



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. IV NO. 63

THE HANSARD

Wednesday, 23rd July 2025

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

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

(The Quorum Bell was rung)

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

(Hon. George Murugara, Hon. Mwengi Mutuse and Hon. Rahim Dawood consulted loudly during and after prayers)

Hon. Speaker: Order, Hon. Murugara, Hon. Mutuse and Hon. Dawood. I take great exception to the fact that when the Speaker was praying, you were engaged in loud and audible conversations. A prayer is a very solemn moment, whether in Parliament or in your bedroom, car, church or mosque. Some of us take prayer very seriously because it is the single moment you are in communication with your God.

Please, do not do that again.

(Several Members spoke off the record)

You are guilty by association.

(Laughter)

Hon. Members, this is not only for Hon. Murugara and Hon. Mutuse but also it is for all of us. We all believe in God. Our Constitution starts by saying we respect God of all creation. This is what we do. We only take two minutes to place ourselves before God before we start our business. You can fight thereafter. It does not matter, but we must start by supplicating and surrendering our will to God.

Yes, Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Speaker. On behalf of these three Members of Parliament and the Departmental Committee on Justice and Legal Affairs, we apologise profusely for consulting loudly as the prayer was going on. It is about an issue that had come regarding our Committee. I do not know why we could not withhold ourselves. We apologise for that.

Hon. Speaker: Thank you.

Hon. George Murugara (Tharaka, UDA): To err is human. We are human beings who are subject to erring.

Thank you.

Hon. Speaker: Thank you. I believe that in the face of God, everything can wait.

(Applause)

Go on.

PAPERS

Hon. Speaker: Leader of the Majority Party. Hon. Pukose, are you the agent of necessity?

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Speaker, on behalf of Leader of the Majority Party, I beg to lay the following Papers on the Table:

1. Legal Notice No.91 of 2025 relating to the County Licensing (Uniform Procedures) Regulations, 2025 and the explanatory memorandum from the Ministry of Investments, Trade and Industry (to be referred to the Committee on Delegated Legislation).
2. Reports of the Auditor-General and financial statements of Endebess Technical Training Institute for the years ended 30th June 2018, 30th June 2019, 30th June 2020, 30th June 2021, 30th June 2022, 30th June 2023 and 30th June 2024, and the certificates therein.
3. Report of the Auditor-General and financial statements of Total Technical and Vocational College for the year ended 30th June 2021 and the certificate therein.
4. Reports of the Auditor-General and financial statements for the year ended 30th June 2023 and the certificates therein in respect of:
 - (a) Borabu Technical Training Institute;
 - (b) Emurua Dikirr Technical Training Institute; and,
 - (c) Kitutu Masaba Technical and Vocational college.
5. Reports of the Auditor-General and financial statements for the years ended 30th June 2023 and 30th June 2024 and certificates therein in respect of:
 - (a) Eming Technical Training Institute;
 - (b) Karen Training Institute for the Deaf; and,
 - (c) Lungalunga Technical and Vocational college.
6. Reports of the Auditor-General and financial statements for the years ended 30th June 2024 and certificates therein in respect of:
 - (a) Kiambu High School;
 - (b) Loreto Kiambu Girls High School;
 - (c) Moi Girls School, Nairobi;
 - (d) Murang'a High School;
 - (e) Our Lady Consolata Mugoiri Girls High School;
 - (f) St. Anne's Secondary School, Lioki;
 - (g) St. Barbara Tala Girls High School;
 - (h) St. Josphine Bakhita Masinga Girls High School; and,
 - (i) Thika High School.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Next Order.

QUESTIONS AND STATEMENTS

Hon. Speaker: Hon. Members, can I confirm from the Majority Party leadership if the Cabinet Secretary for Roads, Transport and Public Works is coming? I have been told that he is already here. So, Members with questions for the Cabinet Secretary for Roads, Transport and Public Works, be ready. We will get to that. Let us deal with the Statements.

Hon. Gonzi Rai, hold your horses. Allow me to acknowledge, in the Speaker's Gallery, Koibeiyon Secondary School from Bomet East Constituency, Bomet County; and Nkumari Secondary School from South Imenti Constituency, Meru County. In the Public Gallery, we have Emampariswai School from Kajiado East Constituency, Kajiado County; Mutira Primary School from Kirinyaga Central Constituency, Kirinyaga County; Elster Mixed Secondary School from Dagoretti North Constituency, Nairobi City County; and Kids Palace Shalom from Dagoretti South Constituency, Nairobi City County. I have been requested for a chance by the Member for Dagoretti North to welcome the students from her constituency. She can do so on behalf of all of us.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. Allow me to welcome all the students to the august House and to appreciate that we have a sitting today. I wish to inform them that, in this House, each one of us has a story. That story reflects the hard work that brought us to where we are today. I want to thank Elstar Primary School. I saw the fantastic videos. It is clear that we have brilliant future journalists amongst you. I would like to tell all of you that, in anything we do, the first thing we must embrace is respect. When you earn respect, people will respect you in return.

We were all taught very simple values in school. One was to say "sorry", another was to say "thank you", and another was to appreciate our parents. I urge you, as you continue with your education, to always appreciate your teachers and your parents. They are your first line of support in life, and they will help you become who you want to be. Anything is possible for you in life. If you decide to become the President of the Republic of Kenya, it is possible. It is for you to decide. If you choose to fail in life, that too is a possibility. It is up to you.

As my students and my children today, I wish you well. I thank your teachers and I pray for those who are in Form Four. We wish you success. We want you to pass. We want you to join university and, one day, come back to serve Kenyans the way we are doing today. God bless you, and I wish you well as you return.

Thank you.

Hon. Speaker: Thank you. Hon. Yegon, you have half a minute. I thought I had asked Hon. Elachi to speak for all of you but, please; proceed for half a minute.

Hon. Richard Yegon (Bomet East, UDA): Thank you, Hon. Speaker, for also giving me this opportunity. I would like to take this chance to welcome all the students to this august House. The students from Koibeiyon Secondary School, you are most welcome. As has been said by my colleague, Hon. Elachi, we all ought to do well in life. I want to say to all the students, let this be a learning experience for you. Know that the sky is the limit. You might find yourselves in this august House in the future, or even holding other high offices in this country. I welcome you again.

Thank you very much.

Hon. Speaker: Member for Dagoretti South, Hon. KJ, you have half a minute.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Speaker, I take this opportunity to welcome all the learners from the various schools present today. In a special way, I also welcome Kids Palace from Dagoretti South Constituency.

I have one message for these learners. By the time you are of age to come to Parliament, the world will have changed drastically. One of the key drivers of that change is technology. Computers are learning at a rate faster than humans. Therefore, you must identify the one thing you can do better than computers. Computers will compute. S

Use your time in school to understand that you must become more human, as computers become more computerised. How do you achieve that? Do not leave school without mastering critical thinking. Learn logic and problem-solving. Develop emotional intelligence and empathy, and be patriotic.

Those four soft skills are areas in which computers will never outperform you, because the one thing a computer can never be is human. But if you do not become fully human, the computers will computerise you more than you will humanise them. Welcome to the august House. This is where decisions for this country are made. We exist for the welfare of society and the just governance of the people. That is our mandate – to solve the problems that affect our people.

Thank you very much.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT

Hon. Speaker: Hon. Gonzi Rai.

DISAPPEARANCE OF MR CHARO MAE KARISA

Hon. Gonzi Rai (Kinango, PAA): Hon. Speaker, pursuant to the provisions of Standing Order No.44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the disappearance of Mr Charo Mae Karisa.

Mr Charo Mae Karisa of ID No.23108474 is a resident of the Samburu-Kibaoni area in Kinango Constituency, Kwale County, and worked as a mechanic in Malindi, Kilifi County. On 16th July 2024, as he was travelling from Mombasa to Malindi, he was abducted by unknown individuals allegedly attached to the National Intelligence Service. It is also alleged that the abduction of Mr Karisa Mae may be linked to a case in which he was implicated in the killing of a security officer at his workplace.

Efforts by the family of Mr Karisa Mae to establish his whereabouts have been futile. It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. A report on the investigations into the disappearance of Mr Charo Mae Karisa, including an indication of whether any security agency is holding him; and,
2. The steps taken by the Ministry of Interior and National Administration to prevent enforced disappearances and guarantee the rights of arrested persons as envisaged under Article 49 of the Constitution.

Thank you.

Hon. Speaker: Chairperson of Departmental Committee on Administration and Internal Security, Hon. Tongoyo, when can you bring a response?

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Speaker. We shall be able to provide the response in two weeks' time.

Hon. Speaker: No, a Kenyan has disappeared without a trace. I give you one week to bring at least some preliminary explanation.

Hon. Gabriel Tongoyo (Narok West, UDA): I am most obliged, Hon. Speaker. However, I seek your indulgence. The Hon. Member has alluded to forced disappearance, and I believe we should be responsible enough not to draw conclusions before any investigation or formal response is issued.

Hon. Speaker: Your answer will address or reverse the allegation.

Hon. Gabriel Tongoyo (Narok West, UDA): Very well. I am well guided.

Hon. Speaker: Yes. You can bring a response next Wednesday afternoon. Hon. Members, as you are aware, in the past one week we have lost two former Members of this House: The Hon. Phoebe Asiyo and the Hon. Catherine Mora Nyamato. The Members from the constituencies where our late colleagues hailed from, Hon. Okuome and Hon. Steve Mogaka, have requested for opportunity to make Statements in that regard. I shall allow them to do so. Thereafter, I shall give the House ten minutes---

(Hon. (Dr) Otiende Amollo spoke off the record)

Yes, Hon. Otiende Amollo.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Speaker. I wish to bring to your attention, and I also brought it to the attention of the Clerk, that there is another former Member who served with you. He was the first Member of Parliament for Rarieda, the late Hon. Bob Jalang'o Nyanduga, who also passed away last week.

Hon. Speaker: Bob Jalang'o died? I was not aware.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Yes, four days ago. Therefore, I was requesting that, as you give other Members the opportunity, you also include him in that list.

Thank you.

Hon. Speaker: Then you may begin. You have two minutes.

TRIBUTES TO THE LATE HON. BOB JALANG'O NYANDUGA, THE LATE HON. CATHERINE MORA NYAMATO AND THE LATE HON. PHOEBE MUGA ASIYO

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Speaker. We lost the Hon. Bob Jalang'o Nyanduga, who was the first Member of Parliament for Rarieda. He served for one term, and I am speaking specifically of that term, his term. Hon. Speaker, as has become the fate of many Members who serve only one term, he was not financially well-endowed and he actually suffered. This is a case for why we, as Members of Parliament, should invest in the post-service endowment scheme that we initiated previously.

