everybody knows him in this country. He has spoken for the teachers with fervour, with passion, dedication, and zeal, and we cannot, under any circumstances, oppose his nomination. But we remind him that he has actually been speaking. Now he has to act. Let him act on behalf of the teachers so that wherever they are, they are satisfied with their jobs.

As regards the young lady, Ms Antonina, who shares a name with a colleague of mine here, who is also my friend, this is a lady I have known for a while. She served as the County Director of TSC in Tharaka Nithi, and by the time she left, all teachers were actually very fond of her. They were extremely happy with her service, and when she left, they were in gloom. She went to some county in the Rift Valley; I cannot remember whether it was Nakuru, but eventually she came over here as Staffing Director. She has done a fantastic job. We have no reason whatsoever not to approve her. Let her extend that expertise now to serving teachers in this different capacity. I support.

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

Hon. Joseph Makilap (Baringo North, UDA): Thank you.

Hon. Kassait Kamket (Tiaty, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Martha Wangari): Hon. Kamket, what is out of order? Hon. Makilap, hold on.

Hon. Joseph Makilap (Baringo North, UDA): Let me finish.

Hon. Kassait Kamket (Tiaty, UDA): Hon. Temporary Speaker, I rise on Standing Order No. 95. Given that the House has agreed on this Motion, much of what is being said is repetitive. May I ask that the Mover be called upon to reply?

(Several Members spoke off the record)

We have other pending business.

The Temporary Speaker (Martha Wangari): Hon. Members, the Member is well within the Standing Orders to rise in his place and request that the Mover be called upon to reply, but it is definitely a decision of the House. So, allow me, because Hon. Makilap was on his feet, to allow him to make his contribution, and then I will put the Question.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Report of the Departmental Committee on Education on the approval of Hon. Sossion Wilson and Ms Antonina Lentoijoni. I have known the two for many years. I served in the Union as the Chairman of the Kenya National Union of Teachers (KNUT) in Baringo when Hon. Sossion was the Secretary of Bomet, and served as the Vice-Chairman of Rift Valley when we nominated Hon. Sossion to the National Executive Council (NEC).

Hon. Temporary Speaker, the gentleman, Hon. Sossion, is a man who has a lot of knowledge and experience in the teaching profession, both as an activist in the KNUT and an advocate for teachers of Kenya, and now as our policy decision-maker. We asked Hon. Sossion how he will manage the combative politics of KNUT and being a commissioner in TSC. Hon. Sossion assured this Committee that he will undergo metamorphosis and behave in accordance with the law and the standards of a commissioner. We were satisfied because this man brings in a lot of experience internally and externally from unions all over the world. That is the right person for the right job.

On Ms Antonina Lentoijoni, you know very well that, after serving in the union, I served in your constituency as Staffing Officer. My boss then was Ms Antonina. To make things even better, this girl from Samburu broke the ranks to teach Mathematics for many years, a subject that has been very difficult for others to teach. That is the jewel that has grown within TSC, from a classroom teacher of Mathematics all the way to Director of Staffing. Being the Director of Staffing at TSC is a serious matter. Director of Staffing in TSC is a senior position. You are in charge of recruitment and promotion of 400,000 teachers. She managed recruitment and promotion of teachers, as well as the unions. That lady is the jewel that is required in the Commission. Hon. Sossion is the knowledge that is required in the Commission. We hope that CBAs will not take teachers to the streets again because we have the best minds in the Commission.

With these remarks, I call upon Members to find favour in their hearts and approve these two nominees to serve as members of the TSC. I support the Motion.

The Temporary Speaker (Hon. Martha Wangari): The Member for Baringo North has really shunned intimidation from his neighbourhood to finish his contribution. Hon. Members, a Member rose in his place and requested that we call upon the Mover to reply, and I will do that.

(Question, that the Mover be called upon to reply, put and agreed to)

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

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Temporary Speaker. I thank the House and Members for their contribution. I also thank the Clerk of the National Assembly and the Speaker of the National Assembly for facilitating the vetting process. The members of the public participated a lot. This approval hearing process is quite important because it involves all the members of the public. The courts also had their say. Finally, the House has spoken.

Lastly, I thank the Clerk Assistants, secretariat of the Committee, the Directorates and everyone who participated in making this process a success. It went on very well. I support the Motion.

The Temporary Speaker (Hon. Martha Wangari): You should reply.

Hon. Julius Melly (Tinderet, UDA): I beg to reply.

(Question put and agreed to)

QUESTIONS AND STATEMENTS

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, as we had been directed by the Speaker, the Cabinet Secretary for the National Treasury and Economic Planning is supposed to be in the House. I see Leader of the Majority Party has already brought him here. He will respond to two specific Questions that are in the Order Paper.

(Hon. Patrick Makau spoke off the record)

What is out of order Member for Mavoko?

Hon. Patrick Makau (Mavoko, WDM): Hon. Temporary Speaker, I am on a point of inquiry.

(Laughter)

The Temporary Speaker (Hon. Martha Wangari): I did not know we have a point of inquiry. I do not know which Standing Orders you are using, Hon. King'ola. Give him the microphone.

Hon. Patrick Makau (Mavoko, WDM): Thank you very much, Hon. Temporary Speaker. Recently, we passed a law that all former Members of Parliament will not be appointed to any Government institution.

The Temporary Speaker (Hon. Martha Wangari): Order, Hon. Makau. Unless you do not read your laws, you are totally out of order.

Hon. Members, the Cabinet Secretary is here to respond to two questions from the Member for Tiaty and the Member for Samburu West, Hon. Naisula Lesuuda. Cabinet Secretary and your team, you are welcome. We will go direct to the Questions. According to Hon. Speaker's direction, the Cabinet Secretary will answer these two Questions. Therefore, let us be relevant and focused on them.

Member for Tiaty, ask Question 21/2026.

ORDINARY QUESTIONS

Question 21/2026

IMPLEMENTATION STATUS OF THE
EQUALISATION FUND FOR FY 2023/2024

Hon. Kassait Kamket (Tiaty, KANU): Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for National Treasury and Economic Planning the following Question:

Could the Cabinet Secretary—

(a) Provide a report on the implementation status of the Equalisation Fund for the years ending 30th June 2023 and 2024 in Baringo County, including the amounts allocated and disbursed and the status of the projects undertaken?

(b) State the plans by the National Treasury and Economic Planning to utilise the Equalisation Fund directly for the implementation of approved projects, in line with Article 204(3)(b) of the Constitution so as to eliminate administrative delays and pilferage?

The Temporary Speaker (Hon. Martha Wangari): Are you reading the same Question I am reading? Do not add words.

(Laughter)

Hon. Kassait Kamket (Tiaty, KANU):

(c) Could the Cabinet Secretary outline the plans by the Ministry to strengthen coordination between the national Government, county governments and other implementing agencies to ensure effective delivery of equalisation projects at the local level, in line with the principles of cooperation under Article 6 of the Constitution?

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

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Thank you very much, Hon. Temporary Speaker and Hon. Members of the National Assembly.

I would like to respond to the questions raised by Hon. Kamket, but allow me to start by giving a brief background on the Equalisation Fund. It is established under Article 204 of our Constitution 2010. It requires that 0.5 per cent of all revenue collected by the national Government each year, calculated on the basis of the most recent audited revenue as approved by the National Assembly, be paid to the Fund. Under Article 204(2) of the Constitution, the national Government may use the Fund only to provide basic services including water, roads, health facilities and electricity to marginalised areas to the extent necessary to bring the quality of those services to the level generally enjoyed by the rest of the nation so far as possible.

The Fund is currently operationalised by the Public Finance Management (Equalisation Fund Administration) Regulations, 2021. They provided for the establishment of the Equalisation Fund Board, Secretariat and County Technical Committees in beneficiary counties. The National Treasury developed an appropriate instrument for the administration of the Fund.

This submission is made to facilitate the discussion whereby the Cabinet Secretary for the National Treasury and Economic Planning has been scheduled to appear here today to address two Questions. I will start with this one by Hon. William Kamket. I am required to address three questions relating to the same topic and then give an explanation and status report of the Equalisation Fund, in terms of how it has been utilised, more specifically in Baringo County.

I am required to report on the implementation status of the Equalisation Fund for the years ending 30th June 2023 and 2024 in Baringo County, including the amounts allocated and disbursed, and the status of the projects undertaken. The Equalisation Fund Appropriation Act of 2023 appropriated Ksh595,027,099 for the provision of basic services, water, roads, health and electricity to the 90 marginalised areas spread across 15 wards and four constituencies in Baringo County. The position is summarised in the table below, which indicates the amount appropriated as well as the marginalised areas, wards and constituencies in terms of project coverage. The project proposals submitted were valued at Ksh592 million for 150 projects, while the Board approved 140 projects.

Item	Baringo County
Amount appropriated (Equalisation Fund Appropriation Act, 2023)	Ksh595,027,099
Marginalised areas/Wards/Constituencies covered	90/15/4
Project proposals submitted (valued at Ksh592,869,659)	150
Projects approved by the Board	144
Amount requisitioned and transferred to the County SPA	Ksh174,145,208.56
Fund absorption rate (as at 30th June 2026)	29 per cent

Projects at 90-100 per cent completion	46
Projects below 50 per cent completion	88

(Hon. Kassait Kamket spoke off the record)

The Temporary Speaker (Hon. Martha Wangari): Hold on, Cabinet Secretary.

Hon. Kamket, what is out of order? Give Hon. Kamket the microphone.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Temporary Speaker, I did not want to interrupt the Cabinet Secretary, but…

The Temporary Speaker (Hon. Martha Wangari): You have already interrupted.

Hon. Kassait Kamket (Tiaty, KANU): I did not want to interrupt the Cabinet Secretary. I do not have a copy of what he is reading. Parliamentary practice is that he should have provided the response earlier. He is reading his own things and we do not know what he is referring to.

The Temporary Speaker (Hon. Martha Wangari): Hon. Kamket, we will organise for you to get a copy, but this response is for the House. So, we…

Hon. Kassait Kamket (Tiaty, KANU): He should have even given the response to the House, not just to me.

The Temporary Speaker (Hon. Martha Wangari): It will be given, but in the meantime, let the Cabinet Secretary give the response. You will receive a copy. Yes, Hon. Sunkuli.

Hon. Julius Sunkuli (Kilgoris, KANU): The Cabinet Secretary is referring to the 'table below'. This presupposes that we have a written document to enable us to follow the table. I am sure he does not want to read it because he believes that the response has already been supplied.

The Temporary Speaker (Hon. Martha Wangari): Clerk-at-the Table, can we get the response in circulation? Yes, Hon. Rutto.

(Hon. Julius Rutto spoke off the record)

Hon. Rutto, it is also because you are not using your card, which makes it difficult to locate you.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Temporary Speaker. You have indicated what I wanted to say. In the interest of time and considering that it is not easy for the Cabinet Secretary to find time to be here today, given how busy ministries are, would you officially guide that copies be provided to us so that we can follow?

The Temporary Speaker (Hon. Martha Wangari): I already did. Let this apply to both Questions because, without pre-empting the other Question, I can see that it also has some breakdowns that Members will need to follow as the Cabinet Secretary reads. Cabinet Secretary, please proceed as we get the copies. Clerk-at-the-Table, how far are we? Please give Hon. Kamket the first copy. He already has a copy. Proceed, Cabinet Secretary.

The Cabinet Secretary for the National Treasury and Economic Planning (Hon. John Mbadi): Thank you, Hon. Temporary Speaker. My apologies for the late submission of this response to the Hon. Members.

The first item in the table I was referring to is the amount appropriated under the Equalisation Fund Appropriation Act, 2023. For Baringo County, the amount was Ksh595,027,099. I have also indicated that 90 marginalised areas were identified, covering 15 wards and four constituencies. Then project proposals submitted were valued at Ksh592,869,000, covering 150 projects, of which 144 were approved by the Board. The amount requisitioned and transferred to the County's Special Purpose Account was Ksh174,145,208. As at 30th June 2026, the fund absorption rate for that financial year was just 29 per cent. Out of 144 approved projects, 46 had achieved between 90 and 100 per cent completion, while 88 were below 50 per cent completion. That is the response to the first Question.

Part (ii) of Question No. 021/2026 was on plans by the National Treasury to utilise the Equalisation Fund directly for the implementation of approved projects in line with Article 204(3)(b) of the Constitution so as to eliminate administrative delays.

My response is this. The Fund was first operationalised through the guidelines on the administration of the Equalisation Fund, which were published via Gazette Notice No. 1711 of 2015. The guidelines provided for direct implementation by the national Government, ministries, departments and agencies. The Council of Governors (CoG) challenged the constitutionality of the guidelines through High Court Petition No. 272 of 2016. In its 2019 decision, the High Court granted the prayers of the CoG and declared the 2015 guidelines were unconstitutional and directed the National Treasury to develop an appropriate instrument for the administration of the Fund. Consequently, the Public Finance Management (Equalisation Fund Administration) Regulations, 2021, were developed to guide the utilisation of the Fund as conditional grants to county governments. These are the guidelines that are in place today.

Accordingly, the National Treasury will seek the advice of the Office of the Attorney-General on a review of the 2019 High Court judgment and will submit a revised position for consideration once that advice is obtained. In the interim, administrative delays are being addressed within the conditional grant framework, notably through direct transfer of approved funds to County Special Purpose Accounts under the July 2024 guidelines. This shortens the disbursement chain while streamlining project appraisal, approval and disbursement.

Part (iii) of the Question sought to know the plans by the Ministry to strengthen coordination between the national Government, county governments and other implementing agencies to ensure effective delivery of Equalisation Fund projects at the local level, in line with the principles of cooperation under Article 6 of the Constitution.

Hon. Temporary Speaker, the Public Finance Management (Equalisation Fund Administration) Regulations, 2021, establishes a multi-tiered institutional framework for overseeing the implementation of the Fund at both the national and county levels. This framework is intended to ensure effective management and implementation of the Fund from the national level to the community level. At the national level, two bodies provide strategic direction and administrative support for the Fund.

