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THE HANSARD

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Wednesday, 21st October 2026

(The House met at 2.30 p.m.)

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

PRAYERS

QUORUM

Hon. Speaker: Serjeants-at-Arms, ring the Quorum Bell.

(The Quorum Bell was rung)

Hon. Members, we now have a quorum to transact business. Clerks-at-the-Table, proceed.

PAPERS

Hon. Speaker: Leader of the Majority Party, proceed.

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

1. Report of the Auditor-General and financial statements of Kangeta Girls Secondary School for the year ended 30th June 2021 and the certificate therein.
2. Report of the Auditor-General and financial statements of Masosa Mixed Secondary School for the year ended 30th June 2023 and the certificate therein.
3. Reports of the Auditor-General and financial statements for the year ended 30th June 2024 and the certificates therein in respect of the following –
 - (a) Munyu Girls High School, Kiambu County.
 - (b) Trans-Nzoia County, Kenya Informal Settlement Improvement, Project 2 (KISIP2) IDA Credit Number: IDA 6759 Project No.P167814 CKE 118801 S.
4. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2025 and the certificates therein in respect of the following –
 - (a) Busia-Port Victoria Household Sanitation, Project Grant/Credit No.02HS/L VNWWDA/BUSIA/054.
 - (b) Cardinal Otunga High School Mosoch, Kisii County.
 - (c) Council of Governors.
 - (d) Drought Resilience Programme in Northern Kenya, Project Loan No. BMZ 2013 65 360, County Government of Marsabit.
 - (e) Drought Resilience Programme in Northern Kenya, No.BMZ 2012 67301, Turkana County Government.
 - (f) East Africa Skills for Transformation and Regional Integration, Project (EASTIP) (IDA Loan No.6334-KE), Meru National Polytechnic.
 - (g) East Africa Skills for Transformation and Regional Integration, Project (Credit Number 6334-KE), Kenya Coast National Polytechnic.
 - (h) Eldas Technical and Vocational College, Wajir County.

- (i) Kenya Devolution Support Programme II, County Government of Lamu.
- (j) Kenya Devolution Support Programme II, County Government of Kilifi.
- (k) Kenya Towns Sustainable Water Supply and Sanitation Programme (AfDB Loan No.2000200000501 and ADF Loan No.2100150036294), Tana Water Works Development Agency.
- (l) Nambale-Mjini-Mayenje Water Project, Grant/Credit No. O8W/BUSIA/BUSIA/97, Busia Water and Sewerage Services Company Limited.
- (m) National Agricultural Value Chain Development Project (NAVCDP), County Government of Nyeri.
- (n) Nyandarua County, Second Kenya Informal Settlements Improvement, Project (KISIP2).
- (o) Second Kenya Devolution Support Program (KDSP II), Project Grant/Credit Number IDA-74447-KE, County Government of Nakuru.
- (p) Second Kenya Devolution Support, Program-IDA-7447-KE, County Government of Wajir.
- (q) Second Kenya Devolution Support Programme (KDSP II), (Credit No.IDA-7447-KE), County Government of Kirinyaga;
- (r) Second Kenya Devolution Support Programme (KDSP II), (Credit No. IDA-7447-KE), County Government of Nyeri.
- (s) Second Kenya Devolution Support Programme, County Government of Busia.
- (t) Second Kenya Devolution Support Program (KDSP II), Credit No. P180935, County Government of Elgeyo/Marakwet.
- (u) Second Kenya Devolution Support Program (KDSP II), Credit No. IDA-74447-KE, County Government of Nandi.
- (v) The Office of the Director of Public Prosecutions,
- (w) Wajir South Technical and Vocational College, Wajir County.
- (x) Water Sector Development Programme, Lake Victoria South (Kisumu, Kisii, Nyamira and Litein), Loan No. BMZ-No.2010 65 861 and Grant No.BMZ 2010 70 457, Lake Victoria South Water Development Agency.

5. Report of the Auditor-General and financial statements of Machakos University for the year ended 30th June 2026 and the certificate therein.

Hon. Speaker: Thank you, Hon. Waqo. Hold on, Hon. Haro. Call out the next Order.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

Hon. Speaker: Hon. Abdul Haro, is your microphone working? Use the next one. Push over your neighbour.

BOUNDARY DISPUTE ALONG MANDERA-WAJIR BORDER

Hon. Abdul Haro (Mandera South, UDM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the

Departmental Committee on Administration and Internal Security regarding the boundary dispute over the Malbe area along the Mandera-Wajir border.

Hon. Speaker, since 2014, the Malbe area along the Mandera-Wajir border has been the subject of a long-standing boundary dispute between the Garre and Degodia communities. Following consultations between the Mandera and Wajir county governments, it was resolved that the Malbe area would remain shared grazing land for pastoralists in the region and surrounding communities.

However, on 24th September 2026, the Degodia community was informed that the area would be gazetted as an administrative unit and that administrative officers would be appointed. Further, the community raised concerns that development activities have been ongoing in the area, including drilling boreholes and establishing earth pans without verifying the area's status. Previous disputes over land and administrative boundaries in the Malbe area have led to tension and conflicts, which resulted to loss of lives and displacement of persons in both Mandera and Wajir counties. The reported plan to create new administrative units risks undermining peaceful coexistence between the Garre and Degodia communities and poses a serious security threat to the region.

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

1. The administrative status of the Malbe area, indicating the county in which it is located, and clarification on the plans, if any, to establish administrative units in the area, and further, to suspend any ongoing activities there until the status is verified.
2. The status of the 2014 peace agreement between Mandera and Wajir county governments, which designated the Malbe area as a common grazing land.
3. Measures being taken by the Ministry of Interior and National Administration to ensure security in the region.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you. Your neighbour, Member for Tarbaj. You want to ride along or contradict?

Hon. Hussein Abdi (Tarbaj, UDA): Hon. Speaker, the area called Malbe lies between Mandera and Wajir counties. He is my neighbour from Mandera County and I am from Wajir County. As we know, district or county boundaries have not changed since Independence. But the dispute between the two communities from two different counties has been ongoing for a long time. I, therefore, agree with him that we need to determine exactly where Malbe is situated.

My colleague mentioned that the gazettelement was done in 2012. It is only that operationalisation is happening now. But for the sake of calm and tranquillity, we will wait for different government agencies to determine where Malbe will be. For the sake of peace, Hon. Speaker, I request that the Committee or your office expedites resolution of this matter, so that for posterity's sake, no life is lost and there is no lacuna at all as to where this area is situated.

Because no one knows where this area is, many illegalities such as logging are happening there. We want to operationalise this administrative unit solely so that we can know who is responsible if anything happens there. It is on that basis that we are operationalising Malbe. But for now, we want to determine that once and for all. So, we want this issue expedited.

Hon. Speaker: Yes, Member for Banissa. Are you also involved in that?

Hon. Ahmed Hassan (Banissa, UDA): Yes, as a friend of both my colleagues and also, as a Member of Parliament from Mandera County, I want to joyride on this matter. Thank you, Hon. Speaker, for giving this opportunity.

Malbe area has been operational. Both Garres and Degodias live there. However, we need clear demarcation from the Government, so that going forward to elections, these issues are not politicised and do not bring problems later. We want a clear boundary demarcation for future generations, so that we do not face the same problem.

Hon. Speaker: Is the demarcation going to solve a problem or create new problems?

Hon. Ahmed Hassan (Banissa, UDA): I believe demarcation will solve the problem because we will know whether Malbe is in Mandera or Wajir County. That will clear the ambiguity that exists.

Hon. Speaker: Chairperson of the Departmental Committee on Administration and Internal Security. Hon. Naomi, inform the Chairperson to provide a response the week starting 3rd November 2026.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Speaker, I will do so because it is very sensitive. I will make sure the Chairperson gives the matter a lot of attention and brings a response.

Hon. Speaker: Two weeks.

Hon. Naomi Waqo (Marsabit County, UDA): Yes, Two weeks.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Beatrice Kemei.

KFS HELICOPTER CRASH IN KERICHO COUNTY

Hon. Beatrice Kemei (Kericho County, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding a Kenya Forest Service helicopter crash at Kericho Golf Club.

On 12th October 2026, a Kenya Forest Service (KFS) helicopter crashed at the Kericho Golf Club while taking off. The crash exposed the lives of passengers who included the Principal Secretary for the State Department for Environment and Climate Change and the Kenya Forest Service Captain to risk. Of particular concern are reports that the helicopter experienced difficulties before the crash underscoring the need to establish the circumstances surrounding the accident and determine whether any underlying safety deficiencies contributed to it.

This incident raises serious concerns about the safety of helicopter operations in the country, particularly, in light of several helicopter crashes reported in the recent past. The recurrence of such incidents calls for a broader examination of aircraft airworthiness, maintenance standards, pilot competency and regulatory oversight.

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

1. The circumstances leading to the Kericho helicopter crash, including the sequence of take-off attempts, the preliminary findings on its cause, the evidence collected and whether mechanical failure, pilot error, adverse weather or other operational factors contributed to the accident.
2. A report on the airworthiness and maintenance history of the ill-fated helicopter immediately before the accident, including its last inspection, any outstanding mechanical defects, the validity of its operational approvals and the pilot's qualifications and compliance with applicable flight safety requirements.
3. A report on the number and circumstances of helicopter crashes recorded in Kenya in the past years, their established or suspected causes, the findings of investigations conducted by the Kenya Civil Aviation Authority (KCAA) and

the Aircraft Accident Investigation Department, and the extent to which any common safety deficiencies have been identified across the incidents.

4. Measures being undertaken by the Government to ensure accountability for any negligence or regulatory failures established, strengthen oversight of helicopter operations, enforce compliance with aviation safety standards and implement corrective measures to prevent further accidents.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Beatrice. Chairperson of the Departmental Committee on Transport and Infrastructure, Hon. GK, when can you bring a response?

Hon. George Kariuki (Ndia, UDA): Next week, but one, Hon. Speaker.

Hon. Speaker: Bring it on 5th November 2026.

Hon. George Kariuki (Ndia, UDA): Thank you, Hon. Speaker

Hon. Speaker: Responses to Statements: Is Hon. Susan Kiamba in the House? Is the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works in the House?

(Hon. Joseph Tonui spoke off the record)

Do you have a response to Hon. Susan Kiamba? Give him the microphone

Hon. Joseph Tonui (Kuresoi South, UDA): Thank you, Hon. Speaker. We wrote to the State Department...

Hon. Speaker: Do you have a response?

Hon. Joseph Tonui (Kuresoi South, UDA): They promised to give...

Hon. Speaker: Do you have a response?

Hon. Joseph Tonui (Kuresoi South, UDA): I do not have the response. Hon. Speaker, it will be available in two weeks-time.

Hon. Speaker: Two weeks?

Hon. Joseph Tonui (Kuresoi South, UDA): Yes.

Hon. Speaker: We have already been waiting for the last two weeks. Okay, bring it on 3rd November. Is Hon. Joshua Kandie in the House? Chairperson of the Departmental Committee on Transport and Infrastructure, do you have the response?

Hon. George Kariuki (Ndia, UDA): Yes.

Hon. Speaker: Go ahead.

QUALITY AND STANDARDS OF PPPs ROAD INFRASTRUCTURE PROJECTS

Hon. George Kariuki (Ndia, UDA): Hon. Speaker, the Member for Baringo Central, Hon. Joshua Kandie, requested for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the quality standards of road infrastructure projects implemented under public-private partnership (PPP) arrangements in the country.

In the Statement, Hon. Kandie sought to establish the following:

1. The policy and legal framework governing the implementation and oversight of PPP infrastructure projects, particularly compliance with industry standards and maintenance requirements.
2. A report on all road projects implemented under PPP arrangements in Kenya, indicating their contractual obligations, status and the agencies responsible for monitoring compliance with quality and maintenance standards.

3. The measures put in place by the Government to ensure compliance with prescribed engineering specifications, maintenance obligations and service-level requirements.