He hailed from Rarieda, from a place called Asembo, and he was also the brother of another Member who served in this House, the Hon. Grace Ogot. During his tenure, he laid the foundation upon which subsequent Members continued to build. After him, Hon. Achieng' Aneko served, and he also passed on. Thereafter came Hon. Odenyi Ngure, who also passed on, followed by Hon. Raphael Tuju, who is alive, and then Hon. Nicholas Gumbo, who is also alive. Now, it is myself who has taken over, and I do not intend to leave that seat anytime soon.

(Laughter)

This should also serve as notice to those who think they wish to come to this august House, that Otiende Amollo is not leaving any time soon.

We need to honour these Members. Serving as a Member of Parliament is a sacrifice that most people do not understand. One sacrifices their family, their finances, and the pleasures of life in order to serve the people. The least we can do for those fallen Members, who are now departed and often forgotten, is to acknowledge and honour them.

Thank you.

Hon. Speaker: Hon. Mogaka Steve.

Hon. Stephen Mogaka (West Mugirango, JP): Thank you, Hon. Speaker, for giving me this opportunity to make a statement on the first woman from the Gusii community to ever step in this Parliament.

Hon. Speaker, pursuant to the provisions of Standing Order No.259D(2)(b), I rise to pay tribute to the former Nominated Member of Parliament, the late Hon. Catherine Moraa Nyamato, also known as Ekerebi, who passed away on 16th July 2025.

The late Hon. Catherine Moraa Nyamato, who was born on 28th February 1949, joined politics in 1997 as a Nominated Member through the then ruling party, KANU, and she served diligently until 2002. During her tenure in Parliament, she was a fearless advocate for gender equality, civic education, and women's rights. She also campaigned relentlessly against early marriage, female genital mutilation (FGM) and low literacy amongst girls. The late Hon. Nyamato continued to advance women's rights beyond politics as the Secretary-General of the League of Kenya Women Voters Caucus, where she was instrumental in the establishment of civic forums for women's political participation.

She was born at Nyabite Market, where I was also born, and she is my cousin, as well as cousin to the most flamboyant Member of Parliament from West Mugirango, the late Hon. George Justice Morara, who died in a suspicious road accident. Her contribution to the nation will forever be cherished.

On my own behalf and that of the people of my Constituency, I take this opportunity to condole with her family, relatives, friends and the people of Kenya at large, for losing such a dedicated woman leader.

May her soul rest in eternal peace.

Hon. Speaker: Hon. Okuome.

Hon. Adipo Okuome (Karachuonyo, ODM): Thank you, Hon. Speaker, for allowing me to make a statement on the demise of the late former Member of Parliament for Karachuonyo, Hon. Phoebe Muga Asiyo.

Pursuant to the provisions of Standing Order No.259D(2)(a), I rise to pay tribute to the former Member of Parliament of Karachuonyo. The late Hon. Phoebe Muga Asiyo passed away on 17th July 2025.

The late Hon. Phoebe Muga Asiyo, born on 12th September 1932, began her career as a teacher after completing her studies. She then became the first female Senior Superintendent of Prisons in 1963, where she spearheaded various rehabilitation programmes.

The late Hon. Asiyo's passionate advocacy for women's rights enabled her to rise through the ranks and become the first African woman to chair the Maendeleo ya Wanawake Organisation in 1958. *Mama* Asiyo was a pioneer and trailblazer. She was also the first Senior Superintendent of Kenya Prisons, the first woman elder among Luo elders, the first Goodwill Ambassador of the United Nations Development Fund for Women (UNIFEM), and commissioner in the Constitution of Kenya Review Commission. She received honorary doctorates from Lehigh and York Universities. The Government of Kenya recognised her with an Order of the Grand Warrior (OGW).

The late Hon. Asiyo later ventured into politics in 1979 when she vied to be the Member of Parliament of Karachuonyo Constituency. She was elected and served until 1983. She served her second term of Parliament from 1992 to 1997. The late Hon. Asiyo was instrumental in pushing for gender reforms, including affirmative action that sought to address domestic violence, widow disinheritance, and electoral violence against women, child marriage, and female genital mutilation.

Prompted by exclusion of women from Kenya's politics, she introduced a Motion on affirmative action in 1997. She is hailed for being the originator of the two-thirds gender principle that was later anchored in the Constitution of Kenya, 2010.

Her contribution to women and the nation at large will forever be cherished. On my behalf and that of my constituents, I take this opportunity to condole with the family of the late Hon. Asiyo, her relatives, friends, and the people of Kenya at large.

May her soul rest in eternal peace.

Hon. Speaker: Thank you, Hon. Okuome. Hon. Members, I will give 10 minutes for tributes. Whomever I give a chance will have one minute.

Let us start with Hon. Martha Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you for the opportunity, Hon. Speaker.

I join Hon. Members in eulogising the great former Members of this House; Hon. Catherine Nyamato and Hon. Phoebe Asiyo. They have been trailblazers in the fight for women's rights in this House. In fact, if it were not for their successes, some of us would not be here as beneficiaries of affirmative action and people who have set pace.

Coming from the area where Hon. Catherine Nyamato came from, apart from affirmative action seats, I think she is the only woman ever to sit in this House. Where she comes from, people do not elect women to this House. Therefore, I think she started a good fight.

Hon. Phoebe Asiyo was a trailblazer. She was a UNIFEM ambassador. Actually, she was elevated to be an elder in the Luo community because of the work she had done. More importantly, she was the original Chair of Maendeleo ya Wanawake that has fought and set the pace in the country. It is sad that we have lost her. However, the benefits will be seen from now going forward.

Hon. Speaker: Thank you. Hon. Mawathe!

(Laughter)

There is also a man on the list, Bob Jalang'o.

Hon. Julius Mawathe (Embakasi South, WDM): Thank you, Hon. Speaker. I also join other Members in eulogising these heroines who served in this House, especially a person whom I met and knew very well, Hon. Phoebe Asiyo.

We, the Umeme FC, went to play in Kendu Bay under the leadership of Hon. Joe Akech. Hon. Phoebe Asiyo was campaigning for her second term. She was a strong leader. We adored her and watched her on television. She brought many positive things, and she continued to fight. She would always talk about the need to have additional or many female leaders every time she spoke.

Hon. Speaker: Hon. Millie Odhiambo. You have one minute. Stick to it.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Can I have two minutes, please?

Hon. Speaker: You have one minute.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. Even though you are giving me only one minute, in this House, I think I am the person who knows the two former Members very well.

Hon. Speaker: Not more than me.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): I know them more than you do. Hon. Speaker, I have known Phoebe Asiyo since I was 11 years old. That is why I was saying one minute is too short for me. Through her life, she persuaded me to join politics. I watched her going through campaigns, and she won by a landslide.

Because of the short time I have been given, let me say that she was actually like a second mother to me. Hon. Nyamato was a very good friend to me. I have even visited them and slept at their rural homes. They were very well known to me. Hon. Phoebe Asiyo is the reason we have most of the women here, especially on affirmative action.

Hon. Speaker: Yes, Hon. Osoro. Avoid any preliminaries and stick to the point.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you very much. With the pressure to speak within one minute, I also join my colleagues in condoling the families of the Hon. Phoebe Asiyo and Hon. Catherine Nyamato.

Hon. Nyamato remained a pillar in the Gusii community. As a pioneer female Member of Parliament, she remained a role model to the girl child. She traversed the entire Gusii region motivating ladies to contest for elective seats or acquire leadership skills. The Gusii nation has lost a very strong woman.

May her soul rest in eternal peace.

Hon. Speaker: Hon. Bensouda, you have one minute.

Hon. Atieno Bensouda (Homa Bay County, ODM): Thank you, Hon. Speaker for giving me this opportunity to eulogise the late Hon. *Mama* Phoebe Asiyo Muga, on behalf of Homa Bay County. She was my mother. I come from Karachuanyo Constituency, where I am married.

I want to register in this House that the late Hon. Phoebe Asiyo Muga told me that it was time to resign as the County Executive Committee (CEC) Member for roads in Kisumu County and come back home to work. She directed me to be mentored by the Whip of the Minority Party, Hon. Millie Odhiambo. Hon. Millie Odhiambo had to travel from Nairobi to sit me down for three hours.

Hon. Speaker, Hon. *Mama* Phoebe Asiyo was a trailblazer and a woman of action. She had tactful strategies of politics. She knew the power of the wooden stick and she knew the---

Hon. Speaker: I can see how Hon. Millie taught you. Let us have Hon. Sabina Chege.

Hon. Sabina Chege (Nominated, JP): Thank you, Hon. Speaker. I want to join my colleagues in conveying my condolences to the families of departed Hon. Members.

I had met Hon. Phoebe Asiyo. I join the other lady Hon. Members to say that she set the pace for us. The onus is now on us, the women Members of Parliament, just as Hon. Millie had to travel all the way to Homa Bay to mentor a lady. Those ladies have done their work and it is upon us to make sure that we inspire and mentor as many girl children as possible so that they can follow our footsteps. One day, we will be gone and we will need more ladies. I look forward to a day where the two thirds gender rule will be actualised and it will be men looking for it, and not women.

I thank you, Hon. Speaker.

Hon. Speaker: Yes, Julius ole Sunkuli.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Speaker, I also join in condoling upon the death of Hon. Phoebe Asiyo, Hon. Catherine Nyamato, and Hon. Bob Jalang'o. The first two were well known to me because they were members of my party, Kenya African National Union (KANU). They were nurtured by the party and were part of the both KANU and Kenya. In particular, Hon. Phoebe Asiyo was a model for many people in Kenya who wanted to aspire to ethical leadership. She was a strong debater in this House and I still recall how she did it from that side of the House.

Hon. Nyamato was equally a member of our party. We served together in Parliament and I wish her a good rest.

Hon. Speaker: *Omong'ina.*

Hon. Jerusha Momanyi (Nyamira County, JP): Thank you, Hon. Speaker, for giving me an opportunity to condole with the families of the departed. I come from Nyamira, where Hon. Nyamato was born and married. I want to tell the world that Hon. Nyamato was like Dorcas of the Bible. When she died, most of the women she had mentored came carrying whatever she had given them. I want to tell this House that we have lost a woman we will never get again in Kisii land. It is very hard for women to be elected there, but when she came to this House, she showed the world that the women of Kisii could work and can fight for their siblings' rights. She fought for the girl child's rights.

Hon. Speaker: Hon. Zamzam.

Hon. Zamzam Mohammed (Mombasa, ODM): Mhe. Spika, ninatoa rambi rambi zangu kwa familia ya mwenda zake Phoebe Asiyo. Alikuwa mama aliyetupa akina mama wote

Kenya nzima nguvu za kusonga mbele. Leo katika Bunge hili tunajivunia kwa sababu ya matunda ambayo aliweza kuyapanda.

Kwa hivyo ninatoa pole zangu kwa familia na Mwenyezi Mungu amuhifadhi na wema. Anapokwenda ajue zile mbegu alizopanda bado ziko kwa wakenya na mioyo ya akina mama wa taifa hii.

Asante sana.

Hon. Speaker: Hon. Nyikal.