First is the Equalisation Fund Advisory Board, which provides strategic leadership and oversight. The Board is chaired by a member appointed by the Cabinet Secretary. It also includes the Principal Secretaries for the National Treasury and Devolution, and other members. Second is the Secretariat, which is led by the Chief Executive Officer (CEO) and provides day-to-day technical and operational support in the implementation of the Fund. At the county and community levels, coordination is undertaken through several structures. First is the County Technical Committee (CTC), which is chaired by the County Commissioner and comprises the County Executive Committee Member responsible for Finance, Constituency Development Fund Managers, a representative of the county assembly and heads of the implementing sectors. The Sub-County Technical Committee assesses project feasibility and costs, monitors implementation, prepares quarterly progress reports and strengthens coordination and accountability at the sub-county level. There is the Project Identification and Implementation Committee, which conducts public participation at the local level, identifies and prioritises projects that respond to local needs and provides oversight of implementation, thereby embedding inclusivity and accountability at the community level. The measures that we have taken to strengthen coordination are:

1. Operationalised a formal collaboration framework.
2. Institutionalised joint monitoring and verification.
3. Provided capacity-building and technical support.
4. Strengthened reporting, M&E and a central information system.
5. Deepened structured intergovernmental engagement
6. Sustained community participation and accountability.

Hon. Temporary Speaker, that is my response to the first question on the same topic by Hon. Kamket. Thank you very much.

(Hon. Kassait Kamket raised his hand)

The Temporary Speaker (Hon. Martha Wangari): Hon. Kamket, hold it a bit. Hon. Members, I know that you have many follow-up questions and considerable interest in this matter. However, in the interest of order, let us allow the Member for Samburu West to ask her question and the Cabinet Secretary to respond. We will then take any follow-up questions together. Member for Samburu West.

Question 24/2026

ARREARS AND DISBURSEMENTS OF THE EQUALISATION FUND

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Temporary Speaker. I rise to ask the Cabinet Secretary for National Treasury and Economic Planning the following Question:

Could the Cabinet Secretary—

(a) Provide the status of the Equalisation Fund in terms of arrears and disbursements made as of the Financial Year 2026/2027, including a county-by-county breakdown of allocations and releases?

(b) Provide a report on the progress made in the implementation of the Equalisation Fund since its inception, including an assessment of whether its implementation and actual disbursements to beneficiary counties are consistent with the constitutional objective of uplifting the most marginalised areas?

(c) Explain the rationale for changing the number of counties benefiting from the Equalisation Fund from the initial 14 counties to the current 34 counties?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Cabinet Secretary.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Thank you, Hon. Temporary Speaker. I will not go back to the background because I did so while responding to Hon. Kamket's question.

To the questions raised by the Member for Samburu West, Hon. Naisula Lesuuda, first, I will address the status of the Equalisation Fund. On the status of the transfers, cumulative receipts into the Fund since its inception amount to Ksh22,422,361,366, against cumulative constitutional entitlements of Ksh90,343,414,499. I hope Members now have the response.

The table titled "Entitlement, Payment and Arrears to the Equalisation Fund as at 30th June 2026" sets out the position.

Entitlement, Payment and Arrears to the Equalisation Fund as at 30th June 2026

S/N	Financial Year	Base Year	Audited & Approved Revenues (Ksh)	EF Entitlement (0.5 per cent)	Amount in Dollars (Ksh)	Payment into EF (Ksh)	Arrears (Ksh)
1	2011/12	2008/09	468,151,970,000	2,340,759,850	0	—	0
2	2012/13	2009/10	529,300,000,000	2,646,500,000	0	—	0
3	2013/14	2009/10	529,300,000,000	2,646,500,000	0	—	0
4	2014/15	2009/10	529,300,000,000	2,646,500,000	3,400,000,000	400,000,000	3,000,000,000

5	2015/16	2012/13	776,900,000,000	3,884,500,000	6,000,000,000	6,000,000,000	0
6	2016/17	2013/14	935,653,000,000	4,678,265,000	6,000,000,000	6,000,000,000	0
7	2017/18	2013/14	935,653,000,000	4,678,265,000	7,727,000,000	—	7,727,000,000
8	2018/19	2013/14	935,653,000,000	4,678,265,000	4,700,000,000	—	4,700,000,000
9	2019/20	2014/15	1,038,035,000,000	5,190,175,000	5,760,000,000	—	5,760,000,000
10	2020/21	2016/17	1,357,698,000,000	6,788,490,000	6,788,490,000	—	6,788,490,000
11	2021/22	2016/17	1,357,698,000,000	6,788,490,000	6,825,317,433	—	6,825,317,433
12	2022/23	2017/18	1,413,694,840,000	7,068,474,200	7,068,474,211	—	7,068,474,211
13	2023/24	2019/20	1,673,715,000,000	8,368,575,000	8,368,574,000	1,030,000,000	7,338,574,000
14	2024/25	2020/21	1,570,562,814,725	7,852,814,725	7,852,814,725	1,485,190,941	6,367,623,784
15	2025/26	2021/22	1,920,434,085,078	9,602,170,425	9,602,170,425	7,507,170,425	2,095,000,000
16	2026/27	2022/23	2,050,114,740,913	10,250,573,705	10,250,573,705	—	10,250,573,705
TOTAL			**18,021,863,450,716**	**90,109,317,905**	**90,343,414,499**	**22,422,361,366**	**67,921,053,133**

The first column shows the financial year. The base year is the year used to calculate the amount that was due for transfer to the Equalisation Fund. We have also indicated the audited and approved revenues based on the law, as well as the Equalisation Fund entitlement in the subsequent column. The total entitlement is Ksh90,109,317,905. The corresponding amount in dollars is also indicated. No payments were made during the first three years. Payments into the Equalisation Fund amount to Ksh39,222,361,366, while arrears amount to Ksh51,121,053,133.

Disbursement under the Equalisation Fund Appropriation Act, 2018, amounts to Ksh12.4 billion. Under the Equalisation Fund Appropriation Act, 2018, Parliament appropriated Ksh11,801,199,601 to implement 360 projects across the 14 beneficiary counties identified under the first marginalisation policy. The first marginalisation policy identified only 14 counties, and 360 projects were proposed for implementation at a cost of Ksh11 billion-plus.

The National Treasury subsequently transferred the full amount appropriated to the Equalisation Fund account to facilitate project implementation. By the end of the financial year ended 30th June 2026, cumulative transfers from the Equalisation Fund to the implementing Ministries, Departments and Agencies amounted to Ksh10,976,662,326, representing 95 per cent of the approved allocation. I have provided a table showing the 14 counties that benefited under the first formula, together with the allocated and transferred amounts. As you can see, the difference is small.

S/N	County	Allocation EF Appr. Act 2018	Transfers to MDAs	Outstanding Balance (Ksh)
1	Garissa	783,500,000.00	783,500,000.00	0.00
2	Kwale	795,300,000.00	719,824,837.78	75,475,162.22
3	Lamu	722,199,600.00	670,858,586.67	51,341,013.33
4	Kilifi	763,500,000.00	678,387,803.44	85,112,196.56
5	Isiolo	746,900,000.00	689,070,137.50	57,829,862.50
6	Mandera	967,600,000.00	967,266,621.60	333,378.40
7	Marsabit	886,200,000.00	844,847,881.55	41,352,118.45
8	Narok	809,500,000.00	679,750,828.50	129,749,171.50
9	Samburu	865,917,863.00	826,088,884.02	39,828,978.98
10	Taita Taveta	751,700,000.00	723,470,483.43	27,729,516.57
11	Tana River	859,000,000.00	840,670,032.51	18,329,967.49
12	Turkana	1,050,200,000.00	901,654,676.11	148,545,323.89
13	Wajir	929,800,000.00	861,450,481.39	68,349,518.61
14	West Pokot	869,882,138.00	789,616,908.33	80,765,229.67
	Total	**11,801,199,601.00**	**10,976,662,326.99**	**824,537,274.01**

Disbursement under the Equalisation Fund Appropriation Act, 2023, occurred following the change in regulations. Under the Equalisation Fund Appropriation Act, 2023, Parliament appropriated Ksh10,023,440,883 to implement projects in the marginalised areas identified under the second marginalisation policy.

In accordance with Regulation 24 of the PFM Equalisation Fund Administration Regulations, 2021, these resources are disbursed as conditional grants to beneficiary county governments through special purpose accounts established to implement Equalisation Fund projects. By the end of the financial year on 30th June 2026, cumulative disbursements to beneficiary county governments amounted to Ksh6,924,402,672.

Thirteen counties had recorded absorption rates of between 90 and 100 per cent. These counties include: Isiolo, Mandera, Marsabit, Murang'a, Homa Bay, Taita-Taveta, Nandi, Kajiado, Meru, Samburu, Kisumu, Turkana and Tharaka-Nithi. Of the 34 counties, 13 had absorbed between 90 and 100 per cent of the funds disbursed.

However, seven counties had recorded nil absorption. These include: Bomet, Busia, Elgeyo-Marakwet, Garissa, Kericho, Lamu and Trans Nzoia counties. The Fund continues to provide close support to these seven counties to enable them to progress the approved projects through the implementation and payment cycle, so that expenditure can commence and absorption improve.

I have also provided a table showing the absorption rates, including the counties that have recorded nil absorption and those that have recorded 100 per cent absorption, such as Isiolo, Mandera and Murang'a. The remaining counties have recorded absorption rates of between 90 and 100 per cent.

S/N	County	Approved Budget (Ksh)	Total Disbursements (30th Jun 2026) (Ksh)	Absorption (Per cent)	Outstanding Balance (Ksh)
1	Baringo	595,027,099	174,145,208.56	29	420,881,891.44
2	Bomet	19,215,174	0	0	19,215,175.00
3	Bungoma	58,779,835	47,414,988.23	81	11,364,847.77
4	Busia	17,979,656	0	0	17,979,656.00
5	Elgeyo Marakwet	65,114,752	0	0	65,114,751.00
6	Garissa	630,784,868	0	0	630,912,260.00
7	Homa Bay	131,603,302	129,770,252.62	99	1,833,051.38
8	Isiolo	166,157,748	165,885,795.22	100	271,955.78
9	Kajiado	410,765,596	399,341,116.20	96	15,424,478.80
10	Kericho	60,882,122	0	0	60,882,122.00
11	Kilifi	554,293,696	353,170,932.54	65	186,730,781.46
12	Kisumu	24,333,610	22,774,183.73	94	1,559,426.27
13	Kitui	395,977,347	302,651,565.80	76	94,825,783.20
14	Kwale	299,668,190	73,883,397.15	25	218,707,115.85
15	Laikipia	119,302,927	106,679,105.00	89	12,624,122.00
16	Lamu	57,614,460	0	0	57,614,460.00
17	Machakos	12,923,347	9,283,822.00	72	3,639,525.00
18	Mandera	754,389,495	752,033,033.70	100	1,375,964.30
19	Marsabit	475,185,157	469,508,857.89	100	135,620.11
20	Meru	29,004,018	28,619,959.20	96	1,307,053.80
21	Migori	182,868,680	73,731,115.20	41	104,033,298.80

22	Murang'a	5,679,579	5,679,579.00	100	0
23	Nakuru	6,435,119	3,046,902.40	47	3,388,216.60
24	Nandi	119,999,759	113,967,645.18	98	2,777,366.82
25	Narok	768,535,576	384,590,248.90	50	387,079,979.10
26	Samburu	641,090,960	608,462,747.00	94	41,223,789.00
27	Siaya	31,910,044	6,028,377.00	19	25,944,803.00
28	Taita Taveta	13,329,996	13,036,663.25	98	298,523.75
29	Tana River	442,052,368	219,186,052.37	50	222,936,315.63
30	Tharaka Nithi	42,915,203	39,528,794.00	90	4,476,922.00
31	Trans Nzoia	7,478,246	0	0	7,478,246.00
32	Turkana	1,111,549,914	1,067,213,507.77	93	76,877,986.23
33	Wajir	738,901,889	463,165,774.00	63	267,001,841.00
34	West Pokot	1,021,690,952	891,603,048.94	87	130,087,903.06
Total	**34 Counties**	**10,023,440,883**	**6,924,402,672.85**	**69**	**3,096,005,237.15**

I was also required to provide progress report on the implementation of the Equalisation Fund since its inception, including an assessment of whether its implementation and actual disbursements to beneficiary counties are consistent with the constitutional objective of uplifting the most marginalised areas.

Under the first marginalisation policy, as I reported earlier, 360 projects valued at Ksh11.8 billion were approved for implementation across the 14 marginalised counties. As of 30th June 2026, 266 of these projects had been reported by the implementing MDAs as fully complete, while 31 projects were substantially complete. Under the second marginalisation policy, a cumulative total of 1,624 projects valued at approximately Ksh9.94 billion had been approved for implementation as of 30th June 2026. Of these, 1,072 projects are reportedly fully complete.

Projects under the two policies are distributed across the sectors envisaged in the Constitution. Disbursements under the two policies are restricted to basic services, including water, roads, health facilities and electricity, as provided for in the Constitution. Currently, cumulative transfers from the Equalisation Fund to the implementing Ministries, Departments and Agencies of the beneficiary county governments amount to Ksh17.2 billion. I have again provided the details under Table 5, *Allocation and Budget by Sector of Equalisation Fund Appropriation of 2018 and 2023*.

Lastly, I was asked to give the rationale for changing the number of counties benefiting from the Equalisation Fund from the initial 14 to the current 34. Article 216(4) of the Constitution mandates the Commission on Revenue Allocation (CRA) to determine, publish and regularly review a policy setting out the criteria for identifying marginalized areas for purposes of the Equalisation Fund. The first marginalisation policy used a perception survey, a report on historical injustices and a County Development Index to identify 14 counties. The second policy deviated from the first by using a sub-location rather than a county, as the unit of analysis and identified 34 counties. The CRA will provide more information on the criteria for identifying marginalized areas under Article 216(4) of the Constitution. I believe this formula is usually submitted to the National Assembly.

In conclusion, the National Treasury appreciates this honourable House and is always ready to provide the necessary information and clarification as required.

I thank you, Hon. Temporary Speaker. That is my submission.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Members, allow me to first give Hon. Kamket an opportunity for any clarification or follow-up question. Then we will go to Hon. Naisula. Hon. Cabinet Secretary, kindly take note of the follow-up questions.

Hon. Kassait Kamket (Tiaty, KANU): Thank you, Hon. Temporary Speaker. The Cabinet Secretary, in his response, stated that the National Treasury will seek the advice of the Office of the Attorney-General on a review of the 2019 High Court judgment and will submit a revised position for consideration once that advice is obtained. I want to ask the Cabinet Secretary whether it is his position, therefore, that he is not satisfied with the judgment of the court. Given what is happening on the ground, why has it taken him too long to seek that advice in order to review the regulations and consider reverting to the old guidelines, or even guidelines that allow the Cabinet Secretary to directly utilise the funds given the amount of theft occurring at the county level?