The Committee received a response from the Ministry of Roads and Transport through the Clerk of the National Assembly, together with an 11-page brief titled “Brief on the Statement Regarding Quality and Standards of Public Private Partnership (PPP) Road Infrastructure Projects in the Country”. Since the document is lengthy, I will not read it in full. However, I will provide a copy to the Member. I may not present the entire response.

Regarding the policy and legal framework governing the implementation and oversight of PPP infrastructure projects, particularly compliance with industry standards and maintenance requirements, the Cabinet Secretary submitted that PPP projects are subject to various laws and policies. The Public-Private Partnerships Act, 2021, provides the principal framework, supported by the Constitution, public finance and procurement laws, sector-specific legislation and the executed project agreement.

The brief also refers to the Integrated National Transport Policy, the Public Roads Toll Act and other supporting instruments. It notes that the Draft Road Tolling Policy, 2025, is a proposal and is not yet legally binding.

It further outlines the constitutional principles relevant to PPP projects, including transparency, accountability, integrity, public participation, fair administrative action, equitable and cost-effective procurement, and the prudent use of public funds. It also identifies supporting laws and instruments relating to public finance, public investment management, procurement and asset disposal, environmental management, land acquisition, physical and land-use planning, standards, occupational safety and health, and climate change.

On road projects implemented under PPP arrangements in Kenya, their contractual obligations, status and the agencies responsible for monitoring compliance with quality and maintenance standards, the Cabinet Secretary submitted details of projects under the Kenya National Highways Authority (KeNHA).

The Rironi–Gilgil (A8) and Nairobi–Mai Mahiu–Naivasha (A8 South) road projects are being implemented under a Design-Build-Finance-Operate-Maintain-Transfer (DBFOMT) framework. China Road and Bridge Corporation is the project sponsor, KeNHA is the contracting authority, and M/s Cale Infrastructure Construction Limited is the engineering, procurement, and construction (EPC) contractor. The projects have a 30-year concession period. The brief records physical progress on preliminary works at 25.5 per cent.

The Gilgil–Nakuru–Mau Summit (A8) road project also falls under the DBFOMT framework, with KeNHA serving as the contracting authority. The financing structure comprises 70 per cent debt and 30 per cent equity. The brief records physical progress at 6.13 per cent, against a planned progress of 44.8 per cent.

The Nairobi Expressway is being implemented under a DBFOMT framework. Moja Expressway Company Limited is the project company, KeNHA is the contracting authority, and M/s Cale Infrastructure Construction Ltd is the EPC contractor. The expressway operates on a toll-based, user-pay model and has a 30-year concession period. According to the brief, construction is 100 per cent complete, and the project is in the operation and maintenance phase. The APEC Consortium Limited is identified as the independent expert.

Regarding the measures the Government is implementing to ensure compliance with prescribed engineering specifications, maintenance obligations and service-level requirements, the Cabinet Secretary submitted that PPP agreements set out detailed technical requirements, engineering standards, performance requirements and service levels that the private party must meet.

He further submitted that the private party must maintain clear output and performance standards set out throughout the operation and maintenance phase. Independent experts may

be engaged to assess and verify the private party's works and compliance with the project agreement, including the prescribed technical and performance standards. The project agreement also requires the private party to comply with applicable Kenyan laws, regulations and technical standards throughout the project lifecycle.

The document has been shared with the Member for further reference. I submit. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. GK. Hon. Kandie.

Hon. Joshua Kandie (Baringo Central, UDA): Thank you, Hon. Speaker. I am satisfied with the response.

Hon. Speaker: Thank you. Hon. Omboko Milemba.

AUDITS OF PUBLIC SCHOOLS
DURING 2026 NATIONAL EXAMINATIONS

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker, for this opportunity. Pursuant to Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Education regarding the multiple audits currently being conducted in public schools, particularly during the ongoing 2026 national examinations.

Public schools are currently being audited by three separate bodies, namely, the Ministry of Education at county, regional and national levels; the office of the Auditor-General at regional and national levels; and the Public Investments Committee on Governance and Education, which conducts on-site visits to schools. These parallel audits have placed undue pressure on principals and heads of institutions, particularly because the national examinations, including practical examinations, commenced on 19th October 2026 and are ongoing.

Guidelines issued by the Ministry of Education bar persons not involved in the examination process from accessing schools during this period in order to safeguard the integrity of examinations. The continued audit visits contravene these guidelines and distract heads of institutions, who also serve as examination centre managers at this critical time. While these audits serve an important accountability function, it is imperative that they be stayed and rescheduled to a later period.

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

1. Measures the Ministry of Education is taking to coordinate the schools audit functions of the Ministry, the office of the Auditor-General and the Public Investments Committee on Education and governance to avoid interference with national examinations.
2. Immediate action taken by the Ministry to ensure that all audit visits to schools are stayed and rescheduled to after the conclusion of examinations in order to allow centre managers, who are principals, to focus on preparation and administration of national examinations.

Hon. Speaker, I want to add one more thing. The Ministry of Education is conducting a hullabaloo of audits in schools at all levels.

Hon. Speaker: An avalanche not a hullabaloo.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you for correcting me. There are too many audits and principals are spending so much time dealing with audits conducted by the Ministry at three levels. There are audits conducted by the office of the Auditor-General at two levels and those conducted by Parliamentary committees. The end result is that principals are too busy preparing for those audits instead of preparing for examinations, yet they are also the examination centre managers.

What is also emerging from the raw information I received from principals and teachers is that principals are being asked for money here and there. We have to bring some order to this sector. We should suspend these activities during the examination period and pick them up later. The audits are very important and constitutional.

Hon. Speaker: You have made your point. Hold on, Hon. Weytan. Let us finish with this one. Let us have one joyrider. Member for Gilgil, Hon. Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you very much, Hon. Speaker, for giving me the opportunity to joyride on this request for Statement. I agree with Hon. Omboko Milemba only on the issue of timing. However, the issue of teachers' accountability must not be lost.

Why do I say that? We have some rogue teachers who, when they are about to retire, take advantage of the promotion policy for teachers to ensure that they finish the school. By the time they leave, the school is in debt and has not paid its suppliers. The school then collapses. In my constituency, for example, a headteacher left one day school with a Ksh6 million debt. Schools are brought to their knees because of mismanagement.

The only issue I agree with is the multiple levels of audits, which is also a problem we have experienced with the National Government Constituencies Development Fund (NG-CDF). The NG-CDF is audited by the National Treasury, through internal audits and by the Auditor-General. At the end of the year, one fund is audited on six levels.

We must not lose sight of the issue of accountability. Teachers must also account for the funds they receive because most infrastructure is developed through the NG-CDF. This will ensure proper management of schools. However, I agree that audits should not be conducted during examination periods. Most importantly, a special audit should be conducted before a teacher retires.

Hon. Speaker: Hon. Maungu, you are the Chairperson of the Committee. I will come to you later. Let us first hear from your colleagues. Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. The great Member for Emuhaya raised the issue of money. The Committee must deal with that allegation, so that the matter is addressed comprehensively. If possible, the Member should appear before the Committee and provide further information on the alleged payments.

Secondly, I request the Chairperson of the Departmental Committee on Education to consider the separation of the various Articles of the Constitution. What the Member is seeking...

*(Hon. Raphael Wanjala consulted loudly
with Hon. Catherine Omanyoo)*

Hon. Speaker: Order, Hon. Raphael Wanjala. Disorder seems to follow you everywhere.

Hon. Emmanuel Wangwe (Navakholo, ODM): What the Member for Emuhaya is seeking is anchored in the Constitution. The office of the Auditor-General is provided for under a separate Article, and its mandate cannot be interfered with. Under Article 95, Parliament has the power to exercise oversight and bring before this House matters touching on finances, among others, for purposes of overseeing the Executive. In that regard, the Chairperson of the Departmental Committee on Education should be cautious, particularly in view of the Supreme Court ruling on Article 229(8) of the Constitution regarding timelines. Let him explain to the House how he intends to manage the issue of timelines.

Hon. Speaker: Yes, Hon. Melly. That concern is directed to you. Let us first hear from Hon. Maungu.

Hon. Dick Oyugi (Luanda, DAP-K): Thank you, Hon. Speaker. Hon. Omboko Milemba's sentiments relate to my Committee. As the Chairperson of the Public Investments

Committee on Education and Governance, I would like to correct my brother that Parliament does not audit schools. All we do is examine the reports of the Auditor-General as tabled in this House.

Hon. Speaker: That is correct.

Hon. Dick Oyugi (Luanda, DAP-K): Every other day, including today, the Leader of the Majority Party tables reports on audited accounts of high schools. Therefore, we have a constitutional duty as the Parliamentary Committee responsible for public investments to examine the Auditor-General's reports. I want to make it clear that, for the first time, this House and my Committee, has been able to examine the Auditor-General's reports for the last five years for a number of C1 schools.

We began about two months ago. However, my Committee is cognisant of the fact that examinations are due to start. Therefore, we suspended our examination of audited accounts on 15th October 2026 until January, when we shall resume. Therefore, it is wrong for a Member to suggest that Parliament is insensitive to the examination period. My Committee suspended its examination of the reports until January, when we shall finally resume.

I wish to inform this House that examining these books is not a privilege. Kenyans have bestowed that constitutional duty upon this House. All public funds must be examined, and we must report to the people how those funds have been used. To my shock, the Auditor-General has flagged several issues, including a case where a school principal took a loan facility of Ksh65 million to put cabro tiles in the school. How would Kenyans have known about this were it not for the Auditor-General's reports? The Auditor-General has also revealed that some school principals have invested school funds in the Nairobi Securities Exchange (NSE), contrary to the ethos of public finance management. How else would we have known about this were it not for the Auditor-General?

Hon. Speaker: You have made your point.

Hon. Dick Oyugi (Luanda, DAP-K): Hon. Speaker, as I conclude, I want to ask my brother, who also happens to be the national Chairman of the Kenya Union of Post-Primary Education Teachers (KUPPET), to appreciate that it is good practice to audit teachers and accounting officers, so that we can establish whether there is value for money in what we do.

I submit.

Hon. Speaker: Let us have Hon. Jared. Hon. Weytan, I know you have an issue separate from this one. I will give you an opportunity to prosecute it. Let us finish with this first.

Hon. Jared Okello (Nyando, ODM): Thank you very much, Hon. Speaker. I have listened keenly to what my brother, Hon. Omboko Milemba, raised. However, Article 95 of the Constitution gives Members of Parliament three distinct roles: oversight, legislation and representation.

Our oversight role does not stop. It is the prerogative of this House and its Members to ensure that public funds are used prudently. The Government gives secondary schools a lot of money in capitation. There is nothing wrong with this House seeking to know how that capitation is used. Even if the money is not capitation, but parents' fees, it is still incumbent upon us, as their representatives, to know how that money is being used. I have a very big problem with several layers of oversight. Sometimes they become too many, and they are abused by certain authorities thereby making oversight meaningless. I wanted to raise this issue because it is interlinked with what we are discussing. Our constituency offices are currently experiencing a gridlock in their operations. All our managers are unable to transact because they are required to be registered as directors to be invoiced through the Kenya Revenue Authority (KRA) eTIMS system. This makes their work very difficult. If they have to hire a taxi from point A to point B or even use a matatu, they are required to produce invoices generated through the KRA eTIMS system. If they have to organise a meeting in their

respective constituencies, they must produce eTIMS receipts for the *sodas* consumed or the halls hired. All these requirements are making it very difficult for our offices to utilise operational funds.

On that note, I ask that, through your initiative and in your capacity as Chairperson of the Parliamentary Service Commission, you engage the Kenya Revenue Authority to exempt constituency offices and the county offices of Woman Representatives from these requirements, so that they can operate at least for the remainder of this Parliament's term. When we return in the next Parliament, because return I must, we can see how to tailor-make these issues to fit KRA requirements. At the moment, our managers cannot operate. They are stuck. I do not know whether the Members of this House are experiencing a similar situation, but my manager cannot utilise the operational funds sent by the Parliamentary Service Commission under your chairmanship.