Hon. Dr James Nyikal (Seme, ODM): Thank you Hon. Speaker for giving me an opportunity to pass my condolences, on behalf of myself, the people of Seme and my family to the families of the late three former Members. As a House, we have to think about the number of deaths that we are experiencing. I was able to meet Hon. Nyamato when I was a paediatrician in Kisii. I knew her commitment to public service.

Bob Jalang'o was a trailblazer when the constituency started and also in the diplomatic circles. You must have known that with him. For Hon. Phoebe Asiyo, what I remember most about her is the issue of the girl child and gender issues. Her leadership on the girl child matters was so successful that we are now asking, what about the boy child? We have to look at the boy child in remembrance of her.

Hon. Speaker: Hon. Members, we will end with here. Let us have Hon. Jayne Kihara.

Hon. Jayne Kihara (Naivasha, UDA): Thank you very much Hon. Speaker for giving me this minute.

Hon. Speaker, I know the two women and I wish to eulogise with their families. I was with Hon. Phoebe Asiyo in Maendeleo ya Wanawake when it was working and helping women. I met her this year. I was with Hon. Nyamato in NARK-Kenya. She was the women's leader. At some stage, I thought she was going to get that seat because she really worked hard. I worked with the two of them and I knew them. Hon. Phoebe Asiyo was in our many women forums as a mentor and as a guest speaker. She had done a lot of work for the women of this country.

We ask God to rest them in peace in Heaven.

Hon. Speaker: I want to close here, you good ladies. I know some of you did not even know the women being eulogised.

(Laughter)

Let us have the Chairperson of Kenya Women Parliamentarians (KEWOPA). After you, we will close with Hon. Ruweida and the lady from Nyamira.

Hon. Leah Sankaire (Kajiado County, UDA): Thank you very much, Hon. Speaker. I rise to eulogise the fallen heroes, especially Hon. Phoebe Asiyo, who actually laid the foundation of the two-thirds gender principle, which remains central in our ongoing pursuit.

On behalf of KEWOPA and all the women of Kenya, I pass our sincere condolences to the family.

We pray for their souls to rest in peace.

Hon. Speaker: Thank you. Hon. Ruweida.

Hon. Ruweida Mohamed (Lamu East, JP): Asante, Mhe. Speaker. Ninachukua nafasi hii kwa niaba yangu, familia yangu na watu wa Lamu Mashariki, kutoa rambi rambi zetu kwa mashujaa wetu wa kike. Zaidi, ninatoa rambi rambi zangu kwa kwa familia ya Mhe. Phoebe Asiyo. Tunamkumbuka kwa Maendeleo ya Wanawake. Alikuwa kipau mbele kupigania haki za binadamu, na haswa haki za akina mama. Matokeo yake yameonekana.

Sisi akina mama hata mashinani tunamkumbuka kwa Maendeleo ya Wanawake, ambayo ilisifika sana. Hatasahaulika kwa hayo. Kama wengine wetu ambao tulipata *affirmative* kuingia hapa kama *Women Representatives*, ni juhudzi zake na zitaendelea kuzaa matunda. Hata

kama ye ye atakuwa mbele ya Mwenyezi Mungu, sisi hapa, In Sha Allah, tutaendeleza yale mazuri aliyokuwa akiyafanya.

Asante.

Hon. Speaker: Hon. Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker for giving me an opportunity to give my tribute to the three Hon. Members, namely; Hon. Catherine Nyamato, Hon. Phoebe Asiyo, and Hon. Bob Jalang'o. More specifically for Hon. Catherine Nyamato, I would like to salute her because she was the first woman nominated from Bogichora Ward in West Mugirango. I am the second one from the same ward and the same constituency. Other than that, Catherine was a mentor to most of us. She gave us a lot of wisdom, and she also guided us in our political journey.

I also do the same to Hon. Phoebe Asiyo, who was a trailblazer, and who also really helped and held the hand of so many women. Therefore, Hon. Speaker, to those amazing women and for their sake, we will ensure that we continue with this fantastic job that they have given us.

May their souls rest in peace.

Hon. Speaker: Hon. Osero, you are the very last on this matter.

Hon. Patrick Osero (Borabu, ODM): Hon. Speaker, for the avoidance of doubt, I would like to inform the House that following Hon. Catherine Nyamato's nomination as a woman, the second woman to be nominated is Hon. Irene, who is present with us here. I would also wish to inform the House that the burial will be conducted in my constituency, Borabu, on the 8th. She was born and raised in Hon. Stephen Mogaka's constituency, but has been living in Borabu, where she will be interred.

Thank you.

Hon. Speaker: Thank you, Hon. Members. Yours truly had the honour of serving with all the three deceased Members. No one has mentioned that the late Hon. Phoebe Asiyo shook the country by defeating the dreaded Okiki Amayo during her bid to join Parliament.

(Hon. Millie Odhiambo-Mabona spoke off the record)

Order, Hon. Millie. I did give you time, but you had too many preliminaries and were unable to make your point.

Hon. Members, I now ask all of us, including the students in the Gallery, to be upstanding to observe a minute of silence in honour of our three departed colleagues: Bob Jalang'o, Phoebe Asiyo Muga and Catherine Mora Nyamato.

(Hon. Members stood in their places to observe a moment of silence)

May their souls rest in eternal peace. Amen.

Hon. Millie, unfortunately, they are all from Nyanza. You may wish to know that when terrorists hit Garissa University, I buried nine students from my county Bungoma, in one day. The French say, *c'est la vie*.

QUESTIONS AND STATEMENTS

Hon. Speaker: Hon. Members, we will now move to Order No. 7 on Questions and Statements. The Cabinet Secretary is in the House. We shall begin with Questions. Each questioner will have one supplementary question, along with two joyriders. Hon. Beatrice Adagala, you will start.

Hon. Cabinet Secretary, your response must be concise and precise so we can use our time effectively.

Before you ask your question, Hon. Adagala, I wish to acknowledge the presence of students in the House today. In the Speaker's Gallery, we have St. Faustin Kirogo from Kirinyaga County and Yaa Girls High School from the Central region. In the Public Gallery, we have St. Peter's Girls from Molo Constituency, Nakuru County; New Kihumbuini Junior School from Westlands Constituency, Nairobi County; MOCK Kibuka Primary from Tharaka Constituency, Tharaka Nithi County and Golden Garden School from Juja Constituency in Kiambu County.

On my behalf and that of the entire House, I warmly welcome the students, their teachers and those accompanying them to Parliament.

Hon. Adagala, you may proceed.

Question 13/2025

STATUS OF CONSTRUCTION OF SHAMAKHOKHO-GISAMBAI ROAD IN VIHIGA

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Speaker.

Could the Cabinet Secretary-

- (a) Provide the status of construction of Shamakhokho-Gisambai road and the steps being taken to ensure its completion.
- (b) Clarify whether the contractor responsible for the road project received full payment, and whether due process was followed in the payment process.
- (c) Outline the measures taken by the Ministry to address structural defects such as cracks and sliding grounds along the road, particularly around Kisigiwa.
- (d) Provide the timelines for the construction of the said road.

Thank you.

Hon. Speaker: Hon. Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Hon. Speaker and Hon. Members of this honourable House, good afternoon.

Let me respond briefly to *Mheshimiwa's* question regarding Gisambai-Hamisi-Senende-Shamakhokho Road Junction Project. I wish to state that the project is currently 95.4 per cent complete, with 13.7 kilometres of the project road upgraded to bitumen standard. Additionally, the bridge section which spans 12 metres, is also complete including backfilling.

I am pleased to confirm that works have fully resumed and are ongoing, following the release of the most recent 40 per cent payment of outstanding amounts owed to the contractors for a long time referred to as "pending bills" in the road sector. This payment has enabled full resumption of work.

As of today, the contractor has been paid a total of Ksh698,388,457 out of the certified Ksh827,470,454 - representing 84.4 per cent of the total payment. The most recent disbursement, being the 40 per cent, amounting to Ksh105,440,875, was made in April 2025, as part of the settlement of pending bills. We acknowledge that there is still an outstanding balance of about Ksh262 million to be paid. The Ministry wishes to assure this House that all payments for this project have been made procedurally, in full compliance with contract terms and legal requirements.

Regarding the third concern, we are aware that certain sections of the road between kilometre 5+300 metres and 420 metres in Kisigiwa experienced a minor landslide due to heavy downpour in the region, which caused damage to the drainage systems. In response, the

contractor was instructed to carry out remedial works and has already resumed activity on site. They are currently mobilising materials and equipment to complete the necessary repairs.

It is envisaged that completion will be by the end of August due to the ongoing April and May rains which delayed the contractor's immediate resumption and hampered the work progress.

I submit. Thank you, Hon. Speaker.

Hon. Speaker: Hon. Adagala, are you satisfied? If you are, save time so that we can go to the next question.

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Speaker. I believe that most of the areas have been well covered by the Cabinet Secretary. However, I would like to raise a concern regarding the Kisigiwa area. The area is extremely delicate. There have been multiple landslides reported. In fact, even around Munzatsi, another landslide is currently taking place and the road is getting damaged. Additionally, the hill around Jepses on the way to Hamisi is equally vulnerable and needs urgent attention.

I thank the Cabinet Secretary for the good response. I was there over the weekend and can confirm that the bridge is under construction. The contractor is on site.

Thank you.

Hon. Speaker: Hon. Milemba, if the questioner is satisfied, why do you want to joyride? Go ahead and joyride.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker, for this joy-riding opportunity. I am sure that when the Cabinet Secretary was preparing for this question, he looked around Vihiga County. At the same time that this road was being constructed, there were three other roads in the area that I would appreciate if the Cabinet Secretary could also address – as nothing has been done on them to date. These roads include: Maseno-Kombewa Road, Chavakali-Eregi Road, Luanda-Epanga-Mbale Road, Esirulo-Ekwanda Road and lastly, the Mago-Museno Road. The Cabinet Secretary is familiar with all of them.

But specifically, I would like to highlight the Maseno-Kombewa Road which has remained in a deplorable condition. It was only constructed on one side - the Luo side- and the rest was left incomplete. Meanwhile, the other side which lies in the Western Region has remained untouched for over 15 years.

Thank you.

Hon. Speaker: There is no area in your neighbourhood called the “Luo side”. I believe you mean the Siaya side.

Hon. Omboko Milemba (Emuhaya, ANC): Yes, I meant the Siaya side. I do not intend to undermine my question. Thank you again.

(Hon. Zamzam Mohammed spoke off the record)

Hon. Speaker: Yes, Zamzam.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante, Mhe. Spika. Nami pia niweze *kujoyride* kwa kumuuliza Waziri swalii. Kuna barabara ambayo imekuwa tatizo sana ndani ya Mombasa. Hata hawa Wabunge wanapokuja huko kwenye kamati zao wameiona. Yaitwa *Links Road*. Mhe. Waziri, umeweka mikakati ipi kuhakikisha kuwa barabara hii imetengenezwa? Pale pale kumetokea ajali - mwanamke mmoja aliwa ndani ya tuktuk akadungwa jicho.