Secondly, we are talking here politely about administrative delays but what we are talking about is that we have situations such as in Baringo, where there is intra-county marginalization. There is a deliberate delay by the county government, led by the County Governor and the County Executive Committee Members, in implementing this Fund. That is why you will find that implementation is at 29 per cent. Tiaty is the most marginalized constituency in Kenya. It is a shame that the county government is not able to implement this Fund to help the people of that constituency.

Those are the clarifications that I need for now.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Samburu West.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you very much, Hon. Temporary Speaker, and thank you Cabinet Secretary for your response. Even though I feel that the responses were just lifted from somewhere, they are very book-smart. However, I need answers, especially from where you sit as the Cabinet Secretary who supervises and releases these funds under the Equalization Fund.

First, there are arrears amounting to 75.2 per cent of the total entitlement since we started implementing the Equalization Fund. That is over Ksh67 billion. I would like to know from the Cabinet Secretary what plans are in place to ensure that those funds are released, because we will continue accumulating more arrears every financial year yet there was a reason as to why the Equalization Fund was initially provided for in our Constitution. What plans are in place to ensure that the arrears are cleared as soon as possible?

Secondly, I have listened to the Cabinet Secretary, and I remember that this House, during the Second Policy, discussed why we moved from 14 to 34 counties. I would like to know the view of the Cabinet Secretary because, although CRA is an independent Commission, the Cabinet Secretary could tell us whether there was a reason why the drafters of the Constitution provided for the initial 14 counties.

We are now spreading the funds thin across 34 counties, and we are even considering increasing that number. Even as we think about the third policy, I am not sure when it is supposed to come, but I think the Cabinet Secretary should be keen on it as well. We are looking at counties that have been marginalized for many years: A county where, from one corner to another, there is no tarmac; and, a county where water is scarce from one corner to another. We cannot have pockets of a county that are developed, perhaps only a particular ward, and then include them and spread this money thinly.

Lastly, I want to know whether, genuinely, from where you sit as Cabinet Secretary, you feel these funds are meeting their intended purpose. Forget about the paper response. Tell us as a House. Forget about the reports you receive from different sectors indicating that projects have been implemented. Implementation of a project is one thing, but is it meeting what it was intended to achieve? When you find a county constructing a road costing Ksh7 million, Ksh10 million or Ksh15 million using the Equalization Fund, how are we going to catch up with the rest of the country? So, tell us genuinely, not whether the road is complete, but whether it is meeting the spirit of why we have the Equalization Fund in the first place. Or will we continue to marginalise ourselves as we implement these projects?

The Temporary Speaker (Hon. Martha Wangari): I have indulged the two, because they were the original questioners. I know that there are a lot of joyriders but, Cabinet Secretary, I would like you to first respond to those questions. If there are any other follow-up questions, we will go to them. Respond to the two first.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Thank you very much, Hon. Temporary Speaker. Let me respond to the two questions raised by the questioners, beginning with Hon. Kamket.

Hon. Kamket asked me specifically about my indication that we are seeking advice from the Attorney-General on whether to seek a review of the judgment, and whether this is an indication that I am not satisfied with the judgment.

First, we lost the appeal because we did not appeal it. Therefore, what we can do is seek a review. I am told by lawyers that this is permitted and allowable. As to whether I agree with the judgment, my position - this is the position of a non-lawyer - is that the Constitution speaks to implementation either directly or as conditional grants. In my view, the judge should have considered that the national Government also has the constitutional mandate to implement projects directly. However, I do not want to question the wisdom of the judgment or appear to be doing so. That is why I am going to seek an opinion from the Attorney-General on how to progress. Let me be very categorical about it. We are going to seek that advice.

In terms of inter-county marginalization, I cannot agree more. As a matter of fact, on the whole question of devolution, we need to start asking ourselves whether we are devolving resources sufficiently or enough to the grassroots. We assumed that once we devolve resources from the centre, the national Government to counties, sanity would prevail at that local level. At times you find some areas within a county being marginalized for whatever reason, either clan or voting demographics. So, I agree that that needs to be looked into.

I do not really understand when Hon. Kamket says that there is a deliberate delay, probably, bordering on sabotage of projects. It is my belief and understanding that projects are actually generated by the same county governments. Their projects come through the Project Identification and Implementation Committee, which are then cascaded to sub-counties. So, I do not see why counties would again fail to implement projects they have participated and facilitated at identifying. In the event of inefficiencies, like it is in Baringo County, we can suspend. The law allows us to suspend funding of such projects. We can take action on that if it is reported to us and we ascertain that there is inefficiency.

Hon. Lesuuda asked two questions on plans that I have to eliminate the accumulation of arrears. This Fund has had challenges from the beginning. By the way, the first financial year which would have seen the Fund having resources was 2010/2011. Immediately the Constitution was passed, the Fund was not suspended but because there was no legal framework and a lot of challenges from the beginning, it took about three financial years, if not more, before the Fund was put into effect. That led to challenges on this Fund. There have been issues with formulas and now we have accumulated too much arrears.

I am not passing judgement on this House but the other problem we have noticed is that every time we have supplementary budget revisions, even without being proposed from the

National Treasury, the National Assembly is usually very quick in removing Equalization Fund allocations. Therefore, I appeal to this honourable House that, in future, it considers ringfencing any allocation already provided for the Equalization Fund so that it does not again suffer the fate that it has suffered over the years. That is another reason as to why we have had arrears to this Fund.

Finally, what is my personal view on increasing the number of counties benefiting from 14 to 34? Hon. Lesuuda, through the Temporary Speaker, let me make it very clear that I was in Parliament when we passed the Constitution of Kenya, 2010. I am very conversant with the reasons as to why we went the route of creating a specific fund targeting areas that have historically been marginalized. In 2010, we were very clear on what we meant by marginalization. It was not pockets of marginalization across the country. I will tell you for a fact that I come from a region which is also considered marginalized because it is likeYemen.

Hon. Temporary Speaker, just the other day, some characters across here went to my place and said we live in Yemen. I believe they used that name to clearly state that that area is marginalized, which is true. However, the level of marginalization in Suba South or Homa Bay, which is also historical, cannot be compared, for example, with that of Mandera, Wajir, Isiolo or Marsabit. So, for Homa Bay, where I come from, which is also marginalized and is Yemen, that marginalization cannot be compared to the marginalization in those other areas.

In my view, it was a mistake by the Commission on Revenue Allocation to increase the number of counties from 14 to 34. That is my honest opinion, and I am not saying this for the first time. I have said it before even when I was launching a report by Equalization Fund. I said we must reconsider the Second Policy. It is now making us lose foresight and focus on why the Equalization Fund was embedded in our Constitution. We can use other resources which are devolved to the counties to make those regions that have not been brought to where they should be, but for equalization, let us confine it to the historically marginalized counties like Samburu, Baringo, Turkana, Mandera, Wajir, Isiolo, Marsabit and Garissa. Nobody can deny that those regions have historically been marginalized.

That is my response to that question. I hope those who are involved in decision-making for the Third Policy are listening to this debate. My position as Cabinet Secretary is very clear on this matter.

Thank you, Hon. Temporary Speaker.

Hon. Kasait Kamket (Tiaty, KANU): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, many hands are being raised. Allow me to indulge Hon. Kamket. What is out of order?

Hon. Kasait Kamket (Tiaty, KANU): Thank you very much for indulging me. I did not want the Cabinet Secretary to get away with the final part of his answer. This is because the First Policy left Tiaty out of the group of marginalized areas. I am informed by Hon. Makilap that Baringo and Tiaty were left out. Thank you. When the Second Policy was done, it became clear that the most marginalized constituency in Kenya is Tiaty. If the First Policy did not identify that, how wrong is the second one? I think marginalization is not a birth right of anyone. Those who were in the First Policy must not be mean to the extent of denying others who benefited through the Second Policy.

The Temporary Speaker (Hon. Martha Wangari): Okay, Hon. Members.

Hon. Kasait Kamket (Tiaty, KANU): So, the Cabinet Secretary should not go that route. The CRA did the right thing by going to the sub-location level in order to get the right report on marginalization.

The Temporary Speaker (Hon. Martha Wangari): You have made your point. Hon. Kamket and Hon. Members, we have had this debate, not once in this House. Some of you were proponents of the review of the First Policy to increase the number of benefiting counties. Some of you did not supported that review. The Cabinet Secretary was answering the question by Hon. Naisula. In fact, it was a personal question. He was asked whether he personally supports and he has given his view. He said it is a personal view but the responsibility goes to CRA. There is a part of the question by Hon. Naisula that the Cabinet Secretary did not answer.

Remind him, Hon. Naisula.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Temporary Speaker. I will be very brief. The last question was about the impact of the projects. He stated that the projects were complete. It almost ties to the second question in terms of the impact of the projects that are being implemented, especially at the county level.

The Temporary Speaker (Hon. Martha Wangari): In fact, Cabinet Secretary, Hon. Naisula's first take was, “Do you personally feel the spirit of what the Equalization Fund was to achieve? Has it achieved that?” That was the question.

The Cabinet Secretary for National Treasury and Economic Planning (Hon John Mbadi): Hon. Temporary Speaker, to be honest with ourselves, this Fund has not achieved its intended objective because we have spread it too thin. That is why I still go back to my position. It can be true that probably we left one county with the first formula, which can be considered but increasing the benefiting counties to 34 and spreading it across the country, where almost every county has some pockets of marginalization, is missing the original intention of the Equalisation Fund.

Hon. Temporary Speaker, when we were debating on the Equalization Fund, I was in this House. Some of us argued that even Nairobi City County has areas which are marginalized. At times, we confuse poverty with marginalization. The two are not the same. There is poverty and marginalization. We can use different strategies to address both of them. There is urban poor, rural poor and then we have marginalized areas. You do not need rocket science to know an area that is marginalized. You just drive there or visit it, and you will see real marginalization. I am happy because the Constitution even identified what is meant by marginalization: roads, health facilities, education, water and electricity. Clearly, you can easily determine an area which is marginalized on that basis.

Hon. Lesuuda asked whether the Equalization Fund has achieved its objective. It has largely not achieved its objective, but to some extent it has. Some of the projects have made a lot of difference in people's lives in some of those areas. I visited a few areas where I saw what the Fund has done. However, bringing the country to near equality or equalization as we had intended is important. A country that is unequal is very difficult to govern.

Sometimes we just laugh about some of these things and even put them on social media and compare. We tell others to see how Makilap’s Constituency is dusty, and others construct a smooth road leading to their bedrooms. You know very well that Makilap’s taxes are on your road. Even if it was not his taxes, he is paying debts that were taken by some leaders who come from your village, who made sure that you have roads. Because his area has not produced a leader, then their roads are dusty, and then you laugh at them. It is something that can bring civil unrest. It can create a problem in the society.

Part of what we saw in 2007 was the thinking in people's minds that they were being marginalized. That is why we almost lost our country. As a Cabinet Secretary, I am not speaking as someone who comes from one corner of this country. I know part of this money has gone even to Suba South to address marginalization in some sub-locations there. I am not the Cabinet Secretary for Suba South. I am speaking about Kenya. I know for sure that there are areas which are so marginalized that they need this money more than other areas.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, I know there is a lot of interest in this issue. If we keep the questions brief and precise, very many of us will speak.

Let us hear the Member for Marakwet West.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker and Cabinet Secretary. Under Table 4 of your submission, Elgeyo Marakwet County, as at the end of this August, has received zero allocation. Give us the reasons that informs this position. Since the Constitution was passed, we have never had an Equalization Fund law. We have only subsidiary legislation and budget laws. There is no standalone substantive legislation on the Equalization Fund. As the Cabinet Secretary for the National Treasury and Economic Planning, do you think that if we enact a substantive legislation on the Equalisation Fund, we will unlock the challenges that we have, especially on the definition of terms like pockets of marginalization which, in my opinion, was never envisaged by the Constitution?

Finally, under the current Regulations, Regulation 8 (g) expressly mandates the Equalization Fund Advisory Board to establish a framework for collaboration between the national Government and county governments. Why has this framework, which provides for collaboration between the national Government and the county governments, not been established so as to give effect to Article 6 (2) of the Constitution?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I have looked at Table 4 and I am intrigued. Probably, the Cabinet Secretary can explain why Garissa has zero absorption and why Busia, with a small pocket in Budalang'i, has zero absorption.

You need to guide the Cabinet Secretary that Members of Parliament are not some elements from here. We are Members of Parliament. If he was irked because we exposed the hypocrisy in Homa Bay County, we can do it out there at a public rally.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Let us have the Member for Moyale. Hon. Members, I am trying to follow the requests' list. If you would like to speak on this issue, press the intervention button.

Hon. (Prof) Guyo Jaldesa (Moyale, UPIA): This is a very important debate which cannot be closed.

The Temporary Speaker (Hon. Martha Wangari): It is not a debate, Hon. Members. These are follow-up questions.

Hon. (Prof) Guyo Jaldesa (Moyale, UPIA): If you look at the composition of the team at the county level, the County Commissioner is the Chairperson but when it comes to the implementation of the projects, it is purely done by the county government. The decisions are made by the national Government administration and other members.

How come the implementation of the projects funded by the Equalization Fund, like those in the education and energy sectors, are implemented by the county governments yet they are not devolved functions? The projects which we proposed in the Financial Year 2022/2023 have not been implemented to-date because the County Government of Marsabit wants to divert money meant for acquisition of transformers to construction, making us lose direction. Why did you allow the county governments to implement functions which are not devolved?

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Next is Hon. Lochakapong.

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Temporary Speaker. First of all, I commend the Cabinet Secretary for the timely disbursement of the National Government Constituencies Development Fund (NG-CDF).

Let me now comment on the Equalization Fund. The response by the Cabinet Secretary looks very good on paper but at the grassroots, things are not as good as they are being presented here. On page seven of this presentation, we have the Project Identification and

Implementation Committee, Sub-County Technical Committee, and the County Technical Committee. The reality is that most of these projects are implemented by the county government, and not by the Project Identification Committees. Therefore, it turns out to be a county government programme.

The County Commissioner is the Chairperson of the County Technical Committee. There are also other members like the County Executive Committee Member for Finance, county assembly representatives and the heads of implementing sectors. The County Technical Committee has a lot of chief officers and County Executive Committee Members. Then it turns out to be a county government project.

Can the Cabinet Secretary address the issue of duplication of resources in projects? They are allocating Equalization Fund resources at the same time they allocate county government funds. One Fund does the work while the other is either misused or embezzled. We have also been dealing with the relationship between the Equalization Fund and county governors. Is this their Fund? In line with duplication, should the identification and procurement of Equalization Fund projects be brought under the national government? That would perhaps make things better.