Hon. Speaker: Thank you. Hon. Melly, when will you bring a response? As you do so, we must make it very clear that accountability for the use of public resources is not optional. It is constitutional, fundamental and universal. Once you are given public resources, you must account for them. Therefore, your response to Hon. Omboko Milemba's Statement request should be limited to the allegations of multiple layers of audits and intrusive behaviour, especially when schools are conducting examinations. Lastly, you must pay attention to the fact that this House does not audit. The Auditor-General is our servant. She audits and brings reports to us, which we then deal with. That is how we examine expenditure, any queries raised, and so on and so forth. Do you want to make a comment?

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker. First and foremost, allow me to weigh in on this issue. Accountability is not optional. It is a must as it is part of the constitutional provisions. Accountability is required of every public officer.

Hon. Speaker: It is also part of common sense.

Hon. Julius Melly (Tinderet, UDA): Yes. The law requires every citizen who holds public office in this country, including Members of Parliament, to be accountable. The issue raised by Hon. Wangwe is a constitutional matter that the Supreme Court dealt with, especially regarding the timelines between October and 1st December. I will communicate with the Ministry so that I can bring an informed statement that will, more importantly, guide the deliberations of this House in the future. However, I want to point out that the issues raised are administrative, especially that of multiple audits. This is not only happening in the education sector, but is also scattered across many other Government sectors. I hope when I bring the response to this House, we will address the issue comprehensively.

Hon. Wangari, who spoke earlier, raised a similar concern regarding the NG-CDF, where we have the same issues. Even in Government agencies, we have a number of audit-related issues. Committees of the House do not audit. We only deal with audit reports. If we are to address this issue properly, we need to go back to the relevant Government agencies. I will bring the response in two weeks' time.

Hon. Speaker: As you do so, you should also pay attention to one issue that members of the public keep writing to me about. You have domiciled junior secondary schools (JSS) in primary schools. and you are sending capitation money to those schools. Those primary schools do not have bookkeepers or accountants, and they do not have the capacity to handle public resources. As a Committee, you need to engage that the Ministry finds ways and means of domiciling management officers in those schools, even if it means recruiting certificate holders from Technical Vocational Educational and Training (TVET) institutions and polytechnics. Primary school head teachers have never interacted with accounting yet you send capitation money to those schools. Eventually, you may find that the money has not been put to proper use not necessarily because it has been stolen, but because it has been misapplied due to a lack of knowledge. You need to deal with that as well. When will you bring a response?

Hon. Julius Melly (Tinderet, UDA): Hon. Speaker, the issue of accountability for JSS funds in primary schools was raised extensively during our public participation.

Hon. Speaker: Is it on the Bills you are dealing with?

Hon. Julius Melly (Tinderet, UDA): Yes. In fact, the proposal raised by teachers and members of the public was the need to employ accountants or bursars because some schools receive funds to the tune of Ksh5 million or Ksh10 million, yet they only have a head teacher and deputy head teacher. The accounting records are not there yet they are supposed to account for every cent and appropriately apply the funds across the primary and junior secondary school levels. That is something which will be dealt with substantially in the Bills that we are processing through the House.

Hon. Speaker: Very good. Thank you. When will you bring a response?

Hon. Julius Melly (Tinderet, UDA): In two weeks' time.

Hon. Speaker: Two weeks' time, immediately after the short recess. Hon. Weytan.

RESERVATION OF PARCEL NO.LR 33285 FOR
MINISTRY OF DEFENCE IN MANDERA EAST

Hon. Hussein Weytan (Mandera East, ODM): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I requested for a Statement from the Chairperson of the Departmental Committee on Lands regarding the reservation of land parcel No.LR 33285 for the Ministry of Defence in Mandera East Constituency. I requested for this Statement on 4th March 2026. Almost six months down the line, no response has been presented. I understand that construction of the same project is now in progress. The land measures over 12,072 acres.

Hon. Speaker: Order, Hon. Weytan. All you are asking is when you will get a response to your Statement. Once the response comes, you can interrogate it in the manner you are doing. We have no response before us. Is the Chairperson of the Departmental Committee on Lands, Hon. Nyamoko, in the House? Is there any Member of the Departmental Committee on Lands? Hon. Naomi, can you motion the Chairperson of the Departmental Committee on Lands to bring a response to Hon. Weytan tomorrow afternoon?

Hon. Naomi Waqo (Marsabit County, UDA): I will do so.

Hon. Speaker: It is unacceptable for a Member to wait for a response from March to October?

Hon. Naomi Waqo (Marsabit County, UDA): It is not good, and I will make sure that he gets his response by tomorrow.

Hon. Speaker: Hon. Weytan, you can be here to interrogate the response tomorrow afternoon. Yes, Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you for this opportunity. The issue of failure or delay in responding to requests for Statements and Questions is becoming a serious concern.

Hon. Speaker, I remember that sometime in the middle of the year, you asked the Leader of the Majority Party to prepare a list of Questions and Statements pending a response. Indeed, they prepared and circulated the list and we were given an assurance that they would be dealt with as soon as possible to clear the backlog. For example, I requested for a Statement in November last year. Up to now, it has not been responded to. I just want to beseech you...

Hon. Speaker: What were you asking for?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): It was about an attack by a Chinese foreigner on a Kenyan at a factory in Eldoret, which was referred to the Departmental Committee on Labour. I do not know whether you could also direct the Leader of the Majority Party to compile all the pending requests for Statements and Questions, so that when we resume

from the short recess, you can prioritise the disposal of those Questions before we go for the long recess.

Hon. Speaker: Hon. Naomi, can you do that?

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Speaker, I will do that because I know our long recess will come after one month and we have to finish all the pending work. I will make sure that we do that.

Hon. Speaker: Member for Butula, Hon. Oyula, are you also complaining about delayed responses?

Hon. Maero Oyula (Butula, ODM): Yes Hon. Speaker. I submitted my Question to the Ministry of Health in June, but up to now, I have not received a response.

Hon. Speaker: Hon. Naomi, the pile continues to grow. Can you also take care of that one?

Hon. Naomi Waqo (Marsabit County, UDA): I will take care of it, Hon. Speaker, but I encourage all the chairpersons to be present when we are discussing serious matters so that they can also take responsibility.

Hon. Speaker: Hon. Martha Wangari, sometime you help me in chairing the Liaison Committee. Do you discuss these matters?

Hon. Martha Wangari (Gilgil, UDA): Hon. Speaker, we do. We actually circulate the information to Members every day.

Hon. Speaker: When is your next Liaison Committee meeting?

Hon. Martha Wangari (Gilgil, UDA): The week after next, on Tuesday.

Hon. Speaker: Ensure that you extract a list of all pending responses from your chairpersons, furnish it to me and provide an explanation for the delays. We must ensure that we do not go for the long Christmas recess with pending responses to Statement requests.

Hon. Martha Wangari (Gilgil, UDA): I agree, Hon. Speaker. We will do so.

Hon. Speaker: Thank you. Next Order.

MOTION

SENATE AMENDMENTS TO THE PUBLIC AUDIT (AMENDMENT) BILL (National Assembly Bill No. 4 of 2024)

Hon. Speaker: Hon. Naomi, are you ready with this?

Hon. Naomi Waqo (Marsabit County, UDA): Yes, Hon. Speaker.

I beg to move the following Motion:

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

Hon. Speaker, after serious consultations and looking at the proposed amendments, we have realised that they are not tenable. We, therefore, suggest that the amendments be rejected. I request Hon. Kimani Kuria to second.

Hon. Speaker: Member for Molo.

Hon. Kuria Kimani (Molo, UDA): Hon. Speaker, I would like to give a brief background on the Public Audit Bill sponsored by the Leader of the Majority Party. The Bill was processed in this House a few years ago. However, the matters relating to the Bill were contested in court in the matter of Transparency International (TI Kenya) vs the Attorney-General and Two Others, Petition No.388 of 2016, which declared Sections 4(2), 8, 12, 17(1), 18, 27, 40, 42 and 70 of the Public Audit Act, Cap 412B, unconstitutional.

This Bill concerns counties and, therefore, needed to be considered by both Houses. It is important to notify this House that the Bill necessitates consideration by both the National Assembly and the Senate. The Bill was introduced on 2nd February and passed on 11th March

with amendments. It was then forwarded to the Senate, which considered and passed it on 21st July 2026 with amendments. When the Committee considered the Senate amendments to the Bill, it agreed with all the amendments except two. These relate to citizen audits and human resource matters.

Clause 7 provides for the establishment of a directorate in the office of the Auditor-General to be known as the Public Service Resource Audit Directorate, responsible for conducting and preparing audits on human resource and public service matters. This was the provision as passed by the National Assembly. We are, therefore, proposing that this House rejects the proposals made by the Senate. On the amendments relating to citizen audits, there is a Bill before this House concerning public participation. Giving the Auditor-General this particular role or mandate without the required statute law on public participation would create ambiguity.

We implore this House to agree with the Committee's Report and reject this particular amendment until we have a stand-alone statute on public participation. This would ensure that the additional responsibilities being assigned to the office of the Auditor-General are in tandem with the relevant legal framework.

One of the key provisions declared unconstitutional was Section 27 of the Public Audit Act, which outlined the functions of the Audit Advisory Board. Section 25 establishes the Audit Advisory Board as a body corporate, with membership comprising the Auditor-General, the Attorney-General and nominees from the Institute of Certified Public Accountants of Kenya (ICPAK), the Association of Professional Societies in East Africa (APSEA) and the Law Society of Kenya (LSK), as well as the Chairperson of the Public Service Commission. Its functions, as provided for in the Act, included advising the Auditor-General on the exercise of powers and performance of functions; advising the Auditor-General on the recruitment of senior managers; developing and reviewing organisational development matters, budget estimates and plans of the office; advising on remuneration and other terms of appointment of staff; and considering any other matters.

In the judgment of the court, it was indicated that under Article 229(2)(b) of the Constitution, holders of independent offices were independent and not subject to the direction or control of any person or authority. The word independence, under the Constitution meant an office that worked independent of all other State organs in the discharge of its duties and performance of its functions.

Hon. Speaker, Paragraph 116 of the judgment in Transparency International (TI Kenya) vs Attorney-General and Two Others, Petition No.388 of 2016, declared the function of the Audit Advisory Board as unconstitutional in the following terms:

116. Looking at the principal function of the Audit Advisory Board, it leaves no doubt that it is required to advise the Auditor-General on how to discharge his or her mandate under the Constitution. This is interference with the institutional and individual independence. This, without a doubt, alters the constitutional architecture of the independence of the office of the Auditor-General and the principles of independence contemplated by the Constitution. It also violates Article 249(2)(b) of the Constitution, which says that the Auditor-General is independent and not subject to direction or control of any person or authority. There can be no doubt that the function of the Audit Advisory Board to advise the Auditor-General on the performance of constitutional functions violates the constitutional values and principles safeguarding the independence of the Auditor-General under Articles 229 and 249(2) of the Constitution.

Articles 229 and 249(2) of the Constitution are clear and expressly provide for the absolute independence of the Auditor-General. Having an Audit Advisory Board that directs the functioning of the Auditor-General would be a direct contravention of these Articles of the

Constitution. We are, therefore, recommending a proposal to include an Audit Advisory Board be rejected, so that the Auditor-General is not just seen, but also has all the legal documents to be independent.

The amendments to Sections 15 and 16 seek to provide for the recruitment of the deputy Auditor-General in place of the senior deputy Auditor-General. It now states the correct position, that the recruitment shall be undertaken by the Auditor-General rather than through the Audit Advisory Board, with the appointment subsequently made by the Auditor-General. This further aligns the provision with the Constitution. Hon. Speaker, now that we are proposing to remove the Audit Advisory Board, the recruitment of the senior deputy Auditor-General would be done by the Auditor-General.

The Bill also seeks to require accounting officers to submit financial statements within two months following the end of each financial year. Further, it seeks to provide for the use of technology to enhance efficiency in meeting statutory timelines. The amendment aligns the Bill with the Public Finance Management Act, 2026, which was assented to on 8th September 2026 and commenced on 25th September 2026. It, therefore, provides for a reduced time for submission of financial statements by public entities.