Hivi tunavyosema yuko hospitalini hana jicho moja kwa sababu ile barabara ni mbaya sana. Kisha ile ya Mwakirunge, tokea mulivyoanza kuijenga mpaka sasa haijaendelea. Tunahitaji kujua mna mikakati ipi iko kumaliza pia hiyo barabara ya kwenda Mwakirunge.

Asante sana.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you, Hon. Speaker. Let me respond specifically. I may not have full information on all the roads mentioned, but I can confirm that we have addressed the issue of the Maseno-Kombewa Road, and allocated resources accordingly to complete the link on the Vihiga side.

I may not have full details about the other roads raised, but I do know that there was a budgetary allocation made in the current financial year. The Maseno-Kombewa Road on the Vihiga side will begin construction within this financial year. I would also be glad to meet with Hon. Milemba to discuss the other roads on the Luanda side in more detail.

As for the Links Road in Mombasa, this is the road that goes through Nyali. We have encountered a drainage challenge, particularly after construction was completed on both sides of the road. This is a very low-lying section, and when it rains, there is no proper drainage to carry away the water. I was in Mombasa about four weeks ago and gave this issue serious attention. I held a meeting with the Governor of Mombasa, Abdulswamad, and we discussed the matter. We are currently engaging with landowners in the affected area to open up a drainage channel that will help resolve this issue.

Although, this challenge should have been addressed at the county planning stage, we are now taking corrective action with the Kenya Urban Roads Authority (KURA) and the county government to implement remedial measures and fix the drainage problem within this high-density residential area in Nyali.

I thank you.

Hon. Speaker: Hon. Simon King'ara, Member for Ruiru. Is he in the House?

(Question 14/2025 dropped)

Hon. Mary Emaase: I have been approached by Hon. Oku Kaunya, who is holding brief for Hon. Mary Emaase. Go ahead and ask the question.

Question 15/2025

UPGRADING OF BUSIA-MALABA ROAD

Hon. Oku Kaunya (Teso North, ODM): Thank you very much, Hon. Speaker. I will ask this question on behalf of Hon. Mary Emaase of Teso South, as she is away and has requested me to do so. This road also touches both Teso North and Teso South.

Hon. Speaker, I rise to ask the Cabinet Secretary for Roads and Transport the following question:

Could the Cabinet Secretary-

- (a) Indicate when the Busia-Malaba Road, which is in a dilapidated state, will be maintained and upgraded to bitumen standards?
- (b) Outline measures put in place by the Ministry to ensure that major highways such as the Busia-Malaba Road is continuously maintained?

Thank you.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you, Hon. Speaker. The Busia-Malaba Road was constructed to double seal surface dressing standard and opened to traffic sometime in 2021. It was implemented under a stage construction contract with additional pavement layers planned for future development.

However, due to budgetary constraints, the additional layers have not yet been completed. Since then, Kenya National Highways Authority (KeNHA) has undertaken routine and performance-based maintenance activities, including: A performance-based maintenance

contract from November 2021 and November 2023, and a routine maintenance contract from February 2024 to February 2025. Currently, the agency is in the process of procuring another routine maintenance contract for the 2025/2026 financial year.

In line with the Strategic Plan 2023–2027, the Ministry, through KeNHA, is committed to ensuring that more than 80 per cent of the country's national paved roads, including the Busia-Malaba Road, are maintained in good condition. This is to ensure the functionality and durability of the entire road network. To achieve this, the agency has programmed annual maintenance works for the Busia-Malaba Road, given its significance as part of the Northern Transport Corridor that serves landlocked countries via the Port of Mombasa.

I submit. Thank you.

Hon. Speaker: Thank you. Hon. Oku Kaunya, the first shot goes to the questioner.

Hon. Oku Kaunya (Teso North, ODM): Thank you very much, Hon. Speaker. The Cabinet Secretary has attempted to respond to the question. However, he did not clarify when the additional pavement layers will be implemented. I would also like to highlight that this road has been the cause of several accidents, with people losing their lives due to presence of large potholes. The 2024 maintenance cited in the response does not appear to reflect the actual state of the road. I therefore, request the Cabinet Secretary or his team to verify the condition more and provide accurate updates.

Thank you.

Hon. Speaker: Member for Webuye West, Hon. Dan Wanyama.

Hon. Daniel Wanyama (Webuye West, UDA): Thank you, Hon. Speaker. I would like to ride on this question and seek clarification from the Cabinet Secretary regarding the Sikata-Nalondo-Bokoli-Kimilili Road. The contractor was last seen on site up to Khachonge, but later disappeared. Currently, the road from Khachonge to Kimilili is impassable. Could the Cabinet Secretary kindly provide an update, especially in light of the earlier remarks on settling pending bills?

Hon. Speaker: Hon. Martin Owino.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Speaker. On the same note, I would like to ask the Cabinet Secretary whether there are standard measures that contractors must follow when maintaining roads. For instance, along the road from Katito to Homa Bay and Rongo, some sections have been dug six inches deep. The intention to repair the road is good, but many times, they are left open for days, causing accidents and damage to vehicles like burst tires. So, I ask: Are there clear standard procedures to be followed by all contractors to avoid such risks to motorists? Their intentions may be good - but the impact can be harmful to motorists.

Thank you.

Hon. Speaker: Hon. Taitumu.

Hon. Julius M'anaiba (Igembe North, UDA): Thank you, Hon. Speaker. Is the Cabinet Secretary aware that despite having signing an MOU with the contractor of the stalled Kaelo-Kamukunji-Mutuati Road, the contractor is not on site? I would like to know what measures the ministry will take to ensure that the contractor returns to fulfil their obligations and continue with the work as agreed.

Hon. Speaker: Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Speaker. I wish to add to the discussion on roads, specifically the Busia-Kisumu Road. Can the Cabinet Secretary inform us when repairs will be done, especially concerning the potholes, which have become a death trap? Soon we may begin to lose many lives, given the trailers that use that road daily. The Cabinet Secretary should also brief the nation on what plans are in place to decongest the Busia border post, as it currently has a long line of trailers filled with fuel. In the event of an accident, this is a catastrophe waiting to happen.

Thank you.

Hon. Speaker: Hon. Bowen. *Waziri*, you will take a few of those short Questions.

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Speaker. Is the Cabinet Secretary aware of the Chesoi-Tirap-Embobut Road in Marakwet East, where the contractor disappeared from the site nearly three years ago and has not resumed work since?

Two---

Hon. Speaker: A joy rider has no right to two Questions.

Yes, Hon. Millie.

Hon. Millie Odhiambo- Mabona (Suba North, ODM): Thank you, Hon. Speaker. The Cabinet Secretary is well aware of the Mbita-Sindo Road, which I raise every time he appears before this House. However, today my Question concerns the Rusinga Ring Road which is currently being tarmacked. It has three contractors and my concern is about uniformity in the work being done. Some of them are doing a good work, including on side roads, while others are not. They appear to be focusing only on the main road. How will the Cabinet Secretary ensure that there is uniformity in standards? I again mention the Mbita-Sindo Road which I continually follow up on.

Hon. Speaker: Let us have Hon. Murugara then Cabinet Secretary will respond to those Questions.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Speaker. The Cabinet Secretary is aware of the famous Chiakariga-Marimanti Road, a project that began 11 years ago and has since stalled. Recently, the Cabinet Secretary promised that a contractor would be sent to the site immediately. It has now been over four months, yet there is no sign whatsoever that any contractor will resume work. The people of Tharaka are seeking a candid response from the Cabinet Secretary regarding when the contractor will return to complete that road.

Thank you.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr David Chirchir): Thank you, Hon. Speaker. On the Supplementary Questions, I will begin with Hon. Kaunya's Question concerning the standard applied in performance-based maintenance contracts. This issue had already been raised as a recommendation and I appreciate concern. We are now being urged to go on the ground with our regional engineers to confirm whether contractors are delivering work in accordance with their contracts. That point is well taken.

Today, I am joined by my Principal Secretary, Eng. Joseph Mbugua and together we will go to the ground to ensure that all contracts' details are being adhered to. When conducting performance-based maintenance contract, the work programme of each road must clearly specify what is to be done, allowing us to supervise effectively and ensure that the contracts are executed as agreed.

With respect to Hon. Dan Wanyama's Question on the standard measures used by contractors maintaining the Sikata-Bokoli-Kimilili Road, allow me to say... there are many related questions.

Hon. Speaker: His question was that the road was done halfway, then the contractor left. Yet, you previously announced that contractors were returning to abandoned sites but he has seen none. That was your question, Hon. Wanyama?

(*Hon. Wanyama spoke off the record*)

The Cabinet Secretary for Roads and Transport (Mr David Chirchir): That is correct, Hon. Speaker. Most of the questions raised relate to the resumption of work by contractors including: the questions by Hon. Dan Wanyama and Hon. Taitumu on the Kaelo-

Kamukunji-Mutuati Road. Hon. Oundo's question on congestion and Hon. Millie Odhiambo's was on the Mbita-Sindo Road and the Rusinga Ring Road.

We have scheduled a meeting with all contractors on Tuesday. This meeting will focus on contractors who have received 40 per cent payment on the pending bills. We are now preparing to release the second portion of 40 per cent payment from the proceeds of the asset-based fundraising. Before we initial payment, we had signed a settlement agreement where the key condition was resumption of work in order to qualify for the second tranche.

We will be receiving progress reports from contractors showing when they resumed and how much work they have done. When we paid in April, it was a rainy season which made it difficult for some contractors to resume work especially in very wet areas. However, we are on top of situation. As long as we have the liquidity to pay, we will call the shots.

In the past, one of the biggest challenges was that contractors abandoned work, citing lack of payment. Now that we have disbursed funds and plan to release more, we will require that all contractors submit verified progress reports confirmed by our regional engineers to show when they resumed work and that they qualify for the second tranche. We will be harder on them because we have the cash to pay.

Having said that, many contractors have resumed work across the country. For those who tried to be smart after receiving the first 40 per cent payment but have not reported back to site, we are yet to pay the remaining 40 per cent of the pending bills. I want to assure Members that the ministry is addressing the issue of non-performing contractors who have either not returned back to work or are still servicing their equipment with minimal site progress. We will confront this on a road-by-road basis when we meet them on Tuesday.

I chose to give a general response because all the contractors have been summoned to meet us on Tuesday. At this stage, we can make demands because we now have the ability to pay. The biggest challenge has always been contractors abandoning projects due to lack of payment. On the issue of potholes and non-motorable roads, we found ourselves in a difficult position because contractors were unwilling to resume without confirmed payments.

On the Rusinga Ring Road that has three contractors, the concern has been noted. We will ensure, through our regional offices that each contractor maintains the agreed standards. So, that there is uniformity and seamless connectivity in their work on that road.