Finally, what happens to projects that benefited from the first marginalization policy but remain incomplete? Many have taken years or stalled and nothing is happening. What becomes of them? I have seen that in West Pokot, the absorption rate is 87 per cent yet when you look at projects funded through the Equalization Fund, you find that resources have been allocated but the projects remain incomplete. There is a road in my constituency which was allocated Ksh26 million. They only opened up two kilometres and said that the money was finished. What happens?

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Cabinet Secretary, I hope you are noting the questions. I know some of them will overlap. You can note the specific issues raised for each county.

Next is Hon. Keynan.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Temporary Speaker. It is unfortunate, especially for those of us who were part and parcel of the inclusion of this particular provision in the Constitution, just like my friend, the Cabinet Secretary. I am sure you were also in Parliament at the time. We need to understand the history behind the inclusion of this provision in the Constitution of Kenya, 2010. I remember that you were a nominated Member of Parliament then.

At that time, we had three contending groups. One group wanted a purely presidential system, another group wanted a purely parliamentary system, while a third group wanted devolution and resource allocation. When we converged in Naivasha towards the end, when there was almost a disagreement, we sat down and said, "Let there be a middle ground." That is the middle ground for those who wanted a purely presidential system, those who wanted a purely parliamentary system and those who wanted devolution and the Equalization Fund.

The Equalization Fund, as we all know, was based on the Marshall Plan of 1948, which was a United States programme designed to support the recovery of European countries after the Second World War. This is my question to my good friend, the Cabinet Secretary. I must go on record and say that you are one of the best Cabinet Secretaries and Ministers for Finance this country has ever had. I took some time to analyse what they have done for Kenyans. For a person like me, who has been here for quite some time and interacted with many Ministers for Finance and Cabinet Secretaries for National Treasury and Economic Planning, that holistic approach to looking at the face of Kenya is what we have lacked.

Today, I wanted to ask you two of the questions but you have already answered one affirmatively: Does the current Equalization Fund policy reflect the thinking of the framers of the Constitution? The answer is a big no. That is the first thing. On the second question, what is your role as the person charged with protecting taxpayers' money? You need to stop this. The third question, and I know you will empathise, concerns Sessional Paper No. 10 of 1965. One of the issues that the constitutional provision on the Equalization Fund was intended to address was the historical marginalization of certain regions. My question is this, and I am competent enough to answer it myself.

The Temporary Speaker (Hon. Martha Wangari): Hon. Keynan, the problem is that if we make it a debate, everyone will take ten minutes.

Hon. Adan Keynan (Eldas, JP): This is the question. Can the letter and spirit of the current Constitution be altered by a commission because of pressure from the political class? That is exactly what the Second Policy has done. If that is the case, are we duty-bound as Members of Parliament to continue funding the Equalization Fund? The answer is that there is no single Equalization Fund project in Wajir. I am on record saying this before. I want to be challenged on it. To that extent, I want to declare the Equalization Fund completely dead. Do not waste your money. It has become a cash cow for governors. Let us call a spade a spade. We cannot spend billions of shillings simply to cover the failures of a clique of leaders.

I want to urge you, and I will go on record...

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

The Temporary Speaker (Hon. Martha Wangari): Order, Members.

Hon. Adan Keynan (Eldas, JP): Of course, you are competent enough to inform me.

The Temporary Speaker (Hon. Martha Wangari): Proceed, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I have seen how Hon. Keynan has become emotional on this matter. He is having very animated debate because of the pain that people in many counties have suffered as a result of the failure in implementation of Equalization Fund projects. Rather than simply trying to slow down Hon. Keynan, I want to agree with him that what has prevented many marginalized counties and areas from accessing projects that benefit their people is probably a constitutional problem, as he has put it. However, the National Treasury can also help by defining the kinds of projects that can, and should, be funded through the Equalization Fund and finding ways to stop duplication. The reason Hon. Keynan says it has become a cash cow is that a governor may identify the construction of a borehole in a particular locality for funding through the Equalization Fund, and then they equally budget for the same project from the county's equitable share of revenue. That is where the problem of accountability and misuse of funds arises.

Perhaps I could ask Hon. Keynan, as he concludes, because this matter is very emotive… You can see how animated he has been in his contribution. We also have other business, especially important Bills coming up for consideration in Committee of the whole House. Let us try to wind up and conclude this matter.

Hon. Adan Keynan (Eldas, JP): Hon. Temporary Speaker, you realise that the Leader of the Majority Party is very crafty. He has achieved what he wanted. Let me conclude, and thank you for the time. I am glad that you have been around even when we were doing this. The Cabinet Secretary has realized that both the letter and spirit of Article 204 of the Constitution have been deliberately disregarded. The Second Policy completely disregarded the letter and spirit of the Constitution. The number of counties set to benefit was increased from 14 to 34. All this was done maliciously, capriciously and in a manner that is offensive both to those who were meant to benefit and to the architects of the Constitution. Will you be kind enough to consider this and say that, notwithstanding all other interpretations, it is no longer viable or wise to continue funding this until the stakeholders come together and develop an acceptable, implementable and fair procedure that takes into account the provisions of Article 204?

Thank you, Hon. Temporary Speaker for the time.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, as has been said, this issue is very emotive. Cabinet Secretary, the issues being raised are very similar. There is the issue of overlap of mandates, the issue of vesting, including procurement at the county level, and the issue of accountability. However, Members, I do not want us to simply leave everything to the Cabinet Secretary because you also have a responsibility as Members of this House. You have the power of appropriation. You cannot tell the Cabinet Secretary not to implement when you have already appropriated the money. Therefore, it is a shared responsibility. Allow the Cabinet Secretary to respond. If there is anything that has not been answered, we will follow it up. Hon. Cabinet Secretary, I hope that in responding to these major issues, you will have covered the concerns raised by Members.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Thank you, Hon. Temporary Speaker. I completely agree with you because I think the issues are basically common. I will start with why some counties have not implemented any projects. Some counties have implemented zero projects not because there was no financial allocation to them. You can tell that there was allocation, but they either did not prepare proposals or they did not implement anything. So, we must call it what it is - there are generally challenges around that space.

On whether we need a stand-alone law, my view is no. The Public Finance Management Act is very detailed. By the way, before we came up with the Public Finance Management Act, after the Constitution was enacted, we had too many laws that dealt with public finance that caused confusion. Some of them were contradicting each other. So, what we decided to do was to collapse all the public finance management laws into one. That is why we have the Public Finance Management Act. We can generate regulations out of it, including for the Equalization Fund, which will give the details. If there is inadequacy in the regulations, we can work on it.

Whether there is collaboration between the county government and the national Government, the answer is yes. Actually, we have a lot of collaboration. In the committees that I mentioned, there are national Government officials and also…

(Hon. William Kamket spoke off the record)

The Temporary Speaker (Hon. Martha Wangari): Hon. Kamket, who do you want to inform? Allow the Cabinet Secretary to finish.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Thank you, Hon. Temporary Speaker. If you look at the committees, there is collaboration. The county governments and the national Government are supposed to be working together. As to whether the committees are effective and efficient, that is another issue.

Hon. Oundo asked why Garissa has received zero allocation from the Equalization Fund. It is not that we have not made transfers to Garissa. This is about implementation. I have mentioned here a number of reasons as to why some counties have failed to implement.

On whether I referred to some Members here as characters, I do not think I did so. I talked about some characters whom I saw moving around. I do not know whether they were Members of Parliament or not, but they were some characters.

(Laughter)

On whether there is any dishonesty, I do not think there is any dishonesty. We have never shied away from saying that Homa Bay has all along been marginalized from 1963.

Actually, we probably got ourIndependence in 2023 when Ruto became the President. I have been in this House for 15 years from 2007. The road that connects two counties, passing through my constituency all the way from Mbita through Sindo, Magunga and ending at Sori in Migori County has been awarded to contractors several times. The contractors would go on site but they would not do even an inch of tarmac road. Now, if President Ruto has done 28 kilometres of that road and it is tarmacked, do you want to tell me that that is dishonesty? It cannot be. You can entertain and enjoy yourself.

If you visit an area with the area Member of Parliament and you take seven hours before you access his constituency, you should know that you are moving around with a wrong person. How can an area Member of Parliament be blocked from accessing his constituency for seven hours by his constituents then you still think that that is someone who can help you?

The Temporary Speaker (Hon. Martha Wangari): Order, Hon. Cabinet Secretary! I beseech you not to get into politics.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): I was actually talking about marginalization.

(Laughter)

The Temporary Speaker (Hon. Martha Wangari): Yes, go back to marginalization.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): You know, when people who have been marginalized for many years feel that they are being considered and you bring them confusion, they will get very angry because they suffered for years without seeing any development. So, when they start seeing development and you bring issues to them, they will not be happy and they will block you even with their hands. That is not politics. It is actually the reality.

Let me respond to the other questions. On decisions made by the national Government and implementation done by counties, as a matter of fact, as I had stated in my initial response, we started implementing the projects directly. However, based on the High Court decision of 2019 that threw us back - that, the county governments must implement the Equalization Fund Projects - we have to look for a way of obeying and respecting that court order. However, I have indicated that I am going to ask the Attorney-General to seek a review of that decision, so that we have a better implementation of Equalization Fund projects.

(Applause)

On implementing functions that are not county functions, the Constitution speaks to the county functions and areas where you can apply the Funds, which includes education. On education, it has not restricted it to early childhood education. So, if money is sent as a conditional grant, it can be applied even in high school education, which is a function of the national Government. However, the law allows the county governments and the national Government to consult and cooperate. If there is a will, there will always be a way. The concern that we have is the administration of the Fund, and the management and implementation of its projects. That is something that my Ministry has taken up and we are looking at it.

On Hon. Lonyangapuo.

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

[The Temporary Speaker (Hon. David Ochieng') took the Chair]

Hon. Members: Lochakapong. Lochaks.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Lochakapong. You know, I am used to Lonyangapuo, the presidential candidate. Maybe, I am wishing him to be one soon.

Lochakapuo, in terms of NG-CDF...

The Temporary Speaker (Hon. David Ochieng'): Order! He is called, Hon. Lochakapong or if you wish, Lochaks.

(Laughter)

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): If I am allowed, I can abbreviate it as Lochaks.

Hon. Lochaks, in terms of the NG-CDF, yes, it is the policy of the National Treasury that we be releasing the NG-CDF as a check-off. Every month we will be releasing a portion of the NG-CDF based on the Budget, so that by the end of the Financial Year we complete it. We know the value and the contribution that the NG-CDF has on our economic development in terms of spurring rural economy and growth. To date, we have released up to the month of August. I do not have a date.

An Hon. Member: What about the National Government Affirmative Action Fund (NGAAF)?

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): The National Government Affirmative Action Fund (NGAAF) will not be released monthly. We will be releasing it in full. In the next two weeks or so, you will have your full allocation.

On generating projects, the counties do not generate projects. Actually, projects come from the project identification and implementation committees. On duplication of projects or resources on projects, that is possible. You know, in this country sometimes you find counties doing some of the roads that the Kenya Rural Roads Authority (KeRRA) does or vice versa. That is what one would just call theft of public funds. These are cases that we should identify and deal with. Whichever way, that is unacceptable.

On the relationship between governors and the Equalization Fund, their relationship should just be to the extent that the funds are helping them to solve or provide services to the people. It should not be beyond that. On procurement, there is no way procurement can come back to the national Government if we do not sort out the High Court decision of 2019. To Hon. Keynan, I cannot agree more with him. We must have a holistic approach to this matter.

On whether the Treasury can stop theft of public funds, we can work together on that. This House has a responsibility of oversight. Nonetheless, the National Treasury also has a responsibility. Discontinuing the Fund is a bit difficult because it is a constitutional provision. I am actually required by law to make that provision. So, it may be difficult. I do not have that discretion. I do not have room to exercise discretion on making provision for this Fund.

On the question by the Leader of the Majority Party on defining what projects can be funded, we have a checklist which we issue to counties on what projects can be funded by the Equalisation Fund, and we follow it. That is why you see there are proposals and then approvals. The approvals are usually less than what has been proposed.

As I go back to my seat, I state that this Fund is still facing a lot of challenges which we are working to resolve. Some of them may require major decisions, such as how we implement the projects. Should they continue to be implemented at the county level, or should we do it directly as the national Government?

Thank you.

The Temporary Speaker (Hon. David Ochieng'): Hon. Members, this is spent.

(Loud consultations)

I think you have had your time on this. So, then, order!

(Hon. Adan Keynan spoke off the record)

Hon. Keynan, you do not do that to me. You know that very well. So, we will do…

(Loud consultations)

Order! Order!

(Hon. Kassait Kamket stood in the gangways)

Hon. Kamket, take your seat. We will do the following; each of you, one minute. The Cabinet Secretary will have only two minutes to respond to them, then he will leave. Hon. Makilap, one minute.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Temporary Speaker. I want to make a value addition. Number one, to the Cabinet Secretary, this Fund lapses in 2031. It is left with four-and-a-half years under the Constitution. Moving forward, Cabinet Secretary, since this House is the one appropriating money to the Equalisation Fund, it means, therefore, that this House must oversee this Fund. Moving forward, let us get the projects so that when we pass the Budget, we pass an itemised one. That is to say, a Budget including projects of the Equalisation Fund, which has a threshold of what is supposed to be funded…

The Temporary Speaker (Hon. David Ochieng'): Allow him 30 seconds.

Hon. Joseph Makilap (Baringo North, UDA): There is a problem that needs the Cabinet Secretary's attention. Why the county governors? I have sat in that committee in the county. The problem is that the governors and their County Executive Committee Members say that this Fund has been given to us without operationalisation or administration funds. Therefore, *mpaka walete pesa.*

The Temporary Speaker (Hon. David Ochieng'): Hon. Kamket.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Temporary Speaker, the elephant in the room, this is for the Cabinet Secretary, is the procurement role. Unless you address that matter of procurement, this Fund will continue to be wasted. I do not think that regulations alone, or the introduction of a stand-alone law, might be the cure to this problem. You have been identified as an expert Cabinet Secretary. Please, you have listened to the cries of Members. Please, solve the problem of procurement. Remove procurement from county governments. That is where the problem is.

The Temporary Speaker (Hon. David Ochieng'): Thank you.

Hon. Kassait Kamket (Tiaty, KANU): Finally, Hon. Temporary Speaker, Article 204(2) of this Constitution speaks about marginalised areas. I can read: "The national Government shall use the Equalisation Fund only to provide basic services... to marginalised areas."