Hon. Speaker, as you may recall, this House passed amendments to the Public Finance Management Act to reduce the statutory timelines for submission of audit reports from three to two months. Therefore, a subsequent amendment to the Public Audit Act was required. This is one of the proposals contained in this particular Bill.

In conclusion, this is an important Bill that seeks to align the Public Audit Act with the Constitution and make appropriate amendments to ensure that the office of the Auditor-General adapts to the dynamism and changes in our legal landscape.

With those remarks, I beg to second.

Hon. Speaker: Hon. Members, the Mover and seconder have indicated to the House that they recommend the rejection of the Senate amendments to the Bill. If the House is in agreement, I will propose the Question and, thereafter, if there are no contributions, put the Question, so that the matter can go straight to mediation, as is required by the Constitution.

*(Hon. (Dr) John Mutunga Kanyuithia and
Hon. (Dr) Ojiambo Oundo stood in the gangway)*

Members on their feet, take your seats. Dr Mutunga, *tafuta kiti*. Hon. Oundo, take your seat or freeze where you are.

(Question proposed)

Hon. Members: Put the Question!

Hon. Speaker: Yes, Hon. Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Speaker. I have listened to the Chairperson of the Departmental Committee on Finance and National Planning. From his explanation, it appears that there are some clauses which the Committee agrees with as it disagrees with two others. I would, therefore, like to know whether the mediation process will consider only the two clauses which they do not agree with. Again, does it mean that once we reject the Motion, then mediation will consider all the clauses? That clarification is important.

Hon. Speaker: At this stage of the Motion, even if you agree with something, you are not going to the Committee. Right?

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Yes.

Hon. Speaker: You will agree with them on the clauses you agree in the Committee of the whole House.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Speaker, now that we say we disagree, it is important that the mediation process be fast-tracked. From our many interactions with the Auditor-General, it is clear that the office is keen to see this Public Audit (Amendment) Bill enacted into law.

I, therefore, request, Hon. Speaker, that the mediation process be fast-tracked.

Hon. Speaker: So, do I put the Question?

Hon. Members: Yes!

(Question put and negatived)

Next Order!

BILL

Second Reading

THE PEST CONTROL PRODUCTS BILL (National Assembly Bill No.48 of 2025)

Hon. Speaker: Dr. Mutunga, are you the one moving it? Go ahead.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Speaker, I rise to move that this House adopts the Report of the Committee on the...

Hon. Speaker: Order! Start by saying, "I beg to move that the Pest Control Products Bill (National Assembly Bill No.48 of 2025) be now read a Second Time." Thereafter, you can start your discourse.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Speaker, I rise to move that this House adopts...

Hon. Speaker: No! I have just guided you. Say, "I beg to move that the Pest Control Products Bill (National Assembly Bill No.48 of 2025) be now read a Second Time." Do you have the Order Paper?

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

Hon. Speaker: Go ahead.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Speaker, I beg to move that the Pest Control Products Bill (National Assembly Bill No.48 of 2025) be now read a Second Time.

Hon. Speaker: Excellent. You may now proceed with your arguments.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Speaker, the Pest Control Products Bill (National Assembly Bill No.48 of 2025) was sponsored by the Leader of the Majority Party. The Bill was published on 3rd November 2025 and read a First Time on 18th June 2026. It was thereafter committed to the Departmental Committee on Agriculture and Livestock for consideration and reporting to the House, pursuant to Standing Order No.127 of the National Assembly Standing Orders.

Hon. Speaker, the Bill comprises 73 clauses and two Schedules. Its principal objective is to establish a comprehensive statutory and institutional framework to regulate the importation, exportation, manufacture, acquisition, distribution, advertising, use, and disposal of products used for pest control and the organic function of plants.

The Bill establishes the Pest Control Products Authority; provides for its powers and functions; and modernises the registration, certification, and monitoring of pest control

products in order to protect human health; animal health; and the environment while supporting sustainable agricultural production.

In compliance with Article 118(1)(b) of the Constitution and Standing Order No. 127(3), the Committee placed an advertisement in the print media on 26th June 2026, inviting memoranda from members of the public and relevant stakeholders. To complement the written submissions, the Committee also invited key stakeholders to a stakeholder engagement meeting.

Among others, the Committee received and considered submissions from the following stakeholders: The Pest Control Products Board, the Kenya Bureau of Standards, the National Environment Management Authority, the Council of Governors, the Kenya Agricultural and Livestock Research Organisation, the Kenya Plant Health Inspectorate Service, the Ministry of Health, aak-GROW/CropLife Kenya, Agrobiodiversity and Agroecology Stakeholders (Coalition comprising the Intersectoral Forum on Agrobiodiversity and Agroecology (ISFAA), the Route to Food Initiative (RTFI), and Participatory Ecological Land Use Management (PELUM) Kenya.

The Committee also received submissions from Ms. Lydia Nyawira Mburia and Nature Kenya (The East African Natural History Society). The Committee thereafter undertook a clause-by-clause review of the Bill in light of the submissions received.

Hon. Speaker, for several decades, the primary law regulating agrochemicals in Kenya has been the Pest Control Products Act (Cap.346), which established the Pest Control Products Board in 1982.

The Act predates the Constitution of Kenya, 2010, and the State Corporations Act. It also lacks mechanisms to address modern realities such as highly hazardous pesticides, biological pest control, digital licensing, climate change, and integrated pest management.

The agricultural landscape has changed rapidly. The expansion of commercial agriculture and greenhouse farming, as well as the emergence of transboundary pests such as the fall armyworm, have increased the country's dependence on chemical interventions.

As a leading exporter of horticultural products to premium markets, Kenya's economic stability depends on a credible regulatory system that ensures compliance with the Rotterdam, Stockholm and Basel Conventions, as well as the country's obligations under the World Trade Organisation (WTO).

The Bill repeals and replaces the legacy framework to close enforcement gaps, weak penalty structures, and procedural limitations of the 1982 statute.

Hon. Speaker, allow me to highlight the Committee's principal observations and how it responded to the stakeholder proposals.

1. The majority of stakeholders, including the Pest Control Products Board, the Council of Governors, the Kenya Plant Health Inspectorate Service, the Ministry of Health, and the aak-GROW/CropLife Kenya and Nature Kenya supported the enactment of the Bill subject to specific amendments.
2. To address concerns raised by the National Environment Management Authority (NEMA) on duplication with the Environmental Management and Coordination Act, Cap.387, the Committee proposed consequential amendments to Sections 9, 99, and 100 of that Act.
3. Following the Food and Feed Safety Control Coordination Act, No.21 of 2026, the Committee adopted amendments recognising the food safety controller and the multi-annual control plan as consequential matters;
4. On the request of the Kenyan Bureau of Standards (KEBS), the Committee anchored the standards to the Standards Act, Cap.496, and it resolved the representation concerns by including the KEBS, the Kenyan Plant Health

Inspectorate Service (KEPHIS) and NEMA in the technical committee under Clause 27(8), rather than on the board.

5. The Committee rejected most proposals to transfer registration, certification, and hazardous waste enforcement to county governments, holding these to be national functions while adopting provisions for cooperation between the two levels of government and for consultation on counties in research and innovation.
6. The Committee made pre-registration and post-registration studies mandatory and required the Authority to evaluate products in collaboration with research institutions.
7. The Committee reviewed the penalties to ensure that they are commensurate with the offenses. It adopted amendments to criminalise the sale of unregistered products to deter the poisoning of protected wildlife and to allow members of the public to report pesticides misuse to the Authority.

After exhaustive statutory review, comprehensive public participation, and regular stakeholder scrutiny, the Committee recommends that the House approves the Pest Control Products Bill, National Assembly Bill No.48 of 2025, with amendments as set out in the schedule of proposed amendments appended to the Committee's Report.

In conclusion, the Bill operationalises constitutional rights, including the right to a clean and healthy environment, consumer protection and the right to food. It also aligns Kenya's regulatory regime with the Rotterdam, Stockholm, and Basel Conventions and with the country's obligations under the World Trade Organisation (WTO), protecting market access for the country's agricultural export and mitigating the risk of non-tariff trade restrictions.

The Committee remains committed to a modern science-driven framework that safeguards human health, animal health, and the environment while supporting sustainable agricultural production.

This Bill comes in to modernise the regulatory function on agrochemical use. Kenya uses a lot of agrochemicals in view of the emerging varieties of pest. Therefore, we need a stronger and modern regulatory framework.

The Pest Control Products Board (PCPB) has been questioned, even in this House, for allowing certain products to be used in the country even when they have been rejected elsewhere. We have made provisions within the Bill to make the penalties very stiff for anyone who introduces, transports, or uses any products that are not used in this country so that we protect our people, our environment, and our wildlife.

With those few remarks, I beg to move and call upon Hon. Yusuf to second.

Hon. Speaker: Hon. Yusuf, go ahead.

Hon. Yussuf Farah (Wajir West, ODM): Hon. Speaker, I rise to second the Motion. The Mover has set out the origin, purpose, and structure of the Bill. So, I will not restate that account. Allow me, instead, to speak to what the Bill delivers.

For far too long, farmers, traders, and consumers have contended with counterfeit, adulterated, and substandard pesticides. Such products fail in the field, erode yields, and leave harmful residue in the food and in the soil.

The Bill confronts this directly. It bans any person from manufacturing, selling, or introducing a pest control product without registration and it allows the Authority to register a product only after confirming that the product is safe for human and animal health, effective for its intended purpose and produced in a suitable premise.

Every product is then assigned a class according to its toxicity and use; from severely restricted products to commercial, agricultural, and domestic products. The strength of any regulatory law lies in its enforcement, and here, the Bill is firm. A person who sells or uses an

unregistered product commits an offense and is liable to a fine of up to Ksh1 million or imprisonment for up to two years.

The adulteration and counterfeiting or sale of a counterfeit product attracts a fine of between Ksh2 million and Ksh10 million, or five times the value of the goods or imprisonment for up to seven years. Illegal importation of any unregistered products draws a fine of between Ksh1 million and Ksh5 million or imprisonment of up to two years.

A person who causes a risk of imminent death or bodily harm through the unlawful transport, handling, storage, off-label use, or disposal of the product commits a further offense. Inspectors and analysts appointed by the Authority and by the county government may enter premises, examine, record stock, check samples, and seize non-compliant products.

Hon. Speaker: Hon. Yusuf, I know none of your colleagues is challenging you, but Standing Order 80 does not allow the reading of speeches. This is debating time.

Hon. Yussuf Farah (Wajir West, ODM): Okay.

Hon. Speaker: The Mover of a Bill of this nature can do what Mutunga did. I allowed him to do so. As a seconder, you should debate and not read a speech.

Hon. Yussuf Farah (Wajir West, ODM): Hon. Speaker, well noted. With those few remarks, in conclusion, the Bill...

Hon. Speaker: You are allowed to make reference to any technical issues which you may want to quote somewhere, but you cannot read the speech the way you are doing it.

Hon. Yussuf Farah (Wajir West, ODM): Hon. Speaker, the Bill protects farmers from fake inputs, consumers from unsafe residues, the environment from pollution, and exporters from losing markets. It also provides registered and authorised dealers with a proper framework for selling their products without any issues.

Hon. Speaker, these products need to be regulated to ensure that only approved and authorised products are sold in the market. Counterfeit products and products that are not authorised for sale are currently widespread in the market.

Therefore, Hon. Speaker, this Bill addresses that gap. It seeks to protect the lives of Kenyans and all persons living in Kenya.

With those few remarks, I beg to second the Motion.

(Several Members were upstanding)

Hon. Speaker: Thank you. Members on their feet, take your seats.

(Question proposed)

Hon. Speaker: I can see Hon. Mary Maingi. Are you queuing for this one?

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

Hon. Speaker: Go ahead.

Hon. Mary Maingi (Mwea, UDA): Thank you, Hon. Speaker, for giving me the opportunity to contribute to this Bill. I rise to support the Pest Control Products Bill, 2025. I thank the Chairman of the Departmental Committee on Agriculture and Livestock for tabling this Report. The law that governs pesticides in Kenya, the Pest Control Products Act (Cap.346) was enacted in 1982. It predates the Constitution of Kenya, 2010. The Bill repeals it and establishes the Pest Control Products Authority to register, classify, certify, ban, and monitor pest control products.