With respect to the Chiakariga-Marimanti Road, as I mentioned, all contractors have been paid 40 per cent payment. There is no reason why 90 per cent of contractors resumed work yet one contractor continues to delay. That is a clear-cut case that we shall address when we meet with the contractors on Tuesday. We will single out this road among others raised by Hon. Members, for immediate resolution. Despite the payment, the Hon. Member has shared a report. We appreciate these reports from Members because you are on the ground across the 290 constituencies, and your feedback is vital. I will be using some of these reports to pin down specific contractors before processing the second tranche payments.

That includes Bowen's question on Chesoi-Cherop Road, and several other questions raised regarding project resumption. I believe we are in a very good place now, and ready to take a firm stand against contractors who have abandoned work. As we speak today, we have already paid them and we are ready to release the second tranche to those committed to deliver on their contracts.

Thank you.

Hon. Speaker: Cabinet Secretary, you said you will meet the contractors on?

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Tuesday, next week.

Hon. Speaker: Just take your seat. Members, each one of you has a story to tell about contractors who left the scene and never returned. If the Cabinet Secretary is meeting with contractors on Tuesday, then I advise all of you to send reports on roads in your constituencies

where contractors have not resumed work. I will write a composite letter for you to the Cabinet Secretary. That way, when he meets them on Tuesday, he can go through every stalled road you have identified and confirm their status before releasing the next 40 per cent payment. Does that help us?

Yes. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. That guidance is most helpful. It will help Members. From a broader perspective, I have listened carefully to the Cabinet Secretary. While I appreciate his focus on contractors. I believe the problem is not solely with the contractors - but also with the bureaucracy within the Ministry of Roads and Infrastructure, particularly the implementing agencies.

Cabinet Secretary, I recognise that we now have new leadership at both Kenya Rural Roads Authority (KeRRA) and Kenya National Highways Authority (KeNHA). I commend the recent actions taken within these two state departments. In the past, it was overwhelming red tape and at times, almost sabotage that stalled progress in the roads sector.

Yes, we can blame the contractors, but they are businesspeople. They suffer no loss if they are paid and only then mobilise a bit of equipment, to do minimal work, then and wait to issue another certificate for payment. This is after doing just the bare minimum. Cabinet Secretary, what actions will you take to address this recurring bureaucratic inefficiency within the State Departments for roads - especially the implementing agencies?

This is also not just about contractors. It involves policy direction. You must instruct the acting Director Generals of KeNHA, KeRRA, and KURA to take personal responsibility to ensure that work continues without delay. Cabinet Secretary, it is not enough that you and your Principal Secretary oversee contractors. You must also ensure that Director Generals and project engineers on the ground are held accountable.

I had a meeting with the Cabinet Secretary earlier this morning regarding other issues. I even pointed out to him that I came from my constituency where a small 500 metre road is being done by KURA. I went to supervise the work – yet the officer deployed there by Director General of KURA had no idea where the road even was. In fact, I left Kikuyu at lunchtime, without the officer ever having appeared, because he could not trace the road. So, I ask again: what will the Cabinet Secretary do to correct this lack of supervision? This liturgical delay within the State Department cannot be ignored any longer. That is a fact that we cannot run away from.

These Members have a deep personal connection to these roads because they directly impact the people that we represent. Yet, they are the ones who take the flak. So, Cabinet Secretary, if you need help from Members of Parliament to supervise these engineers, please ask us, we are available. But there must be accountability. As they say, '*mambo kwa ground ni* different'. I urge you, Cabinet Secretary, that while you convene contractors, the most critical people to convene are your state department officers. They must not be lethargic with their work.

Thank you.

Hon. Jayne Kihara (Naivasha, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Jayne Kihara, you had a point of order.

Hon. Jayne Kihara (Naivasha, UDA): Yes, I had, Hon. Speaker. We were made to believe that these officers resigned but in reality, they were not pushed out. This Government is telling lies all the time.

Hon. Speaker: Order. You are out of order.

(Laughter)

And irrelevant, to say the least. Yes, Hon. Sabina Chege.

Hon. Sabina Chege (Nominated, JP): Thank you, Hon. Speaker. I would like to echo what the Leader of the Majority Party has just said. I request the Cabinet Secretary to consider the well-known Mau Mau roads. Many of these roads are still incomplete - especially small sections - which continue to prevent the connection and completion of the entire routes.

You will notice that engineers or project managers often begin working on new roads while older roads remain impassable due to these unfinished sections. For example, in my constituency Kigumo, the Karinga-Kagundo-Kinyona road has a small section remaining. Similarly, on the Mununga to Kinyona road, only a short section, is yet to be completed. There is a junction at Gituamba, linking to the Kenyona which still remains unfinished rendering the road impassable. The tarmac stops halfway, and the starting point for proper transportation is on the other side. As a result, people cannot access it, especially when it is raining.

I just want to encourage the Cabinet Secretary and his Principal Secretary to allow their officers to be on the ground. Let them advise on practical ways to proceed. If funding is limited, let us focus on the low-hanging fruit. It is better to fully complete one road than several incomplete segments.

Thank you.

Hon. Speaker: Cabinet Secretary, those were mostly comments.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you, Hon. Speaker. I am encouraged that the mood of the House is aligned on how we envision the Ministry should operate. To a great extent, we have eliminated the challenge of contractors giving excuses for non-payment. This is why we are now focused. As I mentioned earlier, I am encouraged by the support shown by Members. As a Ministry, together with our agencies, we held a day-long meeting with all regional engineers from KeRRA, KeNHA, and KURA on Friday last week. We basically scripted out everything that I am now hearing from the House concerning performance.

Hon. Speaker, it is not a secret that in the last corruption index survey, my ministry was rated the most corrupt, followed closely by the others who deal with it.

Hon. Speaker: You have overtaken the Police?

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Yes, we have overtaken the Police.

(Laughter)

We discussed this and agreed that we must address the issue and ensure that we get value for our money. We cannot have a situation where we are building a kilometre of road at three times the actual cost, and when you go to the ground, the results do not reflect that cost. To a large extent, we have resolved this. We now have good officers within the Ministry and its agencies though a few elements still resist reform. But from what I have heard from the mood of the House, I believe I will have an easier time handling the few cases.

Thank you, Hon. Anthony Ichung'wah, the Leader of the Majority Party. We will work tirelessly to fix the situation. From now on, there will be no more excuses from contractors. When we meet them on Tuesday, we will require: a countersigned report between the contractor and the regional engineers, and a matching report from the agency Director-Generals confirming the status of each road that has been paid for and is either in progress or complete.

To a very good extent, the few elements that do not quickly reform, we will be met with unprecedented corrective measures, to ensure that all stalled roads are completed.

We fully understand how deeply Members value roads. This is why we encounter such high expectations especially in relation to whether the Road Maintenance Levy Fund (RMLF) is working for us. Even as we speak about amending Section 6 of the Kenya Roads Board Act,

we know you are very passionate about roads. I want to assure you, Hon. Members, that I will lead from the front.

Regarding Mau Mau Roads, I do agree. We had many tributaries in there. We have provided funding. I assure this House that we have paid attention and will pay more attention to ensure these commitments are delivered before we address other service roads along the main artery.

Let me conclude by saying I am encouraged by the mood of the House. Without the risk of repeating myself, we will work on the agency to ensure our staff do what they are employed to do. I thank you.

Hon. Speaker: Hon. Phylis Bartoo.

Hon. Phylis Bartoo (Moiben, UDA): Thank you, Hon. Speaker. Could the Cabinet Secretary, one, explain why, despite the completion of their designs, construction on the Tachasis-Chebiemit, Ainet-Chebarus, and Riadha roads has not commenced? Two, could you outline the main causes of these delays and provide the current plans, milestones, and timelines for initiating and completing these critical road projects? Three, could you indicate what measures will be put in place to address the concerns of Moiben residents for whom these roads are vital to connectivity, economic growth, and overall regional development?

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you once again, Hon. Speaker and Hon. Members.

I wish to confirm to the Professor that the Tachasis-Chebiemit, Ainet-Chebarus, and Riadha roads have been designed as part of the road sector's proactive forward planning in preparation for construction to bitumen standard. The 24-kilometre road, which traverses Uasin Gishu and Elgeyo-Marakwet counties, is a critical link road who's upgrading to a bitumen standard has been delayed due to funding constraints. However, I do recall that the construction of this road has been taken in circles to achieve that linkage. Therefore, we will work on prioritising it to ensure that funding is made available.

As mentioned, Hon. Members, the construction of the Tachasis-Chebiemit, Ainet-Chebarus, and Riadha roads has delayed due to funding challenges. I wish to confirm that we will work closely with the leadership from the area to prioritise its construction and ensure that funding is availed. Professor, I will work closely with you. The designs propose a phased approach to mitigate the funding challenge, where we aim to complete the first phase, which may be approximately five kilometres.

The first phase will be from Tachasis junction to KapGideon. The second phase will cover 19 kilometres from KapGideon to Karandile and Chebiemit. Therefore, we will determine the timelines for completion and milestones. I urge the Hon. Member to work closely with me on this one for us to agree on the timelines.

The Ministry, through the Kenya Rural Road Authority (KeRRA), routinely undertakes maintenance of this particular road, along with other roads in the constituency as prioritised by the constituency roads committee, under the 10 per cent link and 22 per cent RMLF funding annually.

As the Leader of the Majority Party mentioned, we had a side meeting, and we are expediting ways to unlock that challenge, so that the fund is made available this financial year. This will enable us to work with the Constituency Roads Committee to ensure that our roads are maintained. This is cognisant of the need for connectivity and the contribution of roads to socio-economic growth and development.

I submit, Hon. Speaker.

Hon. Speaker: Yes, Hon. (Dr) Pukose. Hon. Phyllis, are you satisfied? You must have the first chance to ask your supplementary question.

Hon. Phylis Bartoo (Moiben, UDA): Hon. Speaker, I have only heard about the Tachasis-Chebiemit Road, but he has not mentioned anything about the two other roads, namely, Ainet-Chebarus and the Riadha roads. The two are specifically within Eldoret City. I would also like to request that even if they undertake the phased completion of the road from Tachasis to Chebiemit, it would be better if they started from Tachasis to Karandile, and then the second phase begins from Karandile to Chebiemit. This is because the route from Tachasis to KapGideon will not have any economic relevance.

Hon. Speaker: Hon. (Dr) Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. I wish to thank the Cabinet Secretary for that response. While we are in Uasin Gishu County, there is a road that goes from Turbo, Tongaren, Babaton, all the way to Kisawai and Endebess, which His Excellency, the President---

Hon. Speaker: That road does not pass through Tongaren constituency. Yes, but if you want to be precise, it is Turbo-Naitiri-Sikhendu-Babaton-Kisawai-Saboti-Endebess.

Hon. (Dr) Robert Pukose (Endebess, UDA): I agree with you, Hon. Speaker. You are aware that His Excellency, the President, has stated on several occasions that work on the road will begin soon. I think most recent should have been last month. For those of us from that area, our constituents are asking us daily, "When will the work start?" I wonder if you know that the project is divided into two contracts: Lot I and Lot II so that Lot I starts from Turbo, while Lot II starts from Endebess. So, when will the work actually begin?