Where does the Constitution speak about marginalised counties? I want to ask Members: when you bastardise the Second Policy, where do you get your strength from? The Constitution speaks about marginalised areas!

The Temporary Speaker (Hon. David Ochieng'): Correct, not counties.

Hon. Kassait Kamket (Tiaty, KANU): Not counties.

The Temporary Speaker (Hon. David Ochieng'): Thank you. Hon. Emathe, please, one minute.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you, Hon. Temporary Speaker. Mine are two questions. Number one, check Tables 3 and 4. Table 3 shows that Turkana County has never received the Ksh148.5 million since 2018. Now, in this other disbursement, maybe, for Financial Year 2022/2023, you are saying we are 93 per cent disbursed. So, the question is: how can we recover the Ksh148.5 million as a disbursement?

Number two, I need you to confirm if you have received projects for Financial Year 2026/2027, that is, the current disbursement. If you have received them, I want to tell you in this House that there was no public participation.

The Temporary Speaker (Hon. David Ochieng'): Hon. Pukose, one minute.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker, and thank you, Cabinet Secretary. The biggest problem about this is that when the Budget and Appropriations Committee tables this here, the Equalisation Fund will be rejected by the House. Therefore, I think you need to be aware of why you are here. The Committee was going to vote to reject this.

The second point in my one minute is about Endebess, which is part of Trans Nzoia. You have indicated zero, but the project is actually almost 50 per cent done. It is a hospital at a place called Nawiapong. So, when you say that in some of those places the projects have not been done, it is not true. The data that you presented…

The Temporary Speaker (Hon. David Ochieng'): Cabinet Secretary, the data in your answer, let that be confirmed. That is one minute. Hon. Lekakeny.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Temporary Speaker, I really appreciate the answers from the Cabinet Secretary because he seems to be on the same side as the House. Therefore, there is one thing that the Cabinet Secretary could do, because he has said he can do it. The regulations can come to us now because there are some things which the judgment did not rule out, and did not say you cannot do. For instance, if you give money to the counties and they do not pay their contractors, who will be liable in the end? Those should be in the regulations. I want to urge you, together with what Hon. Makilap just said, to take the quick actions that you can take to save this thing.

The Temporary Speaker (Hon. David Ochieng'): Hon. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. The issue is structural at the point of implementation of the project. An Hon. Member asked, "Who is the procurement agent?" That is where the problem is. Then the next one is, "Who is the signatory to the account? You remember that in the National Government Constituencies Development Fund, you have the community as signatories. If you build a classroom, the head teacher and a member of the committee are signatories. So, the Fund manager alone cannot be the one. Simply, at that point, who is the procurement agent and who is the signatory? Involve the committee in that. It may help at this point.

The Temporary Speaker (Hon. David Ochieng'): Hon. Keynan.

Hon. Adan Keynan (Eldas, JP): Hon. Temporary Speaker, you realise that there is a problem with the interpretation of Article 204. Because of that confusion, we are unable to use these funds, which have constitutional timelines. I want to suggest to the Cabinet Secretary, now that we have a Cabinet Secretary, not to say "expert"… Indeed, he is an expert. He is one of the best Finance Cabinet Secretaries this country has had since Independence. So, do not use "expert". He is a real expert.

I want to suggest to the Members that, because of this… I am a very concerned Kenyan and legislator who has been part of the history. I suggest that we form a Select Committee which will address all the issues surrounding the Equalisation Fund by taking note of those architects of the current Constitution, looking at all the court challenges, the demands of the

Council of Governors, what the Commission on Revenue Allocation has done under the First Policy and the Second Policy, and considering all these issues we have raised. I want to beseech you, Hon. Temporary Speaker. I know that since 2013 this House has not allowed a Select Committee.

So, I will be proposing names for the formation of a Select Committee to address all issues appertaining to the Equalisation Fund, so that, once and for all, we address this before the end of its constitutional term. One of the members of that Committee will be Hon. Kamket, when you see the list, *inshallah*.

The Temporary Speaker (Hon. David Ochieng'): Order! Hon. Keynan, you know you are a Member of this House of long standing. You know what you need to do if you propose a Select Committee. I would have been happy to listen to you if there was a... You know, in this House we have had Select Committees, even in this term of Parliament, to deal with constitutional amendments and all that.

(Several Hon. Members raised their hands)

No, this has to come to an end.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Thank you.

(Hon. Peter Lochakapong spoke off the record)

The Temporary Speaker (Hon. David Ochieng'): Cabinet Secretary, take your seat for a minute. Hon. Lochakapong you had your chance. Let me give this chance to Hon. Sunkuyia. Please, make it a minute. Go ahead.

Hon. George Sunkuyia (Kajiado West, UDA): Thank you, Hon. Temporary Speaker. Before the 2010 Constitution and the amendment of the Standing Orders in 2023, the cabinet secretaries never used to appear before this House, but the laws were changed requiring them to appear before the House. It is prudent for this House to amend the Equalisation Fund Act to require procurement, accounting, and other processes to be done by the national Government. This is a cash cow for governors. They are not even using their resources. They are now depending on the Equalisation Fund. These people should ensure that they are not touching this money.

The Temporary Speaker (Hon. David Ochieng'): The point is well made. Hon. Akujah.

Hon. Protus Akujah (Loima, UDA): Hon. Temporary Speaker, my question goes to the Cabinet Secretary. Is there a provision in law that caps the minimum and maximum money allocated for particular projects? This is because we are seeing projects of Ksh2 million or Ksh1.5 million in counties yet the Equalisation Fund is supposed to equalise marginalised counties to counties that went ahead according to the Sessional Paper No. 10 of 1965. This money is supposed to do flagship projects of at least Ksh20 million. Is there a capping and what is the minimum and the maximum?

The Temporary Speaker (Hon. David Ochieng'): Cabinet Secretary, you can now respond to those questions. I can assure you these are the last ones on this matter.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Thank you. I will try to be brief because I can see time has really gone.

Hon. Makilap, this fund actually lapses in 2031. You have stated that the County Executive Committee (CEC) members and the governors are saying that there is no administrative component of the Fund, but this was deliberate. If you allowed this Fund to be used for administration purposes, it would lose its meaning. We are already crying that the money in the Fund is insufficient. Those who are implementing this Fund already have enough money for administrative expenses. I think this country is developing a bad habit where we want to set aside part of any money that is allocated to projects to administration. I think it is really wrong. We should learn to think about the impact of these resources to the public as opposed to how much allowances we get. That was deliberate.

Hon. Kamket talked about procurement fraud. I agree that we have a lot of challenges. Theft is theft, whether it is in the Equalisation Fund, general funds for devolution, NG-CDF, or on any other fund. It depends on where there is more malpractice. We see it where this Fund is used to account for other allocations elsewhere. We have institutions that deal with that fraud and I believe they are competent enough.

On the Constitution defining marginalized areas, it depends on your interpretation of the Constitution. However, allow me to say something about this topic. Sometimes the law is not as clear as lawyers would say. As a matter of fact, if you want to know what was originally intended, you may need a conversation with people who are participating in crafting and drafting these laws. I know for a fact that Equalisation Fund was not meant for the whole country. It was also not meant for pockets of marginalization in various counties. Even though the word 'areas' was used, this has been exploited. We had an idea of counties or areas that were marginalised. Let me use the word 'areas'. Hon. Kamket, if the First Policy left Baringo out, it was, probably, a mistake. That does not mean that we now bring in every other county, like Migori or Homabay, and say that there are some pockets of marginalization. I still believe and stand strongly behind the thinking that we should confine this Fund to specific areas of this country so that we can realise the impact. We are not realising any serious impact with this Fund.

I think there was a question on the proposal notes in Table Three and Table Four. As a matter of fact, the 2026-2027 proposals have not been received. That is a clarity I want to give. Hon. Pukose, we may need to look at the accuracy of the data. Yes, there could be inaccuracies if at all the county has implemented some projects and it is reported as zero. I think that is a serious omission that my team and I will look into.

On regulations to be revised, Hon. Sunkuyia, I agree with you. We may need to look at these regulations and possibly revise them. I probably agree with Hon. Keynan that we may need to have a team to really look at this Equalisation Fund and see how best it can have impact. That way, we can discuss all these issues, including whether certain areas in Kajiado are also marginalized or Kajiado is not considered a marginalized area. The only problem that I see is we are a bicameral Parliament. Sometimes decisions that the two Houses make are not informed by the best interest of the public, but rather each House flexing its muscle. I do not know whether any suggestion that comes from this House to change the architecture and the structure of the Fund will find favour with the other House. I am not trying to cast aspersions on the other House. I know it is competent enough, but at times you will find that their thinking is completely at variance with what the National Assembly is thinking.

The Temporary Speaker (Hon. David Ochieng'): As it should be because we were set up for different reasons.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Exactly, but again, it is expected that what guides us is the interest of the public we serve! We serve the same constituencies anyway. There is no constituency which does not belong to a county. All constituencies are domiciled in counties. That leads me to talk about the interpretation of Article 204. I think I have responded to that.

Regarding procuring, it is difficult to separate procurement from implementation of projects. We need to be very clear on that. As of now, county government officials are signatories to the accounts because the money is being utilized at the county level. There is a special purpose.

(Hon. Raphael Wanjala stood in his place
and spoke off the record)

The Temporary Speaker (Hon. David Ochieng'): Order! Hon. Wanjala, you cannot walk in and disrupt the Cabinet Secretary. Order! Take your seat. Cabinet Secretary, this is a ranking Member. I would like you to take a seat so I can listen to him for a minute. It better be something serious. Go ahead, Hon. Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Temporary Speaker. I am one of the people who advocated for this money to be entrenched in the Constitution. Budalang'i is one of the beneficiaries, but for the last 14 years this money has been coming through the county government. To date, we have never seen this money. We are supposed to get Ksh5 million every year, which we have been receiving. For the last 14 years, we have not seen this money in Budalang'i.

The Temporary Speaker (Hon. David Ochieng'): Hon. Wanjala, what you have said is appreciated. It is what all Members have talked about. If you were here earlier, you would have noted that every other Member has raised the same concerns you have mentioned, and the Cabinet Secretary has taken his time to respond to them. In case you do not get the answer you require, you can walk out with him as he exits and get a face-to-face clarification.

Hon. Cabinet Secretary, please, proceed to conclude.

The Cabinet Secretary for National Treasury and Economic Planning (Hon. John Mbadi): Thank you. I need to clarify two things. When you see our report saying zero absorption, it does not mean the project has not been implemented. It means payment has not been made. So, probably, the money is in the Special Purpose Account, and has not been disbursed. That is the clarification.

Now, regarding Hon. Wanjala's concern, he is my friend, and he is a senior Member of this House. I agree with him that Budalang'i was included in the second formula and we started implementing the projects from the last financial year. Thus, this is the second financial year. Together with the Chief Executive Officer of the Equalisation Fund, who is present here, we will check why the projects that were meant to benefit Budalang'i have not been implemented. We will follow through to see what is happening with Budalang'i.

Hon. Temporary Speaker, the Member for Funyula can distract. He tends to invade people's territories. Thank you.

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

The Temporary Speaker (Hon. David Ochieng'): Thank you very much, Cabinet Secretary. Order! I can assure you that this House appreciates the time you take to prepare to answer questions. Order Members! I have heard you being referred to as an expert; I urge you to encourage your colleagues to take their work as seriously as you do. We want cabinet secretaries to be comprehensive and to take Members of Parliament's questions seriously so that this country can progress, knowing we have a Cabinet that understands its responsibilities. You are now discharged.

(The Cabinet Secretary exited the Chamber)

Those who wish to offer the Cabinet Secretary tea at our restaurant may follow him, but for now he is discharged.

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

The Temporary Speaker (Hon. David Ochieng'): There is nothing out of order.

(Loud consultations)

Hon. (Dr) Oundo, what is the problem?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, this is a House of records, and that has been captured in *The Hansard*. The Cabinet Secretary has alleged that I like invading people's territory. I want to put on record that I do not invade anyone's territory. I am a Kenyan who is allowed to go to any part of this country as provided for by the Constitution of the Republic of Kenya. That should be very clear. I do not possess an army that could invade anywhere. I am not a warmonger or anything of the sort. I simply visit various parts of Kenya, as permitted under the Constitution of Kenya, with the Linda Mwananchi brigade. Thank you.

(Hon. (Dr) Robert Pukose spoke off-the-record)

The Temporary Speaker (Hon. David Ochieng'): There is no business on the Floor that requires you to respond to. I was here when the Cabinet Secretary spoke, and I know that that statement was made in jest and meant as a joke. I do not think you wish to create any hue around it. Let us allow it to rest.

(Loud consultations)

Hon. Members, the House is still on. We are moving to the Committee of the whole House shortly. Next Order.

(Several Members walked out of the Chamber)

Order Hon. Members! Hon. Lochakapong freeze where you are. Order Members! Clear the aisle.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Temporary Speaker (Hon. David Ochieng') left the Chair]

IN THE COMMITTEE

[The Temporary Chairman (Hon. David Ochieng') in the Chair]

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

The Temporary Chairman (Hon. David Ochieng'): Hon. Members, we have a couple of Bills to consider in the Committee of the whole House. We will start with the Air Passenger Service Charge (Amendment) Bill, National Assembly Bill No. 56 of 2026. This will be led by the Leader of the Majority Party.

(Clauses 2 and 3 agreed to)

Clause 4

The Temporary Speaker (Hon. David Ochieng'): Mover, move the amendment.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 4 be deleted.

This is just a deletion of the clause.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 4 deleted)

(Title agreed to)

Clause 1

The Temporary Speaker (Hon. David Ochieng'): Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 1 be amended by inserting the phrase "and shall come into force upon publication in the Gazette" at the end thereof.

This is just to say that the Bill shall come into force upon publication in the Gazette. Thank you.

(Question of the amendment proposed)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 1 as amended agreed to)

The Temporary Chairman (Hon. David Ochieng'): Mover, move reporting.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the House reports its consideration of the Air Passenger Service Charge (Amendment) Bill (National Assembly Bill No. 56 of 2026), and its approval thereof, with amendments.

(Question proposed)

(Question put and agreed to)

Let us move to the next Bill in the Order Paper. We will move reporting once we are done with the five Bills.

THE COUNTY LIBRARY SERVICES BILL
(Senate Bill No. 40 of 2024)

Clause 3

There is an amendment. This is still your Bill, Hon. Ichung'wah. Oh, the Chairman, Hon. Wanyama is here.

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Chairman, I beg to move:

THAT, Clause 3 of the Bill be amended in paragraph (a) by inserting the words "and in each sub-county" immediately after the words "in each county".