I speak for my constituency, the home of the largest irrigation scheme in this country. Try to picture a rice farmer who buys an herbicide, sprays it, and watches the weeds survive. The farmer will lose money and his planting season! Counterfeit products steal from the farmer twice. Under Clause 38, counterfeiting attracts a fine of between Kshs2 million and Ksh10

million or five times the value of the goods, or up to seven years in prison. The Committee has also made it an offence to sell unregistered products.

In Mwea Constituency, we struggle with snails in our rice farms. We are not sure if it is because of the counterfeit products or if we are using herbicides that are expired. We keep spraying herbicides and the snails keep multiplying instead of dying out. You can imagine the untold suffering that the Mwea rice farmers go through every day watching the snails survive after spraying them with expensive herbicides.

In an irrigation scheme, water is shared. An empty container thrown into a canal affects every farmer downstream. The Bill makes safe disposal a duty. It requires agro-dealers to declare expired stock. It also requires poisoning incidents to be reported. On the Committee's amendments, it penalises the poisoning of protected wildlife. Mwea borders the Mwea National Reserve.

This Bill also protects our markets. The Authority will monitor residues in food so that consumers eat safe food and our exporters meet the European Union limits. County inspectors will train our agro-dealers and farmers on responsible use. This Bill will give Kenya a modern law. Let us make sure that every farmer from Mwea to Mandera and from Kakamega to Kwale buys a product that works, applies it safely, and sells food that the world will accept.

I beg to support.

Hon. Speaker: Thank you, Hon. Maingi. Hon. Julius ole Sunkuli, are you queuing for this? Go ahead.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Speaker, I beg to support that this Bill be read a Second Time. This issue of pest control in Kenya needs a lot of discussion. The purpose of this Bill is to seal the loopholes that are existing in its predecessor. The loopholes are particularly on counterfeiting and the coming in of the pest control products that do not conform to the original versions as manufactured. That which concerns us is the coming in of dangerous pesticides, humanly speaking. Many people believe that they have a connection with the spread of cancer that we see in the country. This Bill is supposed to address that issue. I believe that in the Committee of the whole House, we will have to make a lot of amendments to actually put beef to those particular loopholes that are supposed to be sealed.

Whereas this Bill goes a long way in addressing that particular mischief, I do not believe that it goes quite deep enough. The first thing you will see is that under Article 9 of this Bill, the appointment...

Hon. Speaker: Article or clause?

Hon. Julius Sunkuli (Kilgoris, KANU): Sorry, it is Clause 9 of the Bill that touches on the appointment of members of the board. The board is supposed to implement what will be put into law. The appointment of board members is top-heavy with permanent secretaries. Everywhere there is a permanent secretary for this or that. To me, that suggests routine, and there is hardly anything new. There is no person who is away from normal routine who can actually look into the issues of pest control! The Government should cede a lot of this space to some other organisations in order to give more room to independent board members. In particular, I am concerned that there is very little voice given to the farmers. There is one slot given to farmers and one to traders. The rest of it is given to the Government as usual. That must be addressed. The smallholder farmers, the pastoralist farmers, and other county representatives should occupy more space on these boards that have been created. It has now become routine that when you are making a law on anything in this country, the first people who get vacancies are permanent secretaries. That is not efficient in this particular case. However, because we are supporting the Bill, we will have time to look at the amendments. I am sure the Chairman will address this issue when he replies, so that he can give us direction.

Hon. Speaker: Yes, Hon. Mutunga, what is your point of order?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): It is not a point of order, Hon. Speaker. I would like to inform the Member who has just been on the Floor that, yes, the Bill presupposes permanent secretaries who are, in turn, represented by technically able people. The farmers in this particular issue may not contribute to the safety of the chemicals that we have because they need technical knowledge of the chemicals themselves. The idea is that we need technical people from different ministries to sit in the board and receive reports from the technical advisory committee, so that they can take care of things. That is what the Bill presupposes. Farmers sometimes do not have the knowledge...

Hon. Speaker: Order, Hon. Mutunga! You are not informing him, you are arguing. The point he is making – which makes a lot of sense – is that if you look at Clause g(ii) it says, “One person nominated by a registered national organisation representing farmers engaged in crop farming.” What does that mean? Some small Community-Based Organisation (CBO) claiming to be national can nominate somebody. At least you should focus on farmers who are regularly and consistently directly affected by using pest control chemicals so that you get the real users to bring real-life experience. The market is full of counterfeits and fakes that affect farmers!

Hon. Julius Sunkuli (Kilgoris, KANU): In addition, if the legislative intent is to introduce expertise, as the Chairman claims, that expertise already resides within the departments dealing with pests, specifically at KALRO and other designated institutions. Had that been the true intention, it would have been far simpler to explicitly provide for the appointment of a member from KALRO or the University of Nairobi. If what the law says right now is not what the Chairman understands it to be, it says the permanent secretary. He can decide to send his secretary or his clerk to attend that particular function, and it has happened in the past.

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

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

Another issue that I would like the Bill to address later is the need to give a little bit more beef to this thing called analysis. I know we analyse residues in some of these things, such as residues in crops. However, only four crops are addressed in 12 counties. There is no requirement that we should test the soil. Most of the damage that we have done to crops in this country has been caused by damaging the soil. We, therefore, need to provide that, if this particular test is to take effect under this law, the Government must examine the condition of the soil, so that we do not continue planting our crops in soil that already contains poison.

These pests and the chemicals used to control them are actually affecting our health in a big way. I have always said that, if you look at most of the factories that we are establishing, some of which are in my own constituency, there is a clear nexus between the number of deaths occurring and their association with the sugar factories in those areas. For example, looking at the recent fatalities in the Kayan area, residents are tragically dying due to their proximity to industrial zones. While we certainly need these factories, we must urgently investigate whether these deaths are linked to pesticides, air pollution, or other hazards. This will allow us to mitigate these risks while keeping our economy moving forward. It is very important that we tell our country that, if we really want to tackle this thing called cancer, we have to be more serious about the things we import into the country. The organisation responsible for controlling the importation of these products must take this matter seriously and tell us whether these products, apart from killing insects, are safe for human beings, so that we can control the importation of most of them. Some of these products were brought into this country - and the

Deputy Speaker once had an opportunity to address this issue - Some of these products are brought into this country, yet they are not accepted in the countries from which they originate. If you look at the label, it tells you that the product cannot be sold in Europe. If it is not good for Europe, why is it good for Africa?

We, therefore, have to examine this issue. The things that are not good for the people in the countries where they are manufactured are not good for us either. Let us control them for the sake of the health of our people because there is a nexus.

There is also the issue of pastoralists. Nowadays, you find that some pastoralists act as veterinary doctors. A pastoralist obtains an injectable drug and administers it to his cow. The cow becomes fat very quickly and is then sold in the market. We all consume meat from an animal that has been artificially fattened. These are the kinds of things that we see. Are they contributing to the deterioration of our health? What about the milk we drink? Someone injects a cow and then milks it the following day, without knowing the effect the drug has had on the milk. We have to address the issue of pesticides.

I beg to support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Mathenge Maina.

Hon. Duncan Mathenge (Nyeri Town, UDA): Thank you, Hon. Temporary Speaker.

At the outset, I support this law. However, I must ask the Chairperson and the Departmental Committee on Agriculture and Livestock whether they are aware that after the national crises we currently face involving illicit alcohol and drugs, as well as deaths and injuries resulting from road accidents, the harm caused by pesticides is the next major concern in terms of the harm inflicted on our people.

I, therefore, wish to ask whether we have learnt any lessons from the establishment of the National Campaign Against Alcohol and Drug Abuse (NACADA) and the National Transport and Safety Authority (NTSA) in addressing issues of legitimate daily concern to Kenyans, yet legislation does not seem to have cured the problems we face. Why should pesticides that are banned under Good Agricultural Practices (GAP) and other regulations, including those in the European Union and the United States, become eligible for use in our country? What does this proposed law say about ensuring that the standards applied in this country under the new law are the same as those in Europe, the United States and other developed parts of the world?

I come from Nyeri, a region where we traditionally took our cattle to communal dips. We have since shifted from that practice, and today, every small household sprays its single cow right within its own compound. Where do the residues of the pesticides used to control ticks and fleas on cows end up in those compounds? I come from an area where coffee is once again being grown on a smallholder scale. Tragically, nearly every household with workers who have labored continuously on coffee farms has buried a kinsman due to throat cancer, abdominal cancer, or colorectal cancer. The passage of this law must not focus only on the regulation, registration, licensing and sale of pesticides. This law must firmly anchor the protection of public health. When I look at this Bill and hear that the Cabinet Secretary for Agriculture and Livestock Development, on the advice of the Authority, will determine or prescribe the qualifications of pesticide inspectors, I ask: What knowledge and skills should these inspectors have, and where should they acquire them?

The issue of disposing of pesticides and pesticide containers at the farm level must also be addressed. We must consider the kind of education required to ensure that our farmers are protected when using this key component of food production and food security. How will the board and the Authority establish a connection with the farmer who actually uses the products they register and license?

We have struggled with the quality of pesticides and their safety, particularly their safety in use and application. We must also consider the effect of pesticides on the soil and

how this contributes to food insecurity in our country. The pesticides end up killing or altering the soil microbiology. Therefore, beyond the regulation, there is need to ensure that there is a protocol addressing the negative and undesirable effects of when these pesticides are used alongside the products that have been registered. A key competence requirement for the board, including the CEO, is their understanding of the food chain and food safety. Therefore, I am hoping that my friend, Hon. (Dr) Mutunga and the Committee, in its recommendations, have really gone beyond the normal reach of creating authorities to register and regulate. The test of this law is the outcome and the impact it will have in changing the atmosphere and arena under which we have operated.

Hon. Temporary Speaker, I wish these inspectors had powers, not only to enter premises, but also to apprehend. How do county *askaris* apprehend and seize goods yet we have public inspectors, who apparently must go to the National Police Service? It is a question of protecting public health. It has an impact on the access of our agricultural produce to international markets and other destinations. I, therefore, hope that our contributions will enrich the Committee's eventual amendments.

The Temporary Speaker (Hon. Farah Maalim): Woman Representative for Marsabit County.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for this opportunity to also contribute to this very important Pest Control Products Bill (National Assembly Bill No.48 of 2025).

Hon. Temporary Speaker, I support this because of the challenges our country is currently facing. There are health issues that many people suspect are as a result of pest control products. I know the Deputy Speaker, Hon. Sholei, is very passionate about this and I am sure she would have contributed a lot. This amendment will help our country grow into a healthy society and produce products that will be helpful and will not cause any health issues in the future.

I have looked at the Bill and I agree with it because it regulates the importation, exportation, manufacture, acquisition, distribution, advertising, use and disposal of products used for pest and organic functions of plants. I think in the past we have been so lenient on all this, and as a result, some cartels have been doing what they are not supposed to. That is why in the past, we have had some fake products in the market which, as I previously said, have affected our people. Again, Clause 4 states that the purpose of the Act is to safeguard human health and the environment from risks associated with pest control products. In our country today, there are many people who are suffering from cancer which many people suspect is as a result of this. Once we have measures in place to safeguard human health and our environment, whatever product we use will be good for our animals, environment and human beings.

Clause 4(b) also provides a legal framework for the issuance, suspension, and cancellation of certificates and permits. There has been a gap which we will overcome because the legal framework put in place will seal all the gaps and take care of every area. Again, (c) of the same clause facilitates research on pest control products and regulates all matters related to that. We need to put all measures in place and regulate from time to time. Sometimes, even pests depend on the environment and seasons, like the rainy season. If we provide relevant pest control for each season, our farmers and people will not have that big challenge.