Hon. Speaker: Yes, Hon. Wamboka.

Hon. Wamboka Wanami (Bumula, DAP-K): Thank you, Hon. Speaker. First, I would like to congratulate the Cabinet Secretary. He is one of the hardworking cabinet secretaries. *Asante*, but please heed the advice from the Leader of the Majority Party not to spoil your soup.

Mine is about the 22 per cent and 10 per cent RMLF. The roads were tendered and awarded. Some of the roads have been completed, while there are pending bills at the regional offices. Some regions have received funding, while others have not. How do you intend to address the 35 per cent gap, and when, considering that some roads are already completed and some are in progress? We do not want our contractors to leave us with pending bills and they should not be disenfranchised in any way.

Lastly, I would like to commend you, Hon. Speaker, for your understanding of the Kenyan roads and the Kenyan ecosystem.

Hon. Speaker: Thank you for the compliment, Hon. Wamboka. Next is Hon. Bidu.

Hon. Bidu Mohamed (Isiolo South, JP): Thank you, Hon. Speaker, for giving me the opportunity. I want to address the road from Isiolo to Mandera, which the President prominently announced during his visit to that area. This road starts from Mandera and runs all the way to Isiolo, or vice versa. Unfortunately, construction on this road has come to a standstill for reasons that remain unknown to us. The first constituency affected by this halt is mine, which lies between Isiolo and Modogashe.

In the Financial Year 2024/2025, funding for this project was slashed. This year, the same amount that was slashed last year was returned as a pending bill. Meanwhile, the Chinese contractors are just idling in their homes. Nothing is happening. I would like to know, through this forum, what exactly is happening, as all the projects mentioned by the President appear to be stalled.

Thank you.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Thank you very much, Hon. Speaker. The road that His Excellency the President launched when he was the Deputy-President is not complete between Kapkoi and Soimini. The people on the ground have always said they will do something about it but nothing has been done. The road is now impassable.

Secondly, what are you doing about the damage on the roads? The trucks which carry materials from West Pokot spoilt that road and it is now becoming impossible to use the road between Kapkoi and Soimini. Hon. Pukose and I share the same road. It is about 12 kilometres long. The Chinese were supposed to complete that road but I do not know what is happening.

Hon. Speaker: Said Posta.

Hon. Said Hiribae (Galole, ODM): Thank you, Hon. Speaker. My story is a bit unique because the Boji-Masalani Road is in my constituency. It was constructed almost 10 years ago. Around 75 per cent of the road has been done but there is a 5.3-kilometre portion that remains undone. It is a flood-prone area. It has not been constructed to date. In fact, the Ministry abandoned that road. There is no contractor on site. There is no budget. It has been removed from the books. I wanted the Cabinet Secretary to let us know what is happening. When will they complete that road?

Hon. Speaker: Ambassador Sigei.

Hon. Francis Sigei (Sotik, UDA): Thank you, Hon. Speaker, for giving me this opportunity to also say something about the Cabinet Secretary's statement. First of all, I want to thank him.

Hon. Speaker: You are out of order. You are joyriding on a Question by asking another question. You are not making a statement.

Hon. Francis Sigei (Sotik, UDA): Okay, Hon. Speaker. I want to thank the Cabinet Secretary for the good job he is doing in the Ministry. The road between Daraja Sita in Sotik and Chebole is ongoing. However, construction on the road which links Sotik and Bureti through Cheborge has taken a very long time. It is almost impassable. I raised this issue in the House some time back but nothing is ongoing. The contractor is no longer there.

Thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary, answer those questions.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Let me start with the supplementary question raised by Hon. Phylis Bartoo on this particular road that we talked about. As I said, the supplementary question was more of a comment. I requested the Professor that we work on the details on how to split the road and how to quickly fund it. I beg Mheshimiwa Bartoo to have a cup of tea with the leadership of the area, so that we can address the details of this particular road.

There was a question from Hon. (Dr) Pukose on the Turbo-Naitiri-Sikhendu Road all the way to Endebess. We provided funding for that road. The warranties have been signed and the budget has been opened. We are waiting for the National Treasury to finish loading the Integrated Financial Management Information System (IFMIS). We have worked on a timeline, which we have discussed with my agencies and the Principal Secretary.

We have issued formal instructions to the agencies on a very clear timeline on when all the tenders should be advertised and evaluated, when the 14-day tender notice should be awarded, when the performance guarantee should be issued, and when the construction of the road should start. Therefore, I request you to allow us to load all these projects and programmes into the IFMIS system. If that is done by next week, you will see an advertisement in the *MyGov* newspaper with a very clear roadmap on all the roads in Kenya which are coming into the programme.

Regarding Hon. Jack Wamboka's question on the 22 per cent and 10 per cent Road Maintenance Levy Fund (RMLF) allocation, we tendered for roads. There was that 10.2 per cent allocation that was stopped by the courts. A ruling was passed and we agreed on the sharing formula. We have since released 35 per cent of the funds, which have been disbursed. We also released some money to the county governments. I want to assure this House that the balance for the roads that have been tendered is adequate to ensure that all the roads that were tendered through the RMLF by the membership of this House through the constituency

programmes on all the 22 per cent and 10 per cent allocations will be fully funded. We have adequate funds for that. Let me stop there on that one, Hon. Speaker.

Hon. Bidu asked a question on the roads in the Horn of Africa in Isiolo, Mandera, Kulamawe, all the way to the Samatar-Wajir-Tarbj Road and to Rhamu at the end of Mandera. I confirm that when we came to this House with the Third Supplementary Estimates, we were unable to onboard the payments of the certificates that had been issued to us because of the budget deficit. We wanted to maintain a budget deficit because of the programmes that would be going to the market. We did not want to be seen to be funding our programmes on borrowing beyond the 4.5 per cent budget deficit.

Therefore, we begged that the projects be paid for as soon as the budget was approved. The budget has now been released. I had a meeting yesterday with the World Bank and we will be making payments on all the sections of these roads with pending bills because those roads are fully funded either by the World Bank, the African Development Bank (AfDB), or the Arab Bank for Economic Development in Africa.

With respect to that section of Modogashe-Samatar-Rhamu-Mandera which was on an annuity programme, we are working on a conversion to come up with an Engineering Procurement and Construction (EPC). We have enough money on the 3 per cent annuity to convert that section of Modogashe-Samatar-Rhamu-Mandera to an EPC. We called the contractors on this road for a meeting about three weeks ago at the end of June and urged them not to down their tools. We could not pay them from last year's budget because we did not want the budget deficit to go beyond 5 per cent. Funding is now available and we shall pay them. It is not a cash flow issue. The project is fully funded by the World Bank and the AfDB Bank. We will get the contractors back to work because we have the funding.

Hon. Ferdinand asked a question regarding what we are doing on Kapkoi Road to ensure that we manage the axle load. That was the supplementary question. The first part of his question was on the completion of that road. We have been able to raise money and pay contractors. That means that we can now call the shots. Allow me, Hon. Ferdinand, through the Hon. Speaker, to call the contractor.

Mr Mang'ondo, who is the Acting Director General for the Kenya Rural Roads Authority (KeRRA), has been asked to call this contractor and, basically, pay attention to that Kapkoi Road. He will also address the challenge of axle load on some of our roads, including providing signage on the weights allowed on every road. We build low volume sealed roads, but due to lack of adequate communication and the absence of weighbridges to manage the loads on those roads, a lot of our roads have fallen into a state of disrepair. We are now paying attention to that by ensuring that when we construct low volume sealed roads, we include proper signage.

If we are unable to deploy technology to manage the axle loads on those roads, we must, at the very least, provide signage to indicate the allowable weight limits. The Masalani Road is 75 per cent complete, with approximately 5.3 kilometres undone. This is yet another case of abandonment of works. As I have stated previously, we owed this contractor a significant amount of money. I will take it up with my Principal Secretary and look into the remaining 5.3 kilometres.

If there is no budget, we will make sure we scratch our heads and complete that small section to ensure continuity on the road. Therefore, allow us to look at the Masalani Road and address the undone section. We will pay attention to it. *Mheshimiwa*, you may also follow up with us one-on-one.

With respect to the Sotik-Bureti-Cheborgo Road, the contractor has been a bit of a problem. We have summoned this contractor. His name is Mr Kiu. This road has been allocated funding in the current financial year. We are seeking to correct the issues and undertake resealing works. Although the work was not been finished, there is already a state of disrepair

where work had been done. We will pay attention to the Sotik-Bureti-Cheborg Road and I can confirm that there is some budgetary allocation for this particular road.

Therefore, Ambassador *Mheshimiwa* Sigei, we can also look at the details of this road on a more personal level. I thank you, Hon. Speaker.

The Speaker: Hon. Gonzi Rai.

Question 054/2025

REPAIR AND MAINTENANCE OF KINANGO-MARIAKANI ROAD

Hon. Gonzi Rai (Kinango, PAA): Hon. Speaker, I rise to ask the Cabinet Secretary for Roads and Transport the following question:

- (a) Could the Cabinet Secretary state the current condition of the Kinango–Mariakani Road (C107), and the impact of the recent rains on its deterioration, particularly with respect to the drift connecting the road?
- (b) What immediate measures is the Government taking to prevent further deterioration of the road and to restore its usability for motorists?
- (c) Could the Cabinet Secretary outline both short-term and long-term interventions, including any planned collaboration with other agencies, to provide a lasting solution for the repair and maintenance of the said road?
- (d) Could the Cabinet Secretary clarify whether there is a budgetary allocation for upgrading the road to bitumen standards in the 2024/2025 Financial Year, and, if so, what steps have been taken toward upgrading the road, including details of the costs allocated?

Thank you, Hon. Speaker.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you again, Hon. Speaker. I also thank Hon. Gonzi Rai for the Question. Let me go straight to the status of the 42-kilometre Mariakani–Kinango (B91) Road. It is currently in a motorable condition. However, I acknowledge that the recent rains caused minor deterioration in the riding surface quality, characterised by corrugation and depressions. These are currently being addressed under the ongoing routine maintenance contract. Because of this ongoing contract, *Mheshimiwa* Gonzi Rai, we will, together with my Principal Secretary, pay close attention and ensure that the routine maintenance delivers on the concerns you have raised.

The road has six drifts, which are generally in good structural condition and are passable at all times, except during periods of heavy rainfall. When the region experiences high rainfall, water levels on the drifts rise, rendering the structures unsafe for both motorists and pedestrians.

Two of the drifts have experienced some damage downstream, as the Hon. Member has noted. These failures are to be addressed through the same routine maintenance contract. The repairs will include the reinstallation of broken parts of the drifts, installation of edge marker posts, restoration of damaged road signs and desilting of the watercourses around the drifts.