(Question proposed)

There being no interest, I will proceed to put the Question.

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 3 as amended agreed to)

Clause 4

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 4 and substituting therefor the following new clause—

Role of county governments.

4. The county governments shall, in relation to county library services—

(a) implement the national library policy, standards and norms;

(b) identify the training and development needs for capacity building;

(c) equip, develop, manage and maintain the county libraries and provide information service responsive to the needs of the communities;

(d) establish a center for books to promote a culture of reading, writing and publishing in local languages, advocacy, book development and easy access to books and distribution of information materials;

(e) provide the communities with a variety of information materials, programs and services through stocking approved learning resources for formal and informal education;

(f) establish a local collection section in each library holding the respective community's resources, history, people, customs and traditions to promote the culture of indigenous knowledge and languages;

(g) carry out sensitization in the counties to promote learning;

(h) provide a conducive learning environment to stimulate and promote public interest in reading books and multimedia for information, knowledge and enjoyment;

(i) promote the use of information and communication technology in accessing and disseminating information;

(j) provide lending, inter-library loans, outreach, specialized and home-bound services;

(k) provide advisory and county library reference and referral services; and

(l) liaise with the national library service, county libraries and other relevant institutions to enhance information sharing.

(Question proposed)

Hon. Members: Put the Question!

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 4 as amended agreed to)

Clause 5

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 5.

(Question proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 5 deleted)

Clause 6

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 6.

(Question proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 6 deleted)

(Clause 7 agreed to)

Clause 8

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 8 of the Bill be amended in the opening sentence by deleting the words “directorate of library services” and substituting therefor the word “government”.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the word to be inserted in place thereof be inserted, put and agreed to)

(Clause 8 as amended agreed to)

(Clause 9 agreed to)

Clause 2

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 2 of the Bill be amended by deleting the definition of the word "library" and substituting therefor the following new definition—

"library" means an organized collection of printed and non-print books, periodicals or any graphic or audio-visual material and digital formats to which a member of the public has access free of charge or on payment of fees or by virtue of being a member of an organization or institution;

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 2 as amended agreed to)

Long Title

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting the Long Title and substituting therefor the following Long Title—

"An Act of Parliament to provide for the establishment of county libraries; and for connected purposes"

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(The Long Title as amended agreed to)

(Clause 1 agreed to)

The Temporary Chairman (Hon. David Ochieng'): We move to reporting. Mover.

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Chairman, I beg to move that the Committee do report to the House its consideration of the County Library Services Bill (Senate Bill No. 40 of 2024), and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

The Temporary Chairman (Hon. David Ochieng'): That marks the end of Committee on County Library Services Bill (Senate Bill No. 40 of 2024). We will consider it in the House once we are done with the rest of the Bills.

THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL
(National Assembly Bill No. 17 of 2025)

The Temporary Chairman (Hon. David Ochieng'): I can see the Chairman is available here with his usual punk hairstyle.

(Laughter)

(A Member spoke off the record)

I did not say funky. It is called a punk. I am sure those of you who were born later do not know what that hairstyle is. Hon. Mayaka, it is a punk, with letter 'p' not 'f'. Hon. Members, let us proceed.

Clause 2

The Temporary Chairman (Hon. David Ochieng'): Hon. Chairman has lost his notes. Hon. Chairman, proceed. I have proposed the question that Clause 2 be amended and be part of the Bill.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 2 of the Bill be amended by deleting the words "(hereinafter referred to as the "principal Act")"

It is important to mention, Hon. Temporary Chairman, that the reason we are consulting is because this was a Senate amendment. The Departmental Committee on Finance and National Planning does not have any amendment to Clause 2. In that case, we agree with Senate on their proposed amendment. I will, therefore, not be moving any further amendment on this particular clause.

However, now that you discussed my hairstyle, please, do not be jealous of my hair when you are bald. It is not my fault that there is no hair on your head.

The Temporary Chairman (Hon. David Ochieng'): Order! Hon. Chairman, just check your notes, which Bill are you referring to? There are two amendments to the Public Finance Management Bill; we are on the Public Finance Management (Amendment) Bill (National Assembly Bill No. 17 of 2025). That is your Bill. We shall come to the one you are referring to later.

Hon. Kuria Kimani (Molo, UDA): Thank you. Hon. Temporary Chairman, I beg to move:

THAT, Clause 2 of the Bill be amended by deleting the words "(hereinafter referred to as the "principal Act")"

This is a clean-up to make sure that all the amendments are in line with our Constitution and the Public Finance Management Act.

The Temporary Chairman (Hon. David Ochieng'): Thank you.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 2 as amended agreed to)

(Clauses 3, 4, 5 and 6 agreed to)

New Clause 1A

THAT, the Bill be amended by inserting the following new clause immediately after Clause 1—

Amendment of section 2 of Cap. 412A

1A. Section 2 of the Public Finance Management Act (hereinafter referred to as the "principal Act") is amended by inserting the following new definition in the proper alphabetical sequence─

"revenue" has the meaning assigned to it under section 2 of the Commission on Revenue Allocation Act.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Hon. Chairman, move Clause 1A for Second Reading.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move that the new clause 1A be now read a Second Time.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 1B

THAT, the Bill be amended by inserting the following new clause immediately after Clause 1A—

Repeal and replacement of section 42 of Cap. 412A.

1B. The principal Act is amended by deleting section 42 and substituting therefor the following new section-

Consideration by Parliament of Bills allocating revenue and additional allocations.

42. Parliament shall consider the annual Division of Revenue Bill, the County Allocation of Revenue Bill, the County Governments Additional Allocations Bill (National Government Revenue Share Financing) and the County Governments Additional Allocations (Proceeds from Development Partner Loans and Grants Financing) Bill not later than thirty days after the Bills have been introduced with a view to approving them, with or without amendments.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Can we have the Mover move New Clause 1B for Second Reading.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move that the New Clause 1B be now read a Second Time.

This amendment is providing for the principal Act to be amended in Section 24(10) to reduce the time duration from three months to two months.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 1C

THAT, the Bill be amended by inserting the following new clause immediately after Clause 1B—

Amendment of section 119 of Cap.412A.

1C. Section 119 of the Public Finance Management Act is amended—

(a) in subsection (1), by inserting the words "with the prior written approval of the National Treasury" immediately after the words "The County Treasury"; and
(b) in subsection (2), by deleting the words "or a bank approved by the County Treasury" appearing immediately after the words "at the Central Bank of Kenya".

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Mover to move New Clause 1C for Second Reading.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move that the New Clause 1C be now read a Second Time.

This amendment requires that county governments obtain written approvals from the National Treasury when they are opening or closing bank accounts. As we look forward to you being the Governor for Siaya County, I know you will not be like the rogue governors who open bank accounts arbitrarily across all banks.

The Temporary Chairman (Hon. David Ochieng'): I will reduce them.

Hon. Kuria Kimani (Molo, UDA): It is, therefore, important we make it a requirement for county governments to seek approval of the National Treasury when they are opening or closing any new bank accounts.

(Question, that the new clause be read a Second Time, proposed)

The Temporary Chairman (Hon. David Ochieng'): Hon. Rutto.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Temporary Chairman.

In line with what the Chairperson, Departmental Committee on Finance and National Planning has said, and having previously served at the county government as County Executive Committee (CEC) Member for Finance, it is evident that there is trouble in devolution especially on matters source revenue. There are several bank accounts that have been opened which are not registered. As per the Constitution, all collections are supposed to be moved to the Central Bank under County Revenue Fund (CRF) account, but there is a problem of counties under collecting, and as a result they under fund and they end up with pending bills. This Bill is, therefore, very critical and has come at the right time.

Thank you.

The Temporary Chairman (Hon. David Ochieng'): Thank you. Hon. Chairperson, do you want to do a further amendment?

Hon. Kuria Kimani (Molo, UDA): No, it is not a further amendment. I realised that the New Clause 1C has two sections. Section (a) is what I just explained on county assemblies requiring approval from the National Treasury when opening and closing bank accounts. I would like to bring the attention of this House to Section (b) where we are saying 'deleting the words "or a bank approved by the County Treasury" appearing immediately after the words "at the Central Bank of Kenya"'. This amendment means that when we say Treasury Single Account (TSA), it means the Central Bank of Kenya. You cannot open an account in a private bank and call it a TSA. This will now require that all our counties have an account with the Central Bank of Kenya. This will mean that the Central Bank of Kenya, the National Treasury and the Government will have an overview of all the accounts of all counties in the Republic of Kenya. It was important for me to put that on record.

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 1D

THAT, the Bill be amended by inserting the following new clause immediately after Clause 1C—

Amendment to section 187 of Cap.412A.

1D. Section 187 of the principal Act is amended—

(a) in subsection (1), by inserting the following new paragraphs immediately after paragraph (h)—
(i) the Clerk of the National Assembly;
(j) the Clerk of the Senate;
(k) the Chief Registrar of Judiciary;
(l) County governors;
(m) the Controller of Budget;
(n) a representative of the Attorney-General;
(o) the chairperson of the Salaries and Remuneration Commission; and
(p) the chairperson of the County Assemblies Forum.

(b) in subsection (4), by deleting the words "National Treasury" appearing immediately after the introductory word "The" and substituting therefor the words "Office of the Deputy President"

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Hon. Chairman, move New Clause 1D for Second Reading.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move that the New Clause 1D be now read a Second Time.

In this clause, we are talking about a very important institution called Intergovernmental Budget and Economic Council (IBEC), that is chaired by the Deputy President of the Republic of Kenya. It is now requiring that these offices be receiving reports, and if they have any issues that they have to comment on, they clarify to IBEC. That includes the Clerk of the National Assembly, Clerk of the Senate, the Chief Registrar of Judiciary, county governors, the Controller of Budget, a representative of the Attorney-General, the Chairperson of the Salaries and Renumeration Commission (SRC), and the Chairperson of the County Assemblies Forum. This will make IBEC more inclusive of all the constitutional and independent offices, while also taking into consideration both Houses of Parliament, the county governments, Attorney-General and the Controller of Budget.

I beg to move.

The Temporary Chairman (Hon. David Ochieng'): Thank you.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 1E

THAT, the Bill be amended by inserting the following new clause immediately after Clause 1D—

Insertion of a new section 187A in Cap.412A.

1E. The principal Act is amended by inserting the following new section immediately after section 187—

Co-option of Auditor General.

187A. The Council may co-opt the Auditor- General into any of its meetings.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Hon. Chairman, move Second Reading.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move that the New Clause 1E be now read a Second Time.

In terms of making the IBEC a very functional office within the Office of the Deputy President of the Republic of Kenya, we are providing in law for IBEC to co-opt the Auditor-General into its meetings. With an overview of the accounting and auditing of the whole country, the Auditor-General can provide relevant information during IBEC meetings.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 1F

THAT, the Bill be amended by inserting the following new clause immediately after Clause 1E—

Amendment of section 191 of Cap. 412.A

1F. Section 191 of the principal Act is amended─

(a) by deleting subsection (1) and substituting therefor with the following new subsection—
(1) Each year when the Budget Policy Statement is introduced, the Cabinet Secretary shall submit to Parliament the Division of Revenue Bill, the County Allocation of Revenue Bill, the County Governments Additional Allocations Bill (National Government Revenue Share Financing) and the County Governments Additional Allocations (Proceeds from Development Partner Loans and Grants Financing) Bill prepared by the National Treasury as provided in this Act for the financial year to which that Budget relates.

(b) by inserting the following new subsection immediately after subsection (3A)—
(3B) A Bill making allocation under Article 202(2) of the Constitution shall specify any other allocations to the counties financed from proceeds of loans and grants by development partners and any conditions to which those allocations shall be made.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Hon. Chairman, move Second Reading.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move that the New Clause 1F be now read a Second Time.

In terms of the resources that are wheeled to counties, we have money allocated through county budgets and revenue from the national Government. We also have loans, grants and money from developed partners that is paid to counties.

When passing their budgets, county governments will be required under the New Clause 1F to include revenues or finances received from development partners and other donors to ensure that all funds are captured. As you may recall, some county governments budget for a project using county funds, while the same project is also funded by the national Government and donor funds. We are now collapsing all these resources and ensuring that reporting is done to avoid overlap of funding by different agencies for the same project.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Temporary Chairman (Hon. David Ochieng'): Mover, move reporting.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move that the House reports its consideration of the Public Finance Management (Amendment) Bill (National Assembly No. 17 of 2025) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

The Temporary Chairman (Hon. David Ochieng'): Hon. Members, that marks the end of the Public Finance Management (Amendment) Bill (National Assembly No. 17 of 2025). However, the Committee will report to the House after the next Bill has been considered in the Committee of the whole House.

SENATE AMENDMENTS TO THE KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL
(National Assembly Bill No. 72 of 2023)

The Temporary Speaker (Hon. David Ochieng'): Hon. Members, we now move to consider Senate amendments to the Kenya National Council for Population and Development

Bill. This basically involves consideration of Senate amendments to this Bill, and we go to the Chairperson of the Departmental Committee on Sports and Culture. This is being done by the Leader of the Majority Party. Is he around?

Senate amendment to Clause 7

THAT, Clause 7 of the Bill amended by inserting the following new paragraph immediately after paragraph (i)—

(ia) collaborate with county governments in the implementation of population and development programmes;

(Question of the amendment proposed)

(Question, that the words to be inserted be inserted, put and agreed to)

(Senate amendment to Clause 7 agreed to)

Senate amendment to Clause 8

THAT, Clause 8 of the Bill amended by —

(a) by deleting subclause (1) and substituting therefor the following new subclause—

(1) The Board shall consist of the following members—

(a) a non-executive chairperson appointed by the President;
(b) the Principal Secretary responsible for matters relating to population and development or their representative designated in writing;
(c) the Principal Secretary responsible for matters relating to finance or their representative designated in writing;
(d) the Attorney General or their representative designated in writing;
(e) the Director-General for health;
(f) the Director-General responsible for matters relating to basic education;
(g) one person nominated by the Council of County Governors;
(h) three persons nominated by the joint forum of religious organizations consisting of the secretary generals of the Supreme Council of Kenyan Muslims, the Kenya Conference of Catholic Bishops, the Hindu Council of Kenya, the National Christian Churches of Kenya and the Evangelical Alliance of Kenya, provided that not more than one shall be nominated from one organization;
(i) one person nominated by civil society organisations that deal with population and development as shall be determined by the Cabinet Secretary; and
(j) the Director-General of the Council, who will be an ex-officio member with no voting rights.