Hon. Temporary Speaker, if you look at the core contents of the Bill, it replaces the Pest Control Product Board with the Pest Control Product Authority, a body corporate headquartered in Nairobi which will take over. This is elaborate and large enough. The first purpose of this is assessing and registering products, advertising on maximum residue limits and setting standards. We need to set standards that are relevant to us and our country depending on the soil, water or anything that will be put into consideration. I am happy that

under Clauses 19 to 25, the board will come up with what we call inspection and enforcement. Under this, we know the Authority and county governments may appoint inspectors. The Authority board and the county government have to cooperate and to work together to appoint local inspectors. They will work from place to place, visit different farms or areas and take the necessary action. If there is anything our farmers need today, it is inspectors who have been mandated by the Authority and the county government. Again, Clauses 26 to 39 of this Bill provide that no one may manufacture, sell or introduce a pest control product without first registering. This is a very good measure that we are putting in place. The registrar will register a product after confirming that it is safe, effective and made in suitable premises. In the past, we did not have this. At times, people have produced in an environment that is not well recommended. But now, under Clauses 26 to 39, the registrar will only register after they have confirmed that the environment is safe, effective and made in suitable premises. This is the safety we need for our farmers and any users to know that we are safe.

Hon. Temporary Speaker, I am also happy with the penalties the Bill has introduced. On penalties, selling or using unregistered products carries a fine of up to Ksh1 million or a prison sentence of two years. In the past, individuals engaged in poorly regulated practices, and we did not have such penalties in place. Once this Bill is assented to, anyone who uses an unregistered product will face a fine of Ksh1 million. I am sure everyone will exercise caution, as the fear of such consequences is significant. After all, it is not easy to get Ksh1 million, nor is a two-year prison sentence something anyone would desire. Therefore, I support these penalties.

Furthermore, Clauses 53 to 62 address laboratories and finance. The Authority will run its own analytical laboratories and may authorise other laboratories to operate, but only after they have confirmed and ensured compliance regarding the activities within different laboratories.

After perusing the Bill, I fully support it. It is my prayer that the benefits it brings will soon be enjoyed by our farmers. We must not be careless. We need to be vigilant as a nation. We need to take care of our people and safeguard future generations by providing them with healthy food and a healthy environment, thus ensuring a better future.

Thank you, and I support the Bill.

The Temporary Speaker (Hon. Farah Maalim): Proceed, Member for Teso South.

Hon. Mary Emaase (Teso South, UDA): Thank you, Hon. Temporary Speaker. I had intended to contribute to this Bill, but I did not have my card.

At the outset, I rise to support this Bill, as it seeks to regulate online sales and protect smallholder farmers from exploitation. Currently, anyone can sell unregistered products on any online platform without verifying who the seller is or whether the product is registered. Therefore, this Bill seeks to close that loophole and ensure that all online platforms selling any chemicals must verify the identity of the seller. By doing so, we will protect our farmers from fraud and exploitation.

I also support this Bill because it seeks to establish the Pest Control Products Authority. This Authority will help strengthen the inspection processes, enhance traceability, and ensure the safe disposal of waste chemicals. By doing this, we can guarantee safer food on our tables. Uncontrolled and fake chemical pesticides are used all over. They leave harmful residues in our vegetables, maize, and other foods, posing a serious health hazard. Establishing this Authority will ensure that farmers use only quality and genuine pesticides that have been approved.

I also support this Bill because it ensures that all chemical products are registered and that all sellers are licensed. We have seen an increase in illnesses such as cancer, and our soils are becoming poisoned by these fake chemicals. Additionally, some of our produce are rejected in the export market due to the absence of registered products, licensed sellers, and proper

inspections. By implementing these measures, we will create a structured legal framework for conducting business in this space. Our farmers and consumers will be protected from fake and dangerous chemicals. For instance, a farmer in Teso South in Busia County will access safe and quality inputs in the form of chemicals for their farms, which will help reduce the incidence of diseases caused by hazardous pesticides in the market.

Hon. Temporary Speaker, I support the Bill.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. I do not see any further interest in this. Therefore, I call upon the Mover to reply.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Temporary Speaker, I beg to reply. Many Members have spoken in favour of this Bill, and they have been overwhelmingly positive. The Pest Control Products Authority is established to protect human beings, the environment, and animals from the effects of agrochemicals that we use on farms.

The Bill primarily aims to ensure human health. It also seeks to ensure safety and protect the environment. In terms of protecting human beings, this encompasses both direct contact with the chemicals and the effects if they are inhaled or ingested in any manner. The principle of safe use of pesticides presupposes that every chemical is dangerous. If it can kill an insect, it can also have an effect on human beings, as it terminates life. Although the thresholds may differ, there is still an impact on human beings.

In this context, consumption of products that contain chemicals is regulated based on maximum residual levels—the levels beyond which such products are unacceptable for human consumption. The international trading system allows for maximum residual levels in food-based items under the *Codex Alimentarius*. The controls established in this Bill provide us with enhanced penalties, an improvement over previous legislation, which did not offer much in terms of protection.

Regarding technical matters, the creation of a technical advisory committee, consisting of the heads of technical institutions in the country, is key. For example, the head of the Kenya Plant Health Inspectorate Service (KEPHIS) will be part of this technical advisory committee, as will the Director-General of the Kenya Agriculture and Livestock Research Organisation (KALRO). It is the responsibility of the Director-General of KALRO to engage a specialised individual in pesticides to advise him or her on contributions to this committee. This technical advisory committee will advise the board on decisions based on the evidence available at any given time.

Some Members have spoken to the risk of chemicals causing cancer. It is one thing to say that any chemical can cause anything. But conventionally, the cause-effect relationship must be established. We cannot say that we cannot use chemicals although I started by saying that all chemicals are harmful. Anything that can kill an insect has an effect on a human being because it determines its life. So, the most important thing for us to do is to ask ourselves: Is there evidence? Is the information available? Is it credible? Is it from a credible research process? Is it quotable? Is it verifiable? This is because science is based on verifiable facts, not hearsay. So we must verify whether there is any evidence to indicate that some of these chemicals can cause cancer or other diseases.

We have had discourses where fears on certain chemicals have been allayed, people taken to court and penalties spelled out. In most cases, determinations have been made. Then there is a higher court determination withdrawing the previous one on the basis of invalidated evidence. So, let us be factual as a country and as a people as we make this law. We need to rely on scientific evidence for anything.

The final issue that I would like to address is on appointments. One of the contributors alluded to the fact that a cabinet secretary does not qualify to appoint inspectors. The Bill presupposes that the cabinet secretary, in consultation with the governor of the county concerned, appoint inspectors. On this particular issue, I would like to inform ourselves that

the cabinet secretary of a ministry is the head of everybody. There is no one who is more qualified to know the best person to respond to an issue than a cabinet secretary because he is the head of the ministry. I do not know who else the Member probably would have had in mind because a cabinet secretary would even be in charge of such an institution within the ministry.

Hon. Temporary Speaker, with those very few remarks, I wish to reply.

The Temporary Speaker (Hon. Farah Maalim): Hon. Members I will now put the Question.

(Question put and agreed to)

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

COMMITTEE OF THE WHOLE HOUSE

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, Order No.10(i) stands dropped because the main Bill was defeated on the Floor of the House. On Order No.10(ii), I am made to understand that the Leader of the Majority Party, who should have been here, is engaged in discussions on the same. So, I direct that this matter be placed on the Order Paper on a date or a time in the future when it can be duly moved.

SENATE AMENDMENTS TO THE PUBLIC AUDIT (AMENDMENT) BILL
(National Assembly Bill No.4 of 2024)

THE ELECTIONS (AMENDMENT) (No.2) BILL
(Senate Bill No. 29 of 2024)

(Committee of the whole House deferred)

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

MOTIONS

ADOPTION OF REPORT ON INSPECTION VISITS TO
CONSTITUENCIES' OFFICES IN NAKURU COUNTY

THAT, this House adopts the Report of the Committee on Members' Services and Facilities on inspection visits to Constituency Offices in Nakuru County, laid on the Table of the House on Thursday, 11th June 2026.

The Temporary Speaker (Hon. Farah Maalim): I am also meant to understand that the Chairperson of this Committee is not in the House. So, I direct that this matter be placed on the Order Paper at a time or date in the future when it can be ably prosecuted by the Committee Chairperson.

(Motion deferred)

Next Order.

ADOPTION OF 13TH REPORT ON AUDITED ACCOUNTS OF
SPECIFIED FUNDS FOR FYs 2020/2021 AND 2021/2022.

The Temporary Speaker (Hon. Farah Maalim): Committee Chairperson, Hon. Fatuma, Member for Migori County.

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

THAT, this House adopts the Thirteenth Report of the Special Funds Accounts Committee on its consideration of audited financial statements for the Agricultural Food Authority Car Loan and Mortgage Scheme Fund, Veterinary Services Development Fund and Government Press Fund for FY 2020/2021 and 2021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

In examining the reports of the Auditor-General on the financial statements of the Agricultural Food Authority Car Loan and Mortgage Scheme Fund and the Veterinary Services Development Fund and the Government Press Fund for the Financial Years 2020/2021 and 2021/2022, the Committee received oral and written submissions from the respective accounting officers which formed the basis of the following general observation and recommendations:

On Agricultural Food Authority Car Loan and Mortgage Scheme Fund, there was unsupported balances and inaccuracies in the financial statements. The Committee observed that the financial statements for the Financial Year 2021/2022 included the balances that were not supported or reconciled including prior year adjustments of Ksh4,819,229. The car loan cash book and bank balances of Ksh95,190,000 and an unexplained variance of Ksh4,243,597 in interest income.

The Committee recommends that, one, within three months of the adoption of this Report, the accounting officer submits the reconciliation and certified supporting documents for the unsupported balances to the Auditor-General for audit verification. Two, the accounting officer ensures that timely submission of all documents required for audit verification as required by Section 31(4) of the Public Audit Act, 2015.

On Veterinary Services Development Fund, there was lack of an enterprise-wide risk management policy. The Committee observed that the Fund did not have a documented enterprise-wide risk management process and policy in both financial years under review. The Committee recommends that within three months of the adoption of this Report, the accounting officer submits status report and supporting evidence on the risk identification process to the Auditor-General for audit verification.

Two, the Committee observed that the Fund did not have its own internal audit functions and audit committee or internal audit charter. However, having been established under the State Department for Livestock Development, it relies on the State department's internal audit unit which carries out audit of the Fund annually whenever required. The Committee recommends that the accounting officer ensures that the internal audit unit of the State Department for Livestock Development continues to audit the Fund regularly and that the internal audit reports are made available to the Auditor-General during audit.

The next Fund is Government Press Fund: Long outstanding debts. The Committee observed that the Fund has recovered a total of Ksh212,401,349 of the receivables leaving a balance of Ksh6,819,300. The Fund has also set up a costing section and joint reconciliation teams with debtors to pursue the outstanding debts. The Committee recommends that the accounting officer recovers the outstanding amount of Ksh6,819,300 within three months of the adoption of this Report and submits a status report on the recovery to the Auditor-General for audit verification.

In conclusion, the Committee appreciates the offices of the Speaker and the Clerk of the National Assembly for the support accorded to it in enabling it to fulfil its mandate. The Committee further appreciates the office of the Auditor-General for the services it provided throughout the period as well as the accounting officers who complied with the audit timelines and provided satisfactory responses to the queries raised. I also appreciate my fellow Members of the Committee and the secretariat whose immense contribution and dedication to duty enabled the Committee to examine the audit queries and produce this Report.

Hon. Temporary speaker, I beg to move and request my very able Secretary-General (SG) of my political party, the Orange Democratic Movement (ODM), and a very active Member of our Committee, who is always punctual to all our meetings, Hon. Catherine Omany, to second.

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

Hon. Catherine Omany (Busia County, ODM): Thank you, Hon. Temporary Speaker. I rise to second the Motion and point out a few observations we noticed in the Committee.

Regarding the Veterinary Services Development Fund, we realised that they had not updated their asset register. We recommended that they update the Fund's asset register and create a depreciation schedule. We also noted that they have many assets, but they are old. So, we advised the accounting officer to follow up and recover the rent they are owed.

Concerning the Government Press Fund, this was a bit absurd because they still use analogue machines, which do not help production in today's world. We recommend that they go ahead and procure two new digital machines. They should also clear the postal money orders they owed at the Postal Corporation of Kenya. We also recommend that they dispose of the old printing machines in accordance with the Public Procurement Asset Disposal Act, 2015. They also sought our permission, and we granted them six months to do what they needed and report back to us.