Hon. Speaker and Hon. Members, the Ministry, through the Kenya National Highways Authority (KeNHA), is currently carrying out routine maintenance works on the road. The scope of the works includes:

1. Installation of gabions in areas requiring additional protection.
2. Installation of two lines of concrete pipe cross-culverts.
3. Cleaning of silt from the drifts.
4. Cutting of metre drains.
5. Heavy grading with watering and compaction of the entire 42 kilometres.
6. Spot graveling of cumulatively five kilometres in challenged areas.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

7. Concrete repairs to damaged sections of the drifts and other concrete structures.

As mentioned earlier, we will work with the Principal Secretary to ensure there is proper supervision and delivery of this gravel road before upgrading it to bitumen standard. The contract commenced on 19th September 2024. I will confirm whether the works have been completed, as we must pay attention to that.

In the short-term, the Kenya National Highways Authority intends to progressively replace the drifts with concrete box culverts, starting in the current financial year. In the long-term, the permanent solution lies in upgrading the road to bitumen standard. However, this will only be possible when resources become available. I wish to work closely with *Mheshimiwa* on this. We are currently working and advancing well with the Kinango–Kwale Road (bitumen standard) which had stalled due to non-payment. There has been good progress on that side, from Kinango to Kwale. Therefore, we must now look at the other side, from Kinango to Mariakani.

We will work on the budgetary allocation and aim to complete that loop, exiting through Mariakani. This aligns with our work on the dualling of the entire corridor, including the Kwajomvu Road where we have paid the Project Affected Persons. That includes the Kwajomvu Bridge on the lower side approaching Mombasa. That project had been suspended for the last seven years, but we aim to complete it in the next two months.

I thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Maungu. Sorry, Hon. Maungu, please hold. The questioner must have the first shot.

Hon. Gonzi Rai (Kinango, PAA): Hon. Speaker, I accept what the Cabinet Secretary has stated regarding this road and I also commend him for progress on the Kinango–Kwale road. I urge him to pay more attention to the Kinango–Mariakani Road. That is the only source of survival for the people of Kinango. Our livelihoods depend on access to Mariakani, where we source essential goods. If that road is impassable, then we are in danger. Given the recent rains, I believe it is high time in the 2025/2026 Financial Year that we acted with speed. We must ensure the installation of concrete drifts and increase the scope of murram works, so that we make this road more passable.

Thank you.

Hon. Speaker: Thank you, Hon. Gonzi Rai. That is a positive statement. Cabinet Secretary, you do not need to worry about that. Hon. Maungu.

Hon. Dick Oyugi (Luanda, DAP-K): Thank you, Hon. Speaker. First and foremost, allow me to appreciate the Cabinet Secretary for the work well done, especially in ensuring that stalled projects have resumed in areas like Luanda. However, allow me to bring to your attention that a lot of damage is taking place on low-volume roads across constituencies because of overloading by shrewd business people who destroy the roads.

I wish to find out what strategies the Ministry, through KeRRA, has put in place to ensure that this critical infrastructure in the rural setup is protected. KeNHA has put weighbridges across the country to ensure that no overloading, but there is a lot of damage taking place on small roads. So, the Cabinet Secretary should indicate how he intends to secure the same.

Hon. Speaker: Hon. Oyula.

Hon. Maero Oyula (Butula, ODM): Thank you, Hon. Speaker, for this opportunity. I want to raise an issue to the Cabinet Secretary. Is he aware that the road from Ejinja to Bumala to Port Victoria is developing potholes? If action is not taken immediately, the potholes will become bigger and bigger and it will be more expensive to repair.

Hon. Speaker: Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker. I want to raise the issue of Kilifi-Ganze Road, the famous Bamba Road. The contractor is now back on site, but

the road has been severely destroyed by the ongoing rains. People cannot actually access Bamba because the road from Pwani University and Kwamwango is severely damaged by the rains. I have requested the contractor to graze the road as we wait for the tarmac, but there has been laxity in doing that. The contractor is not interested in doing that. I thought the contract would bear some money for maintaining the road as they continue to put up the tarmac.

I would like the Cabinet Secretary to intervene to ensure that the people of Bamba have a way home. They now sleep in Kilifi town because they cannot go home.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Gachagua. Or is that Hon. Kirima? The Member sitting next to Hon. Polo. Hon. Melly, you look different. You normally sit here. You are looking like the Member from Ndaragwa.

(Laughter)

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker, for allowing me to also query the Cabinet Secretary. There is the issue of the Muhoroni-Chemelil-Kisumu Road and the spur roads. Either work has not started on the three or four spur roads that connect to the main road, especially from the roundabout to Songo all the way to Kapkitany, and the other one linking to Miwani-Chemursoi or the work is moving very slowly.

That road is very key in that region, owing to the many sugarcane factories and it links Kisumu and the surrounding areas, which have one of the largest population growths in this country. I want to know what the Cabinet Secretary is doing to ensure construction of the spur roads moves together with that of the main road.

Thank you.

Hon. Speaker: Member for Muhoroni.

Hon. James K'Oyoo (Muhoroni, ODM): Thank you very much, Hon. Speaker. I want to echo what my friend has said but with better elaboration. In Muhoroni Constituency, the only benefit we would get is if this road, initially called C34, is done. Kipsitet-Muhoroni Road is in Sigowet/Soin Constituency. Muhoroni-Chemelil Road is in Muhoroni Constituency. As you advance towards Miwani, around Kibigori, you get to Tinderet Constituency. After Miwani, you go towards Kibos, which is still Muhoroni Constituency while part of the road is in Kisumu East Constituency. This is a very key road. If it was done, it would open up the area and benefit the local community.

During President Uhuru's time, every time the Luo community went to meet him, their priority request was this road. Since President Ruto took over and we started engaging him, the priority request is the Muhoroni-Mamboleo Road. Each time we have been assured, at the highest level possible, that the road is going to be done with the seriousness it deserves. The road is being constructed by some of the best contractors you would find in Africa. In Lot I, there is China Road and Bridge Corporation 10, doing between Mamboleo---

Hon. Speaker: You are making a speech. You are joyriding. Ask a question.

Hon. James K'Oyoo (Muhoroni, ODM): Thank you. H Young & Co. (EA) Limited is constructing Lot III. The contractors have capacity. When you ask them, they will tell you that they have capacity to mobilise and do the work overnight, but they have not been paid. They tell us to push our leadership to pay them. When we come here, we are told the contractors have been paid and they should go back to the site. They are not back on site. I want something tangible and serious. The Cabinet Secretary should come with the contractors on the ground and tell the people that they are now serious and they are going to take up this issue.

Secondly, which is the last one---

Hon. Speaker: Order! Joyriders ask only one question. Every joyrider has only one bite. Hon. Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Speaker. I rise to ask for the Cabinet Secretary's intervention on the roads leading to Kerio Valley. The road that begins from Barwessa to Kinyach is being used by AINAN Contractors Limited, which are doing Kinyach-Kapsowar and Kapsaraman-Kinyach roads. There is a section at Kuikui Secondary School and another section at Jemindani area which are impossible; I cannot get home.

The contractor is using heavy machinery on the road. I asked him to repair those sections so that the road becomes passable. He said that he does not have instructions and a Bill of Quantities (BQ) for that road. I know the Cabinet Secretary very well, and he has good plans for that road. He can actually intervene so that the people in that area can use that particular road.

Secondly, AINAN Contractors are also constructing a section between Kasisit and Lake Baringo. That section is already under a contract. Between Kasisit and Lake Baringo, there were landslides last year.

Hon. Speaker: Ask your question.

Hon. Joseph Makilap (Baringo North, UDA): The AINAN Contractors should be asked to repair the road. The Government cannot allocate money yet there is a contractor on site. Those two sections, together with the access to Poi Secondary School, need intervention. They are small sections that require only the intervention of the Cabinet Secretary and the existing contractor on the ground, as we move with other programmes. Otherwise, the Cabinet Secretary is level-headed and he has the capacity to put the Ministry in order.

Hon. Speaker: Member for Dagoretti North. Hon. Jayne Kihara, you will ask the next Question. Why don't you restrain yourself to the next Question?

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. Allow me to thank the Cabinet Secretary for doing his best to bring back this Ministry to greatness. I would wish he intervenes in Nairobi too. I appreciate the allocation of Ksh2 billion to KURA for roads in the county.

Most of the roads KURA intends to maintain were also maintained last year. The challenge we face in Nairobi is in slums. Kibra is out because there is no KURA road in the constituency. The constituency of Hon. TJ is out. Mathare Constituency is out. In Dagoretti North, only Lavington and Kileleshwa are covered. Is there a way the Cabinet Secretary can assist us to have KURA come in and maintain roads in slums?

Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you, Hon. Speaker. I join my brothers, Hon. K'Oyoo and Hon. Julius Melly. When the said roads from Kipsitet– Muhoroni-Chemelil all the way to Mamboleo were being packaged, there were spur roads that were packaged together so that we can open up the sugar belt. Now that we have a solution coming for the sugar sub-sector, can the Cabinet Secretary confirm that he will direct the contractors to construct the spur roads; one from Koru Junction to Gilimori, the other one from Muhoroni to Tamu all the way and others along that ecosystem? It will go a long way in supporting the sugarcane farmers as they grow towards a better farming system.

Thank you.

Hon. Speaker: Cabinet Secretary, you may respond.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you once again, Hon. Speaker and Members. Let me start with the question raised by Hon. Maungu on low volume seal roads. I confirm that we need to do something about the very welcome upgrade to construct them. When we build a good foundation and construct a low volume seal road, it really protects the substructures and gives us a better quality road in low volume areas.

These are not in the main Kenya National Highways Authority (KeNHA) highways where we experience heavy axle load vehicles. Therefore, we are looking at employing various

technologies which may not necessarily require a physical weighbridge that is manned. You know that there are manned weighbridges. Therefore, we need to maintain these assets.

What we build on low volume seal roads moves our asset roads from 2,000, that is, 2,500 kilometres to almost 8,000 kilometres. It will be unfortunate to dilapidate them very quickly. Therefore, we, as a Ministry, are working to see how to employ technology, including signages, to show that these roads cannot take more than 12 tonnes.

If we are distributing agricultural fertiliser, the lorry does not have to go at the same time. It can basically off-load and sub-distribute by smaller tonnage vehicles. We are paying attention to this. Thank you for that concern.

Thank you, Hon. Member, for informing us that there is a road in Butula Constituency which is developing potholes. A stitch in time saves nine. We have learnt that if we do an early reseal, we do it at an average of Ksh10 million to 15 million per kilometre. Therefore, we preserve the road instead of waiting for it to be dilapidated totally and then we have to reconstruct it at a cost of over Ksh60 million per kilometre. Hon. Oyula, we will pay attention to that concerned road and look at the potholes that are developing and what corrective measures we have to do immediately.