(b) by deleting sub-clause (2) and substituting therefor the following new sub-clause —

(2) Appointments under subsection 1(g), (h) and (i) shall be made by the Cabinet Secretary by notice in the *Gazette*.

(c) in sub-clause (3) by deleting the expression "1(a)(b) and (h)" appearing immediately after the words "Board under subsection" and substituting therefor the expression "1(a), (g), (h) and (i)";

(d) by deleting sub-clause (4); and

(e) by deleting sub-clause (5).

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Senate amendment to Clause 8 agreed to)

Senate amendment to Clause 14

THAT, Clause 14 of the Bill be amended by deleting sub-clause (3).

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Senate amendment to Clause 14 agreed to)

Senate amendment to Clause 29

THAT, Clause 29 of the Bill amended by —

(a) deleting sub-clause (2) and substituting therefor the following new sub-clause —

(2) The Cabinet Secretary shall submit the report under subsection (1) to the Clerk of the National Assembly and the Clerk of the Senate within seven days after receiving it.

(b) inserting the following new subsection immediately after subsection (2) —

(3) The Clerks of Parliament shall cause the annual report received under subsection (2) to be tabled before the respective House of Parliament within three sitting days upon receipt.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Question, that the words to be inserted

be inserted, put and agreed to)

(Senate amendment to Clause 29 agreed to)

The Temporary Speaker (Hon. David Ochieng'): Hon. Members, that marks the end of consideration. I will, therefore, request the Mover to move reporting. Hon. Wanyama.

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Chairman, I beg to move that the Committee do report its consideration of Senate amendments to the Kenya National Council for Population and Development Bill and its approval thereof without further amendments.

(Question proposed)

(Question put and agreed to)

The Temporary Chairman (Hon. David Ochieng'): Thank you. That marks the end of that. We will go to the next Bill.

SENATE AMENDMENTS TO THE PUBLIC FINANCE
MANAGEMENT (AMENDMENT) (NO. 4) BILL
(National Assembly Bill No. 45 of 2024)

The Temporary Chairman (Hon. David Ochieng'): Hon. Chairperson, we are dealing with the Senate amendment to the Public Finance Management (Amendment) (No. 4) (National Assembly Bill No. 45). Let us proceed.

Senate amendment to Clause 2

THAT, Clause 2 of the Bill be amended by inserting the following new paragraph immediately after paragraph (a) —

(aa) by inserting the following new subsection immediately after subsection 7—

(7A) Notwithstanding subsection (7) Parliament may, by resolution, extend the time for consideration of the Budget Policy Statement by a further seven days.

(Question of the amendment proposed)

(Question, that the words to be added be added, put and agreed to)

(Senate amendment to Clause 2 agreed to)

Senate amendment to Clause 4

THAT, Clause 4 of the Bill be amended in paragraph (a) by inserting the following new paragraph immediately after paragraph (eb)—

(ec) prescribe sustainability reporting standards and formats for reporting by State organs and public entities.

(Question of the amendment proposed)

(Question that the words to be added be added, put and agreed to)

(Senate amendment to Clause 4 agreed to)

NEW CLAUSES

New Clauses 1A and 1B proposed by the Senate

THAT, the Bill be amended by—

(a) inserting the following new clauses immediately after clause 1 —

Amendment of section 23 of Cap. 412A.

1A. The Public Finance Management Act, hereinafter referred to as the "principal Act", is amended in section 23 by deleting the words "three months" appearing immediately after the words "not later than" in subsection (1) and substituting therefor the words "two months".

Amendment of section 24 of Cap. 412A.

1B. The principal Act is amended in section 24 (10) by deleting the words "three months" appearing immediately after the words "not later than" in paragraph (b) and substituting therefor the words "two months".

(The new clauses were read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Hon. Members, I would now like to call the Chairperson of the Departmental Committee on Finance and National Planning**.**

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, we considered these amendments that have been proposed by the Senate and after public participation and very extensive discussions in the Committee, we are in agreement with the proposed amendments. We have no objection to these new amendments to new clauses 1A and 1B and all those that are being proposed by the Senate.

I beg to move, Hon. Temporary Chairman.

(Question, that the new clauses be read a Second Time, proposed)

(Question, that the new clauses be read a Second Time, put and agreed to)

(Question, that the new clauses be added to the Bill, put and agreed to)

New clauses 3A, 3B, 3C, 3D, 3E, 3F, 3H, 3G, 3H, 3I and 3J proposed by the Senate

THAT, the Bill be amended by —

(b) inserting the following new clauses immediately after clause 3—

Amendment of section 68 of Cap 412A.

3A. Section 68 of the principal Act is amended—

(a) in subsection (2) by deleting the words "three months" appearing immediately after the words "year within" in paragraph (k) and substituting therefor the words "two months";

(b) in subsection (4) —

(i) by inserting the words "or the Auditor-General under Article 229 of the Constitution" immediately after the words "of the Constitution" appearing in the introductory phrase;

(ii) by inserting the words" Auditor-General" immediately after the words "National Treasury" in paragraph (b); and

(c) by inserting the following subsection immediately after sub-section (4) —

"(4A) An accounting officer who does not implement the recommendations made under subsection (4) shall be liable to the penalty provided for under section 199."

Amendment of section 80 of Cap 412A.

3B. The principal Act is amended in section 80 by deleting the words "four months" appearing immediately after the words "not later than" in subsection (4) and substituting therefor the words "two months".

Amendment of section 81 of Cap 412A.

3C. The principal Act is amended in section 81 by deleting the words "three months" appearing immediately after the words "not later than" in subsection (4) and substituting the words "two months".

Amendment of section 82 of Cap 412A.

3D. The principal Act is amended in section 82 —

(a) by deleting the words "three months" appearing immediately after the words "not later than" in subsection (3) and substituting therefor the words "two months"; and

(b) by deleting the words "three months" appearing immediately after the words "not later than" in subsection (4) and substituting therefor the words "two months".

Amendment of section 94 of Cap 412A.

3E. Section 94 of the principal Act is amended in subsection (1)(a) by inserting the following new subparagraph immediately after subparagraph (ii)—

(iia) has persistently delayed or failed to remit employee salaries, statutory deductions including taxes, pension, social health insurance or cooperative societies deductions;

Amendment of section 109 of Cap 412A.

3F. Section 109 of the principal Act is amended by inserting the following new subsections immediately after subsection (7) —

(7A) A county shall, every quarter, submit the following additional documents to the Controller of Budget and the National Treasury—

(a) a statement of statutory deductions status;

(b) a statement on the county government's progress in implementing the previous year's plan for paying its outstanding statutory deductions;

(c) a certification of payment of previous statutory deductions issued by the relevant statutory institutions; and

(d) a statement of the county government's plan for repaying the statutory deductions which shall be accompanied by an agreement signed by the relevant statutory institution accepting the repayment plan.

Amendment of section 115 of Cap 412A.

3G. The principal Act is amended in section 115 by deleting the words "three months" appearing immediately after the words "not later than" in subsection (1) and substituting therefor the words "two months".

Amendment of section 116 of Cap 412A.

3H. The principal Act is amended in section 116 (7) by deleting the words "three months" appearing immediately after the words "not later than" in paragraph (b) and substituting therefor the words "two months".

Amendment of section 117 of Cap 412A.

3I. Section 117 of the principal Act is amended—

(a) in subsection (1) by deleting the expression "by the 28th February" appearing immediately after the words "county assembly," and substituting therefor the expression "by the 7th March."

(b) in subsection (6) by deleting the word "fourteen" appearing immediately after the words "not later than" and substituting therefore the word "twenty–one."

Amendment of section 129 of Cap 412A.

3J. Section 129 of the principal Act is amended in subsection (2)(a) by deleting the words "except the Finance Bill" appearing immediately after the words "implement the budget".

(The new clauses were read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Chairperson.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, again, we find these amendments being proposed by the Senate very progressive. It is very important to mention that the New Clause 3A is now going to impose a personal liability on county executives who fail to implement recommendations made by the Auditor-General or by the National Treasury. Therefore, if any report of the Auditor-General requires that a county must implement these particular measures, 1, 2, 3, 4, and the county executives fail to implement those recommendations, then they will be personally liable. We hope this is going to bring the fiscal discipline that is needed in our counties, because every year we have the Auditor-General and the Controller of Budget making recommendations to counties on things that they must do, but they fall on deaf ears, and they never happen.

Therefore, with these amendments now, they are going to be personally liable if they do not implement the decisions made by the Auditor-General.

(Question, that the new clauses be read a Second Time, proposed)

(Question, that the new clauses be read a Second Time, put and agreed to)

(Question, that the new clauses be added to the Bill, put and agreed to)

New Clauses 3K, 3L, 3M, 3N, 3O, 3P, 3Q and 3R proposed by the Senate

THAT, the Bill be amended by —

(b) inserting the following new clauses immediately after clause 3—

Amendment of section 131 of Cap 412A.

3K. Section 131 of the principal Act is amended—

(a) by deleting subsection (2) and substituting therefor the following new subsection—

(2) The County Executive Committee member for finance shall submit to the County Assembly, on or before 30th April, the County

Finance Bill setting out the revenue measures for the County Government together with a policy statement expounding measures on those measures.

(b) by inserting the following new subsections immediately after subsection (2)—

(2A) Upon submission of the County Finance Bill under subsection (1), the relevant committee of the County Assembly shall introduce the Bill in the County Assembly.

(2B) The recommendation of the County Executive Committee member for finance shall be included in a report of the Committee and tabled in the County Assembly

(2C) The County Assembly shall consider and pass the County Finance Bill,in time for it to be presented for assent by 30th June each year.

Repeal of section 133 of Cap 412A.

3L. The principal Act is amended by repealing section 133.

Amendment of section 149 of Cap 412A.

3M. The principal Act is amended in section 149—

(a) in subsection (2) by deleting the words "three months" appearing immediately after the words "not later than" in paragraph (k) and substituting therefor the words "two months";

(b) in subsection (3) by –

(i) inserting the words "or the Auditor-General under Article 229(7) of the Constitution" immediately after the word "Constitution" appearing in the introductory phrase;

(ii) inserting the words "Controller of Budget and Auditor-General" immediately after the words "County Treasury" appearing in paragraph (b).

(c) by inserting the following new subsection immediately after subsection (3)—

(3A) An accounting officer who does not implement the recommendations made under subsection (3) shall be liable to the penalty provided for under section 199.

Amendment of section 163 of Cap 412A.

3N. The principal Act is amended in section 163 by deleting the words "four months" appearing immediately after the words "not later than" in subsection (4) and substituting therefor the words "two months".

Amendment of section 164 of Cap 412A.

3O. The principal Act is amended in section 164 by deleting the words "three months" appearing immediately after the word "within" in the introductory phrase to subsection (4) and substituting therefor the words "two months".

Amendment of section 165 of Cap 412A.

3P. The principal Act is amended in section 165 by deleting the words "three months" appearing immediately after the words "not later than" in the introductory phrase to subsection (3) and substituting therefor the words "two months".

Amendment of section 167 of Cap 412A.

3Q. The principal Act is amended in section 167 by deleting the words "three months" appearing immediately after the words "not later than" in subsection (3) and substituting therefor the words "two months".

Insertion of new Part in Cap 412A.

3R. The principal Act is amended by inserting the following new Part immediately after section 186—

Part IVA - FINANCING OF TRANSFERRED FUNCTIONS

Interpretation of this Part.

186A. In this Part, unless the context otherwise requires—

"transfer agreement" means the agreement on transfer or delegation of powers, functions or competencies as provided for under section 26 of the Intergovernmental Relations Act.

Cap. 265F.

Application of the Part to transfer of functions.

186B. This Part applies to transfer of functions as provided for under Article 187 of the Constitution and sections 24 to 28 of the Intergovernmental Relations Act.

Cap. 265F.

186C. (1) Subject to the Constitution, this Act and any other Act of Parliament, and with the approval of the National Assembly and the respective county assembly, transferred functions shall continue to be funded from previous sources as contained in the approved budgets of the transferring level of government.

(2) Where there is need for additional financial resources for a transferred function—

(a) the parties shall consult and agree on the need for the additional financial resources; and

(b) the transferring government shall provide the additional financial resources.

(3) The process of approval and disbursement of the additional financial resources in subsection (2) shall be provided for in the transfer agreement between the two levels of government.

Costing of transferred functions.

186D. (1) The cost of the transferred functions shall be based on the costing framework provided in the national and county government budget manuals.

(2) The cost of transferred functions as determined under subsection (1) shall form the basis for the additional financial resources for the transferred functions.

(3) The additional financial resources for transferred functions —

(a) in the case of a county government to the national government for a financial year, shall be provided as a separate schedule in the budget estimates, identifying allocations from the county government revenue and clearly specifying appropriations-in-aid, additional allocations and proceeds from loans and grants; and

(b) in the case of the national government to a county government for a financial year, shall be provided as a separate schedule in the budget estimates, identifying allocations from the national government revenue and clearly specifying appropriations-in-aid, additional allocations and proceeds from loans and grants.

(4) The allocations under subsection (3) shall be included in the budget estimates of both the county and national government and shall be submitted to Parliament and the respective county assembly for approval.

Management of assets and liabilities.

186E. (1) A transfer agreement between the two levels of government shall, in addition to the requirements under section 26 of the Intergovernmental Relations Act, include a provision on acquisition, disposal and transfer of assets and liabilities.

(2) Where assets are acquired and liabilities incurred in the duration of a transfer of a function to either level of government, the level of government receiving the functions shall—

(a) keep, maintain and update the register of assets and liabilities in accordance with the applicable law; and

(b) take appropriate measures to ensure that at the end of the transfer period, the assets and liabilities are transferred to the transferring level of government.

(3) The process of transfer of assets and liabilities upon the expiry of the transfer period shall be in accordance with the transfer agreement or as may be prescribed by the Cabinet Secretary in regulations.

Cash flow projections in relation to the transferred functions.

186F. (1) The transferring level of government shall prepare cash flow projections based on revenue projections from various sources of revenue.

Quarterly and annual financial and non-financial reports.

(2) The transferring level of government shall publish and publicize the cash flow projections within fifteen days of the commencement of the transfer period.

186G. (1) The accounting officer in a county government, in case of a transfer of a function from the national government to a county government, shall prepare and submit quarterly and annual financial and non-financial reports to the Controller of Budget; the National Treasury and the responsible national government entity.

(2) The accounting officer in the national government in case of a transfer of a function from a county government to the national government shall prepare and submit quarterly and annual financial and non-financial reports to the Controller of Budget; the County Treasury; and the responsible county government entity.