Thank you, and I second.

The Temporary Speaker (Hon. Farah Maalim): You say, I beg to second, but that is okay.

(Question proposed)

There seems to be no interest in this.

(Question put and agreed to)

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

MOTION

ADOPTION OF 19TH REPORT ON AUDITED ACCOUNTS OF SPECIFIED FUNDS FOR 2019/2020 TO 2024/2025

The Temporary Speaker (Hon. Farah Maalim): Hon. Fatuma.

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

THAT, this House adopts the Nineteenth Report of the Special Funds Accounts Committee on its consideration of the audited accounts for the following funds, laid on the Table of the House on Wednesday, 15th April 2026:

1. Equalisation Fund for the Financial Years 2020/2021, 2021/2022 and 2022/2023.

2. Fish Levy Trust Fund for the Financial Years 2020/2021, 2021/2022 and 2022/2023.
3. Public Service Superannuation Fund for the Financial Years 2020/2021, 2021/2022 and 2022/2023.
4. State Officers and Public Officers Motor Car Loan Scheme Fund for the Financial Years 2019/2020, 2020/2021 and 2021/2022.
5. National Research Fund for the Financial Years 2022/2023, 2023/2024 and 2024/2025.
6. Petroleum Development Levy Fund for the Financial Years 2018/2019, 2019/2020, 2020/2021 and 2021/2022.
7. Petroleum Training Levy Fund for the Financial Years 2021/2022, 2022/2023 and 2023/2024.

In examining the 19 reports of the Auditor-General for the seven Funds, the Committee received oral and written submissions from the respective accounting officers, which formed the basis of the following key observation and recommendation:

We noted non-remittance of the Equalisation Fund entitlement. The Committee observed that the National Treasury had not remitted the Fund's full entitlement under Article 204(1) of the Constitution. Only Ksh12,400,000 had been transferred out of the total entitlement of Ksh51,586,214,050 for the Financial Years 2011/2012 to 2022/2023, leaving a huge outstanding balance as at 30th June, 2023. The Committee recommends that within six months of the adoption of this Report, the National Treasury remit the outstanding balances to the Fund. Also, within three months of the adoption of this Report, the accounting officer submit a status report on the disbursement of arrears to the Auditor-General for audit verification.

On the Fish Levy Trust Fund, we noted late submission of the financial statement. The Committee observed that the financial statement for the year ended 30th June 2022 was submitted on 21st December 2023, more than a year after the statutory deadline, contrary to section 47(1) of the Public Audit Act, 2015. The Committee recommends that the accounting officer ensure the timely submission of financial statements in line with Section 47(1) of the Public Audit Act, 2015. The Cabinet Secretary, National Treasury and Economic Planning, should take appropriate disciplinary action against the accounting officer according to Section 74 of the Public Finance Management Act.

We also noted the non-appointment of the Board of Trustees. The Committee observed that the Fund operated without a Board of Trustees since the tenure of the previous board expired on 16th September 2021, contrary to Section 28(4) of the Fishery Management and Development Act, 2016. The Committee recommends that within three months of the adoption of this Report, the Cabinet Secretary responsible for fisheries ensure the Board of Trustees is appointed and functional.

On the Public Service Superannuation Fund, we noted the non-remittance of Employer Pension Contribution. The Committee observed that there was non-remittance of Employer Contribution of Ksh3,871,210,495 for the Financial Year 2021/2022, and Ksh219,999,201 for the Financial Year 2022/2023 had since been paid. However, no evidence was provided to confirm that the accrued penalty charges under Section 6(2) of the Public Service Superannuation Scheme Act, Cap. 189A were paid.

The Committee recommends that within six months of the adoption of this Report, the National Treasury pay the accrued penalty charges for the delayed remittance as provided for under Section 6(2) of the Public Service Superannuation Scheme Act, Cap.189A.

On State Officers and Public Officers Motor Car Scheme Loan Scheme Fund: Low uptake of loans. The Committee observed that the Fund has performed below expectations

since its establishment in 2015. Loan disbursement stood at 1.15 per cent of cash held in the Financial Year 2019/2020, 3.8 per cent in 2020/2021, and 6.6 per cent of current assets at Ksh3,839,194,738 as at 30th June 2023. Management did not set out adequate measures to attract more State officers and public officers to the scheme. The Committee recommends that within six months of the adoption of this Report, the Cabinet Secretary for the National Treasury and Economic Planning undertake an assessment of the viability of the Fund and submits a report to the National Assembly.

On the National Research Fund: Declining funding and material uncertainty on ongoing concerns. The Committee observed that transfers from the Government to the Fund declined by 84 per cent; from Ksh1,838,909,671 in the Financial Year 2018/2019 to Ksh299,886,027 in Financial Year 2023/2024. By Financial Year 2024/2025, the Fund had a negative working capital of Ksh38,736,155, which affected its ability to meet its obligations as they fall due. The Fund also had only 34 of the 74 approved staff. The Committee recommends that the State Department for Science, Research and Innovation review the funding allocation for the Financial Year 2026/2027 to ensure it is adequately resourced to implement its mandate and recruit the required staff. The accounting officer should also explore alternative resource mobilisation strategies to ensure adequate funding.

On Petroleum Development Levy Fund: Budgetary control and performance. The Committee observed that the Fund did not fully utilise its budget in the Financial Years 2018/2019, 2019/2020 and 2020/2021. Under-absorption stood at 27 per cent in the Financial Year 2018/2019, 39 per cent in the Financial Year 2019/2020 and 9 per cent in the Financial Year 2020/2021. This was due to the COVID-19 lockdown measures, non-responsive bids for specialised geographical equipment and planned consultancy services budgeted under the wrong budget line. The Committee recommends that the accounting officer strengthen budget planning and alignment processes to ensure all planned activities are properly matched to the correct budget lines before approving the estimates.

On the Petroleum Training Levy Fund: Long outstanding training levies and surface fees. The Committee observed that training levies and surface fees owed by the nine oil exploration companies that operated 18 oil blocks have remained unpaid, some since 2011. The unpaid amount stood at Ksh3,659,092,840 as at 30th June 2024. In addition, Ksh221,608,214 owed by Lamu Oil and Gas Limited, which was struck off the register of companies on 11th December 2020, remains unrecovered. The Committee recommends that within six months of the adoption of this Report, the accounting officer submit the status of recovery of the unpaid amounts of Ksh3,659,092,840 and Ksh221,608,214 to the Auditor-General for audit verification.

In conclusion, the Committee appreciates the offices of the Speaker and the Clerk of the National Assembly for the support accorded to it in enabling it to fulfil its mandate. The Committee further appreciates the office of the Auditor-General for the services it provided throughout the period, as well as the accounting officers who complied with audit timelines and provided satisfactory responses to queries raised.

I also appreciate my fellow Committee Members and the secretariat, whose immense contribution and dedication to duty enabled the Committee to examine the 19 audit reports and produce this Report. Hon. Temporary Speaker, my Committee has never lacked quorum. We are a Committee of 15 Members. We are either 13, 14 or 15 in all our sittings. We have never been below 13. We never ring the quorum bell. So, I appreciate our Committee Members for their dedication and diligence in serving Kenyans.

I, therefore, request my Secretary General of the largest political party, the Orange Democratic Movement (ODM), a very young Member of Parliament, a very fluent Member of our Committee dedicated to service, Hon. Catherine Omanyoo of Busia County, to second.

The Temporary Speaker (Hon. Farah Maalim): Proceed, Hon. Omanyoo.

Hon. Catherine Omanyu (Busia County, ODM): Thank you, Hon. Temporary Speaker and Chairlady. I second this Motion. We discussed various Funds, but what stood out to me was the settlement of employer pension contributions in the Public Service Superannuation Fund. This is a Fund deducted from employers, set aside and invested during an individual's working life so that in the future, it can provide a regular income when an employee retires.

We noticed when the auditors visited their offices, they had just settled in. All the Committee Members were concerned that public institutions delay remitting the funds deducted from every employee, or sometimes over-rely on the exchequer, especially these public institutions. Other times, when an employee changes their job, there is a leakage in between. So, we recommend that the National Treasury ensures that employer contributions are remitted to the Fund on time. Everybody who is deducted looks forward to a smooth retirement period. Many times, when employees retire, there is a fragile retirement ecosystem with a long bureaucratic process. Somebody has to keep visiting these offices, begging for their rights, to be paid their pensions. Sometimes, in old age, such frustrations can send somebody to an early grave.

We, therefore, recommend that all institutions remit on time. Additionally, when somebody retires, they get their money when they need it. We also thank the President for the directive that once somebody retires, their money should be ready in ten days.

The Temporary Speaker (Hon. Farah Maalim): You beg to second.

Hon. Catherine Omanyu (Busia County, ODM): I beg to second. I ask Prof. Oundo to comment.

(Laughter)

The Temporary Speaker (Hon. Farah Maalim): Order. By now you should be well-versed in how debates are managed in the House.

(Question proposed)

The Temporary Speaker (Hon. Farah Maalim): Hon. Oundo, have you expressed interest in this Motion?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): No.

The Temporary Speaker (Hon. Farah Maalim): Is there any Member who would like to contribute to this Motion? Yes, the Member for Seme, followed by the gracious lady.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. I rise to support the Committee's Report. It has been unearthed that these very important Funds are not being managed with the seriousness they deserve.

When these Funds are being established, the objectives are normally clear and important. In the Committee's Report, we are not enabling these Funds to meet the objectives we established them to undertake. For example, the Equalisation Fund was established when we were putting in place the current Constitution of this country. Many parts of this country were marginalised for many years. Therefore, the regular remission of funds, division of revenue and allocation would not meet their needs. They would continue to lag. Even with the establishment of counties, it was necessary to do more for these specialised areas. Therefore, the Equalisation Fund was established and given a period of 20 years. However, up to now, only Ksh12 billion, out of the Ksh51 billion recommended, has been given out. It is less than a quarter of the total amount. When we realised that some parts of the country needed the Equalisation Fund because they were marginalised, we established the Fund.

I remember we discussed the Equalisation Fund when the Constitution 2010 was promulgated. It was extremely important to acknowledge that some parts of the country lagged. If we followed the regular processes of disbursing funds, these parts of the country would never

catch up. Up to now, out of Ksh51 billion, only Ksh12 billion has been disbursed. When discussions come to the Floor of the House, Members begin to wonder which areas are marginalised. The definition of “marginalised areas” is getting lost. If that definition gets lost, how do we expect the Fund to work?

Hon. Temporary Speaker, the Board of Fish Levy Trust Fund has not been appointed since 2021, which is five years down the line, according to the Committee’s Report. For example, we import fish from China. Amazingly, fish farmed in China, transported by sea, I believe by refrigerated vehicles, and then from the Coast to Kisumu is still cheaper than fish produced in Lake Victoria. Honestly, something is wrong. It is my feeling that this Fund will help improve the productivity of fish in the lakes. We also hear of foreign trawlers that belong to foreign companies in the Indian Ocean. These funds are not being utilised.

For example, in the last two financial years, there was support from the International Fund for Agricultural Development (IFAD) in the State Department for the Blue Economy and Fisheries. It was agreed that fish cages would be built, fingerlings and fish would be provided to farmers, and they would be supported until the first harvest. Cages have been placed in the lake, but with no fingerlings. This money is not being utilised. I do not think the fishermen are being funded. The last Board meeting was held in 2021.

Hon. Temporary Speaker, give me more time to contribute. Public Service Superannuation Fund is people’s livelihood. I believe one reason we have a big problem with corruption is that people in important positions fear they will be poor after they retire. We do not have proper retirement plans. People try to find what else they can do while they are still at work. I believe that if we can have a retirement plan where people can earn 70 per cent or 80 per cent of the income they earned while they are working, they will be contented and more productive. They will not think of getting into fraud or other illegal deals to protect themselves in retirement. Again, we are not looking at that issue.