(3) The copies of the reports prepared under subsections (1) and (2) shall be submitted to the Senate, the National Assembly, the Auditor General and the respective county assembly in accordance with the Act.

(The new clauses were read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Go ahead.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, this discussion may seem unusual because we rarely send Bills to the Senate and they come back with too many amendments. However, for the record, the reason there are too many amendments to the Public Finance Management Bill is that we sent three different Bills to the Senate. The Senate then consolidated the three Bills into one. These are not amendments from the Senate, but amendments made by this House. The Senate amalgamated them into one law that we are now considering, which is why we largely agree with them. The Senate usually does a very lousy job. Let this not appear as if they have done a very good job because they have not.

The Temporary Chairman (Hon. David Ochieng'): Order, Hon. Kuria. Will you rise and correct the term you have used?

Hon. Kuria Kimani (Molo, UDA): The Senate usually does a very good job, as they have done now. Thank you.

The Temporary Chairman (Hon. David Ochieng'): Let it be on record that you have withdrawn the word.

Hon. Kuria Kimani (Molo, UDA): I withdraw the word "lousy".

The Temporary Chairman (Hon. David Ochieng'): Thank you.

(Question, that the new clauses be read a Second Time, proposed)

(Question, that the new clauses be read a Second Time, put and agreed to)

*(Question, that the new clauses be
added to the Bill, put and agreed to)*

The Temporary Chairman (Hon. David Ochieng'): I now call upon the Mover to move reporting.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move that the Committee do report its consideration of Senate amendments to the Public Finance Management (Amendment) (No. 4) Bill (National Assembly Bill No. 45 of 2024) and its approval of the same with further amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

IN THE HOUSE

[The Temporary Speaker (Hon. Omboko Milemba) in the Chair]

MOTION

CONSIDERATION OF REPORT ON THE COUNTY LIBRARY SERVICES BILL

The Temporary Speaker (Hon. Omboko Milemba): We shall begin with the County Library Services Bill (Senate Bill No. 40 of 2024). Chairperson.

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the County Library Services Bill (Senate Bill No. 40 of 2024) and approved the same with amendments.

The Temporary Speaker (Hon. Omboko Milemba): Mover of the Bill.

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Speaker, I beg to move that the House do agree with the Committee in the said Report. I also request Hon. Irene to second the Motion for agreement with the Report of the Committee of the Whole House.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker. I second.

(Question proposed)

The Temporary Speaker (Hon. Omboko Milemba): Can I proceed to put the Question?

Hon. Members: Yes.

(Question put and agreed to)

BILL

Third Reading

THE COUNTY LIBRARY SERVICES BILL
(Senate Bill No. 40 of 2024)

The Temporary Speaker (Hon. Omboko Milemba): Mover, move the Third Reading.

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Speaker, I beg to move that the County Library Services Bill (Senate Bill No. 40 of 2024) be now read a Third Time. I also request Hon. Irene Mayaka to second.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker. I second.

(Question proposed)

Hon. Members: Put the Question.

(Question put and agreed to)

(The Bill was accordingly read a Third Time and passed)

The Temporary Speaker (Hon. Omboko Milemba): Very well, we now move to the Air Passenger Service Charge (Amendment) Bill (National Assembly Bill No. 56 of 2026).

Chairperson.

MOTION

CONSIDERATION OF REPORT ON THE
AIR PASSENGER SERVICE CHARGE (AMENDMENT) BILL

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Air Passenger Service Charge (Amendment) Bill (National Assembly Bill No. 56 of 2026) and approved the same with amendments.

The Temporary Speaker (Hon. Omboko Milemba): Mover.

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Speaker, on behalf of the Leader of the Majority Party, I beg to move that the Air Passenger Service Charge (Amendment) Bill (National Assembly Bill No. 56 of 2026) be now read a Third Time. I also request the Chairman of the Departmental Committee on Finance and National Planning to second.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Chairman.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I want to thank the Leader of the Majority Party for bringing this very timely amendment. We need to ensure our air transport is safe, secure, and that we remain competitive. We want to ensure our national carrier is profitable and competitive, and that it surpasses Qatar Airways and Emirates in terms of air passenger movement across the country.

With those brief remarks, I second.

(Question proposed)

The Temporary Speaker (Hon. Omboko Milemba): Can I proceed and put the Question?

Hon. Members: Yes.

(Question put and agreed to)

The Temporary Speaker (Hon. Omboko Milemba): Mover

BILL

Third Reading

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

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Speaker, I beg to move that the Air Passenger Service Charge (Amendment) Bill (National Assembly Bill No. 56 of 2026) be now read a Third Time. I also request the Member for Molo to second.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I thank the Chairperson for the good work he has done on this Bill. I really hope the great Mulembe Nation will elect him to a fourth term. When people are saying "one term", Hon. Wanyama is actually going to serve a fourth term. So, as I look forward to serving my third term, I also look forward to working with the Hon. Wanyama in the next Parliament, when he will be serving his fourth term as a Member of Parliament.

With that, I beg to second.

(Question proposed)

Can I put the Question?

Hon. Members: Put the Question.

(Question put and agreed to)

*(The Bill was accordingly read
a Third Time and passed)*

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, let us now move to the Public Finance Management (Amendment) Bill (National Assembly Bill No. 17 of 2025). Chairperson.

MOTION

CONSIDERATION OF REPORT ON THE PUBLIC FINANCE
MANAGEMENT (AMENDMENT) BILL

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Public Finance Management (Amendment) Bill (National Assembly Bill No. 17 of 2025) and approved the same with amendments.

Sorry, let me take that again. I beg to report that the Committee of the whole House has considered the Public Finance Management (Amendment) Bill (National Assembly Bill No. 17 of 2025) and approved the same without amendments.

The Temporary Speaker (Hon. Omboko Milemba): Chair?

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I beg to move that the House do agree with the Committee on the said Report. I request the great Member for the people of Kajiado, Hon. Sunkuyia, to second.

Hon. Sunkuyia is in his second term. We look forward to working with him in the 14th Parliament, when he will be serving the great people of Kajiado as a third-term Member of Parliament.

I beg to move, and ask Hon. Sunkuyia to second.

The Temporary Speaker (Hon. Omboko Milemba): I cannot see Hon. Sunkuyia in his usual place. Okay, very well. You may proceed.

Hon. George Sunkuyia (Kajiado West, UDA): Thank you, Hon. Temporary Speaker. I want to take this opportunity to congratulate my able Chair, who is serving his third term.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Do you second? Give him the microphone.

Hon. George Sunkuyia (Kajiado West, UDA): I beg to second. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Thank you very much, Hon. Sunkuyia.

(Question proposed)

Hon. Members: Put the Question.

(Question put and agreed to)

The Temporary Speaker (Hon. Omboko Milemba): Mover. Proceed to move the Third Reading.

BILL

Third Reading

THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL
(National Assembly Bill No. 17 of 2025)

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I beg to move that the Senate Amendments to the Public Finance Management (Amendment) Bill (National Assembly Bill No. 45 of 2024) be now read a Third Time.

The Temporary Speaker (Hon. Omboko Milemba): Maybe take it again and read it as in the document that you have been given. Clerks-at-the-Table, please advise the Chair appropriately, so that he takes it again. Has he done it?

(Question proposed)

That particular matter is concluded. We are not going beyond that level. Therefore, let us take the next one.

We have moved to the Senate Amendments to the Kenya National Council for Population and Development Bill (National Assembly Bill No.72 of 2023).

MOTION

CONSIDERATION OF REPORT ON SENATE
AMENDMENTS TO THE KENYA NATIONAL COUNCIL
FOR POPULATION AND DEVELOPMENT BILL
(National Assembly Bill No.72 of 2023)

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Kenya National Council for Population and Development Bill (National Assembly Bill No.72 of 2023) and approved the same without amendments.

The Temporary Speaker (Hon. Omboko Milemba): Mover.

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Speaker, I beg to move that the House do agree with the Committee in the said Report. I also request Hon. Irene Mayaka to second the Motion for agreement with the Report of the Committee of the whole House.

Hon. Irene Mayaka (Nominated, ODM): Hon. Temporary Speaker, I beg to second.

The Temporary Speaker (Hon. Omboko Milemba): My team of Clerks-at-the-Table, get yourselves ready and move closer to where I am.

(Question proposed)

The Temporary Speaker (Hon. Omboko Milemba): Can I proceed to put the Question?

Hon. Members: Yes, put the Question.

(Question put and agreed to)

The Temporary Speaker (Hon. Omboko Milemba): Chairpersons and movers involved in all these Bills, please take your seats. The Clerks-at-the-Table are still consulting. We may require you again.

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

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, we shall retake the Public Finance Management (Amendment) Bill (National Assembly Bill No. 17 of 2025). I thank you for your patience and indulgence.

Let me call the Committee Chairperson. We are dealing with a procedural issue to ensure accuracy in the law-making process.

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

MOTION

CONSIDERATION OF REPORT ON THE

PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Public Finance Management (Amendment) Bill (National Assembly Bill No. 17 of 2025) and approved the same with amendments.

The Temporary Speaker (Hon. Omboko Milemba): Mover. This is the Public Finance Management (Amendment) Bill. Chairman of the Departmental Committee on Finance and National Planning.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I beg to move that the House do agree with the Committee in the said report. I request the great Member for the great people of Kesses in Uasin Gishu County, a certified public accountant and one of the most brilliant Members of the Departmental Committee on Finance and National Planning, who has served in the county government as a Chief Officer; Inshallah, he will serve in the 14th Parliament as a second-term Member of Parliament, Hon (CPA) Rutto, to second.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Temporary Speaker. The Chairman only forgot to say that during that Parliament, I will be the Chairman of the Committee, after he is promoted to another position.

(Laughter)

I congratulate the Chair of the Departmental Committee on Finance and National Planning for the leadership he has provided to ensure this Bill came at the right time, during a period of transition. The fiscal space has undergone many transitions, developments, and changes, particularly since the establishment of devolved government units, which brought numerous challenges. This amendment will ensure that public funds are protected and value for money is achieved, especially in audit reports.

The Auditor-General has issued many reports, some of which contain numerous recommendations. However, we have not seen a serious commitment by the county government executives to implement those recommendations. Perennially, those issues keep coming up, including pending projects that have not been completed, and the public loses money and opportunities from their taxes.

I beg to second.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, we are taking it afresh.

(Question proposed)

(Question put and agreed to)

BILL

Third Reading

THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL
(National Assembly Bill No. 17 of 2025)

The Temporary Speaker (Hon. Omboko Milemba): Mover.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I beg to move that the Public Finance Management (Amendment) Bill (National Assembly Bill No. 17 of 2025) be now read a Third Time.

Hon. Temporary Speaker, before I request the great Member from Mt. Kenya East, Hon. Dorothy, to second, I think I was mistreated by the Speaker who was in the Chair before you. I was made to withdraw a statement I had made when I said that the Senate usually does a ‘‘lousy’’ job. I meant the Senate does a rosy job. It is just that where I come from, the pronunciation of ‘r’ and ‘l’ can be a bit complicated. I think the Speaker heard something different. By a "rosy job," I mean a job well done.

This is the first time I was forced to apologise and withdraw a statement I made, even though it was not my mistake. Where I come from, my name is Flancis Kuria Kimani. It can be Francis or Kuria. We have the same challenge with ‘l' and ‘r’, just as some people confuse ‘s’ and ‘h’. Interestingly, when they make this pronunciation mistake, they confuse only words related to problems. When it is something good, they pronounce it correctly. For instance, when they want to say a ‘‘Mercedes’’, they call it a ‘‘Mercedes’’; they do not say ‘‘Merchedes’’. However, when referring to problems, instead of saying *shida*, they say *sida*. The same problem they have with ‘s’ and ‘h’ is the one we have with ‘l’ and ‘r '.

Hon. Temporary Speaker, I beg to move that the Public Finance Management (Amendment) Bill (National Assembly Bill No. 17 of 2025) be now read a Third Time.

The Temporary Speaker (Hon. Omboko Milemba): Who is seconding?

Hon. Kuria Kimani (Molo, UDA): I request the great Member from Mt. Kenya East, Hon. Dorothy, to second.

Hon. **Dorothy Muthoni** (Nominated UDA): Hon. Temporary Speaker, I second.

The Temporary Speaker (Hon. Omboko Milemba): It was unfortunate that you had to go through it, if that is the real situation. However, I appreciate that you may have had other reasons.

(Question proposed)

The Temporary Speaker (Hon. Omboko Milemba): Can I put the question?

Hon. Members: Yes.

(Question put and agreed to)

(The Bill was accordingly read a Third Time and passed)

The Temporary Speaker (Hon. Omboko Milemba): Next Order.

BILL

Second Reading

THE PUBLIC SERVICE SUPERANNUATION SCHEME (AMENDMENT) BILL
(National Assembly Bill No.33 of 2025)

The Temporary Speaker (Hon. Omboko Milemba): The Hon. Speaker had spoken to this, and that particular one is deferred.

(Bill deferred)

MOTIONS

ADOPTION OF REPORT ON INSPECTION VISIT TO THE KENYAN EMBASSY IN MOROCCO

THAT, this House adopts the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its inspection visit to the Kenyan Embassy in Rabat, Morocco from 22nd to 25th March 2026, laid on the Table of the House on Tuesday, 28th July 2026.

The Temporary Speaker (Hon. Omboko Milemba): Chairman of the Departmental Committee on Defence, Intelligence and Foreign Relations. The Chair is not available. That was the same thing yesterday. This is the business we indicated that is still under public participation.

(Motion deferred)

Next Order.

ADOPTION OF REPORT ON INSPECTION VISIT TO THE KENYAN EMBASSY IN EGYPT

THAT, this House adopts the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its inspection visit to the Kenyan Embassy in Cairo, Egypt, held from 26th to 30th March 2026, laid on the Table of the House on Tuesday, 28th July 2026.

The Temporary Speaker (Hon. Omboko Milemba): Similarly, that was a matter that was to be undertaken by the Chairman of the Departmental Committee on Defence, Intelligence and Foreign Relations. It is also deferred.

(Motion deferred)

Next Order.

ADJOURNMENT

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, we may be upstanding.

Hon. Members, the time being 7.01 p.m., this House stands adjourned until Thursday, 27th August, at 2.30 p.m.

(The House rose at 7.01 p.m.)

Prepared by:

Directorate of Hansard and Audio Services
National Assembly
Parliament of Kenya.

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Published by:

Clerk of the National Assembly
Parliament Buildings
Nairobi, Kenya.