Let us look at the National Research Fund. Any country that does not research is doomed to die or fail. It will depend on other places forever. The physical world we live in depends on research to find out how the world really works. These research findings promote the manufacturing sector and other industries. How can you have innovations without research? According to the Report of the Committee, the National Research Fund is not working.

We know the problem with the petroleum industry. All these Funds are important. In summary, the Committee’s Report recommends that the Chief Executive Officers (CEOs) and the Principal Secretaries responsible should give a report or act within six months. What makes us believe that something will happen? Since the Committee’s findings are important, they should discuss them with the Committee on Implementation and then summon the responsible officers to explain why these important Funds are not working.

As we discuss this important Report at this late hour, although many Members are not in the Chamber, I support it. I ask the Chairperson of this Committee to please take more action and follow up on why these Funds are not working. We cannot take them for granted. The CEOs and Principal Secretaries should report back to you within six months. Something should be done about the audit Report you have analysed.

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

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. Omanyia. Sorry, it is Hon. Donya.

Hon. Dorice Donya (Kisii County, WDM): I was checking to confirm who Hon. Omanyia is, but it is okay. I am Hon. Donya.

Hon. Temporary Speaker, the Chairperson of the Committee and Hon. Nyikal have mentioned that no board has been constituted to run the affairs of the Fish Levy Trust Fund. I wanted the Chairperson to confirm to the House when they constituted the board of the Fish Levy Trust Fund.

The Temporary Speaker (Hon. Farah Maalim): Let us have Madam Waqo, Member for Marsabit County.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to comment on this Motion. I want to take this opportunity to congratulate the Committee for a job well done. Looking at the Report, it is clear that the Committee was keen in its observations and have come up with recommendation to help our country move forward.

The tabled Report is on the audited accounts for various Funds for a period of seven years, from 2018 to 2025. That is not good for our country. The Committee's recommendation should be adopted. The Committee noted some loopholes here and there and the Chairperson should attend to that to ensure there are no gaps.

The Equalisation Fund is designed to help some of our counties develop or grow to the same level as other counties. Since Independence, some areas have been marginalised and excluded from any kind of development. The Equalisation Fund seeks to provide marginalised areas with water, sanitation, proper roads, health facilities, electricity and basic education. We have observed that county governments control the Equalisation Fund. As a result, projects take too long to be implemented and corruption is rampant. I pray that funds are released to benefit communities and a proper audit is conducted.

The audited accounts of the Petroleum Development Levy Fund are from 2018. They are long overdue. I recommend that audit reports be released annually, so that we can make rectifications on time. I commend the Committee for a job well done. Keep it up, Hon. Fatuma.

I support the Motion.

The Temporary Speaker (Hon. Farah Maalim): For the benefit of the House, those of us who were in the 10th Parliament that enacted or helped in the promulgation of the current Constitution remember that the Equalisation Fund was limited to aiding the Northern Frontier Districts (NFDs) and contiguous districts of Lamu and Tana River. A few other districts were added, particularly in Ukambani. The Equalisation Fund was designed to aid about 14 counties. Currently, the Equalisation Fund covers almost the entire country. It has been watered down, thereby completely eliminating the possibility of genuine equalisation. The underlying premise was that a country that is half developed and half undeveloped will never move in tandem. The Fund sought to bring marginalised areas at par with the rest of the country and ensure they have roads and other infrastructure, which were common in other parts of the country. However, this is politics. Be that as it may, that is the situation we have right now.

Proceed, Hon. Kaguchia.

Hon. Kaguchia John (Mukurweini, UDA): Thank you, Hon. Temporary Speaker. You are very creative and innovative. You never shy off from contributing and enriching debate.

I want to focus on the Public Service Superannuation Fund. I want to thank the Committee for the work they have put into analysing these Funds and presenting reports to the House. This is part of our work as Parliament. I agree with the Committee that we have a very big challenge with employers who do not remit employees' pension deductions. This has become such a big challenge for retirees. Many teachers and other civil servants face problems accessing their retirement benefits. I wonder why the situation continues unabated, yet we have regulatory and supervisory bodies that are supposed to oversee these institutions to ensure that they remit employees' deductions.

Where do those institutions take this money? When institutions come up with their annual budgets, one of the critical inclusions is personal emoluments, which definitely includes pensions. Lack of remittance is very devastating for our citizens. That is why I urge the Committee that apart from pushing for tougher penalties for unremitted deductions, they should also recommend that Government officers who fail to remit those deductions are held personally responsible and accountable. They cause retirees untold suffering. A retiree foregoes

a portion of their salary to secure their retirement only to be told once they retire that their employer did not remit any funds. We cannot normalise that. Parliament must take such actions very seriously and put in place stiff penalties against Government officers who do that.

I cannot conclude without mentioning a trend taking root in our country that we should discourage. Retirees' pension contributions ought to be easily liquidated whenever the retirees need the money. Therefore, the funds should be invested prudently so that they can be easily liquidated when necessary. We also need to be careful about the interest rates on the investments. We have seen some of this money being directed towards capital projects.

For example, consider the Ksh25 billion borrowed from the National Social Security Fund (NSSF) and invested in a road construction project. When these retirees need their money, will we be able to liquidate the investment in the road construction project? At what point do we conduct public participation, as provided under Article 10 of the Constitution, to allow retirees to give their views on investing their money in capital-intensive projects from which it cannot easily be liquidated?

For that reason, I urge this Committee to recommend the areas in which pension funds can and cannot be invested. If the funds have to be invested in such projects, there must be extensive consultations and public participation. Retirees themselves must be involved, and not merely their spokesmen, because some of these spokesmen sometimes pursue their own interests rather than those of the majority. All in all, I congratulate the Committee for a job well done and fully support this particular recommendation.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Member of Parliament for Trans Nzoia County.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Temporary Speaker. I also rise to contribute to this Motion. Unfortunately, somebody retires expecting to receive their pension and start a business or undertake other business activities, yet this has been a longstanding complaint among many retirees, especially teachers. I do not know what happens, but I believe that when someone is about to retire, their documentation should be prepared and their dues processed well in advance. We already know when someone is due to retire, and the Government should, therefore, be sufficiently prepared to ensure that they receive their money on time.

We have lost lives, and people have suffered and even experienced depression while waiting for what is rightfully theirs. Instead of receiving their money in full and without complications, some are forced to resort to bribery to obtain their dues. Very often, the Ministry says that it cannot locate a file. One wonders where the file went, who is responsible for keeping it and why it has to be searched for when someone is waiting for their dues. It is high time we respected retirees and paid their dues on time, instead of making them beg before they can receive what is theirs. I believe we need clear laws to ensure that these people receive their dues on time.

The Temporary Speaker (Hon. Farah Maalim): Hon. Wandeto Geoffrey, Member of Parliament for Tetu.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Temporary Speaker. I also rise in support of the Report. I would like to speak a little more about the plight of retirees. As many Members have said, our offices are flooded with people who tell us that they retired three or five years ago and are still waiting for their pensions. I have even met retirees who are still following up on their pensions 20 years later. This House has a responsibility, as we debate this Report, to correct some of the wrongs that continue to persist in the pensions department, especially the one dealing with Government pensions. The teachers' pension system has also become contentious. Teachers did not previously have to wait so long, and the process was more structured. However, it is now facing similar problems to those at Bima Towers, where

retirees tell us that they have to part with huge sums of money to get meaningful assistance from those offices.

In this country, the problem of pensions and benefits begins not only when someone retires or needs those benefits. Some of the problems begin during the contribution period. For example, we are all aware that many counties do not remit statutory deductions, including the Housing Levy and pension deductions. That is where the problem usually begins. This House should consider making the law more specific on penalties and accountability for those who fail to remit deductions on time. I know the law already covers this, but we can be more specific about accountability for governors, principal secretaries, who are the accounting officers in their respective departments, and chief executive officers of parastatals and other State agencies. The officials in charge of pensions at Bima House and elsewhere must also be held personally accountable. We need to be clear that when someone retires, they must receive their pension within 60 days.

I remember the President recently spoke about this. I am not sure whether he said that pensions should be paid within 14 days or 10 days. Sometimes, the President makes promises that are not followed through, either because the people working under him do not have the means to implement them or because they do not believe in those promises. As a result, they hardly follow up on some of the things he says. He spoke about 10 days, but I do not think I have met a pensioner who received their pension within 10 days of leaving office.

As we consider these Funds, we must remember that people are paid handsomely from the exchequer to ensure that the Funds are well managed and adequately funded. Why are these people being allowed to fail poor Kenyans? As we discuss these Funds, from the Fish Levy Trust Fund, the Equalisation Fund, the Public Service Superannuation Fund, and the Petroleum Training Levy Fund, it is important that those placed in charge understand that they have a responsibility and a duty to Kenyans. They must ensure the full utilisation of these Funds and the timely delivery of the services for which they were established.

I rise to support the Report, but I urge this House and its Members to do more to ensure that these Funds live up to the expectations for which they were created.

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, I do not see any other interest. Under the circumstances, I will put the Question. Hon. Fatuma, you may simply say, "I beg to reply," if you do not have much to say.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker. I thank all Members who took the time to contribute to this Motion. All the Motions in which we have participated have been very important to this country, and I am grateful to all of you.

I beg to reply.

(Question put and agreed to)

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

ADOPTION OF REPORT ON PEACE AND SECURITY
ENGAGEMENT IN ISIOLO COUNTY

THAT, this House adopts the Report of the Committee on National Cohesion and Equal Opportunity on peace and security engagement in Isiolo County, laid on the Table of the House on Wednesday, 1st July 2026.

The Temporary Speaker (Hon. Farah Maalim): I cannot see the Chairman of the Committee on National Cohesion and Equal Opportunity in the House.

I direct that Order No.14 be deferred to a date in the future when the Chairperson, Hon. Yusuf, will be in a position to prosecute it.

(Motion deferred)

Next Order.

ADOPTION OF 16TH REPORT ON AUDITED ACCOUNTS OF
NG-CDF BOARD AND NG-CDF FOR
FYs 2022/2023 TO 2024/2025

THAT, this House adopts the Sixteenth Report of the Decentralized Funds Accounts Committee on its consideration of the audited financial statements of the National Government Constituencies Development Fund Board & the National Government Constituencies Development Fund (NG-CDF) account for the Financial Years 2022/2023, 2023/2024 and 2024/2025, laid on the Table of the House on Tuesday, 6th October 2026.

The Temporary Speaker (Hon. Farah Maalim): I am also made to understand that the Chairperson is not in to move that Motion. I direct that this matter be listed on the Order Paper at an appropriate moment in the future when the Chairperson of the Committee is in a position to prosecute it.

(Motion deferred)

Next Order.

BILLS

Second Readings

THE INVESTMENT AND EXPORT PROMOTION AUTHORITY BILL
(National Assembly Bill No. 37 of 2026)

The Temporary Speaker (Hon. Farah Maalim): Leader of the Majority Party, are you also under instructions to defer this matter?

I direct that Order No.16 be deferred to a date in the future when the Leader of the Majority Party will be in a position to prosecute it.

(Bill deferred)

Next Order.

THE TOURISM (AMENDMENT) BILL
(National Assembly Bill No. 41 of 2026)

The Temporary Speaker (Hon. Farah Maalim): I am also made to understand that we are not in a position to prosecute this Bill. Therefore, it will be listed on the Order Paper at a future date when the Leader of the Majority Party will be able to prosecute it.

(Bill deferred)

Next Order.

THE KENYA ECONOMIC ZONES BILL
(National Assembly Bill No. 46 of 2026)

The Temporary Speaker (Hon. Farah Maalim): The same fate also befalls this matter. I direct that it be listed on the Order Paper at a future date when the Leader of the Majority Party will be able to prosecute it.

(Bill deferred)

Hon. Members, is there any other business?

(Hon. Gideon Mulyungi spoke off the record)

Hon. Mulyungi, you came in after I had disposed of your matter. You will have to wait for another date in the future.

ADJOURNMENT

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, the time being 5.43 p.m., this House stands adjourned until tomorrow, Thursday 22nd October 2026 at 2.30 p.m.

(The House rose at 5.43 p.m.)

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