Hon. Owen Baya has raised the issue of Bamba Road. We are very strong today with respect to having paid the contractors. When we summon them when we have not fully paid them or we have a further tranche of cash money to pay them, they come running. Let me answer the question from Kilifi North on Bamba Road, together with Hon. Julius Melly and K'Oyoo's questions.

The question on construction of spur roads in Muhoroni – Chemelil Road was raised by Hon. Hilary, Member for Kipkelion West Constituency. We have three contractors on this road: China Bridge No. 10, H Young and Stecol Corporation. These are strong contractors. I want to have a meeting with the leadership, the contractors, and the team at the Ministry to understand the spur roads which will be built in the contract. This will also help me to understand whether they should build the main artery and then come back to build the spur roads later, or they should construct all of them as they move forward.

This will enable us not to have the kind of case that Hon. Sabina Chege mentioned earlier, where the Members of Parliament do not want the main artery to be built but want the spur roads to be built ahead of the main road. Let us have this common meeting with these three contractors, Hon. K'Oyoo and Hon. Julius Melly, because this issue again cross-cuts many constituencies.

Like I said, when we summon them they come because we now have the ability to pay them. I will get a session sometime next week, call the three contractors, and the leadership and then we agree on the way forward on the Muhoroni-Mamboleo and Koru-Gilimori Road and other spur roads on this particular sugar belt area. We will deal with that together with the leaders - Hon. Melly, Hon. K'Oyoo and Hon. Hilary and the other Members in Muhoroni belt.

Hon. Joseph Makilap asked about Kerio Valley roads that traverse Baringo North from Barwesa and Kenyach, going all the way to Kapsowar in the Elgeyo Marakwet area and Kipsaraman. These roads have been factored in, from Barwesa all the way not only in Kenyach but also to Kolowa to the north. They are funded. Like I have just said about Muhoroni - Mamboleo Road, let us call this contractor, we sit down with him and agree on the work programme because we normally agree with contractors on motorable roads ahead of works.

We do not build spur roads for users to use while the road is being constructed. There is an agreement that the road should be motorable when construction is going on. When there are these impassable sections, let this honourable House call the relevant leadership in this particular case.

Hon. Joseph Makilap, Member for Baringo North, and the leadership of the other side in Elgeyo Marakwet County should address the work programme, including and more

importantly whether the road will be motorable so that we are not only look at when the tarmac road will be finished, but also the fact that we are able to use it on a day-to-day basis.

There is also a question from Hon. Elachi, Member for Dagoretti North. We started with Nairobi City County leadership. We gave the support to Nairobi City County to basically improve the outlook of our city. We have allocated Ksh2 billion. Therefore, Hon. Elachi, I will convene a meeting together with the Governor for Nairobi City County and the leadership to look at the priority of those roads.

This support we are giving to Nairobi City County will be implemented through Kenya Urban Roads Authority (KURA), but not the county government. We can sit down together and look at whether the prioritisation was done properly.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Jayne Kihara.

Question 57/2025

COMPENSATION FOR LAND ACQUIRED BY KENYA RAILWAYS CORPORATION

Hon. Jayne Kihara (Naivasha, UDA): Thank you, Hon. Speaker, for allowing me to ask these questions to the Cabinet Secretary whom I have a lot of faith in. It looks like we are going places.

Hon. Speaker: Hon. Jayne Kihara, ask the Question as it is framed in the Order Paper. I have called you to ask Question 57/2025.

Hon. Jayne Kihara (Naivasha, UDA): Sorry, Hon. Speaker. I had requested you to allow me to ask about the road because my Question is not about that road, please.

Hon. Speaker: Reluctantly, take one minute.

Hon. Jayne Kihara (Naivasha, UDA): The Kinungi-Maraigushu road is a KURA road that is about seven kilometers. Its construction started in the last regime. Hon. Speaker, to date they have done only two kilometres. I have even been asking the previous agency to come and check the widespread encroachment.

When can the Cabinet Secretary finish the remaining five kilometres of the Kinungi-Maraigushu Road that is under the Kenya Urban Roads Authority (KURA)?

Hon. Speaker: Cabinet Secretary, do you know the road?

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): I generally know this Kinungi Road. Allow me to pay attention and revert now that the Hon. Member has raised this on the Floor of the House. That should be a non-issue today if it was a case of stalling because of non-payment. It is upon us to provide budgets for ongoing roads if the stalling is because of budgetary allocation for an ongoing project. It would be unfortunate to start new roads when we are not funding ongoing roads. Either way, the ministry should take responsibility. Let me confirm that I will look at it. I will sit down with *Mheshimiwa* and find out whether it is budgetary allocation or a pending bill, both of which the ministry should be able to resolve and continue construction of the road.

I thank you.

Hon. Speaker: Thank you. There are too many joy riders. Hon. Waluke, I will allow one Question each. The remaining two Questions are not on roads. Therefore, I will not allow anybody to ask anything else.

Hon. John Koyi (Sirisia, JP): Thank you, Hon. Speaker.

Waziri, mine is about Chwele-Sirisia-Lwakhakha Road. It is a low-volume road but traffic was transferred from Malawa to Lwakhakha. It is an international road and all the trucks from Burundi, Rwanda, Uganda, and Southern Sudan are using the road. The trucks have

completely torn it out. It is supposed to be upgraded. We have lost about 70 people within a very short time. They have died on that road because it is small. *Waziri*, your predecessor Hon. Murkomen promised that it would be upgraded but we have not seen anything to date.

Secondly, the contractor of the Mayanja-Bisunu-Sirisia Road did only two and a half kilometres before he vanished from the road. He is not there. I do not know what steps you have taken.

Hon. Speaker: Yes, CNN.

Hon. Charles Nguna (Mwingi West, WDM): Thank you. First, I appreciate the Cabinet Secretary because of the Kibwezi-Kitui-Bondoni Road whose construction has resumed.

Hon. Speaker: The Cabinet Secretary has been appreciated enough. Just ask your Question.

Hon. Charles Nguna (Mwingi West, WDM): The contractor has put up a campsite but I am concerned that the pace is too slow. Just speed it up so that the work can start to ease pressure from the public.

Hon. Speaker: Hon. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Speaker. I have one brief Question regarding the Maseno-Kombewa Road. The Cabinet Secretary answered regarding the Vihiga side. However, that road extends all the way to Kombewa-Kalandini.

Hon. Speaker: The Member of Parliament alleged that your side was completed.

Hon. (Dr) James Nyikal (Seme, ODM): No. The part from Akado-Nyandiwa-Kalandini is not complete. The road is hanging. It can help us follow up on the progress of the work if they share with us the agreed programmes with timelines after the meeting on Tuesday.

Hon. Speaker: Hon. Zamzam.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante Mhe. Spika.

Ramps za *ferry* inayosafirisha watu kati ya Mombasa na Likoni zinamwaga watu bahaarini. Kuna *ferry* mpya zilizotakiwa kununuliwa ili wananchi wa Mombasa wapate wepesi wa kusafiri. Kufikia sasa, daraja za kupanda hata ile *ferry* ya MV Nyayo zimeharibika na mtu anaweza kuanguka bahaarini. *Waziri*, umeweka mikakati ipi kuhakikisha kuwa wananchi wa Mombasa wanatasafiri bila utata ili kuziuia kisa kama cha Mtongwe, wala Mungu asijaalie.

Naomba utujibu. Asante sana.

Hon. Speaker: Hon. Daniel.

Hon. Daniel Karitho (Igembe Central, JP): Thank you. Mine is not particularly regarding roads although I have some concerns. My major Question is on air transport. I would like to know if *Waziri* knows that we depend on Ethiopian Airlines to export our *miraa*.

Hon. Speaker: Cabinet Secretary, you just will have to make do with this mixed grill.

Hon. Daniel Karitho (Igembe Central, JP): Lately, they denied us opportunity to ferry *miraa* to Israel and Djibouti. We are really stuck considering that Kenya Airways does not fly the two routes. What is the ministry doing to assist our Meru traders and farmers regarding the problem of lack transport? Ethiopian Airlines flies there but they are denying our traders an opportunity to use their flight.

Hon. Pauline Lenguris (Samburu County, UDA): Thank you. My Question to the Cabinet Secretary regards the status of the two Samburu roads—Maralal-Baragoi Road and Kisima-Wamba Road. Although it was advertised we have not seen anything moving to date. Second is the Mouwarak-Maralal Road. I think it was a low-volume road and has so many big potholes now. It has made transport for the people living in Maralal very difficult. We had requested for re-carpeting. I do not know what the ministry will do to correct that.

Hon. Speaker: Hon. Sitienei.

Hon. Janet Sitienei (Turbo, UDA): Thank you, Hon. Speaker.

I seek intervention of the Cabinet Secretary on the Turbo Bridge that was given to a contractor over two years ago. The work is very slow. The current bridge is a disaster in waiting. Second is the Turbo-Besiobor-Selia Road that is a twin sister to the Turbo-Naitiri-Sikhendu-Endebess Road.

Hon. Speaker: Which bridge are you talking about, is it on the highway?

Hon. Janet Sitienei (Turbo, UDA): Yes. Turbo Bridge. It is about half a kilometre off the highway. It is a twin sister to the Turbo-Naitiri-Sikhendu-Endebess Road. What is the status of the road from Turbo to Besiobor to Selia?

Hon. Speaker: Kipepeo, Mama County Busia.

Hon. Catherine Omanyio (Busia County, ODM): Thank you, Hon. Speaker.

Bwana Cabinet Secretary, I just want to know what happened to the road from Mungatsi-Benga, Akobwait-Kwangamor-Kotur that was to end in Kocholia. It is about 22.5 kilometres long. The bridge was removed and the contractor does not seem to be on site. Sugarcane cutters now have to look for another route that takes two hours. That distance took them less than 30 minutes previously. The road is paramount because of sugarcane in the region.

Hon. Speaker: Hon. Oron.

Hon. Joshua Oron (Kisumu Central, ODM): Thank you, Hon. Speaker.

My Question to the Cabinet Secretary regards a 9.5 kilometre road called Tom Mboya Road in Kisumu.

Hon. Speaker, this road was awarded in 2021, but up to now, a third has been paid for. A balance of Ksh450 million is yet to be paid. The road is 60 per cent complete. Cabinet Secretary, what is happening from 2021 to date? These roads are dangerous to the residents, kids and motorists because when it rains, water accumulates. Thank you.

Hon. Speaker: Hon. Basil.

Hon. Robert Basil (Yatta, WDM): Thank you, Hon. Speaker. My question is to the Cabinet Secretary is about the Matuu-Ekalakala Road. He had told me that the particular contractor is going to come to site, but he has never. Thank you.

Hon. Speaker: Hon. Ruweida.

Hon. Ruweida Mohamed (Lamu East, JP): Barabara yetu ambayo itakuwa ya kwanza, kwa maana hatuna hata inchi moja ya lami, lakini sasa tumeypata. Jana ndio *contractor* amepeleka mashine bandarini. Kwa vile imechelewa sana, na ninajua kuna pesa, ninaomba Waziri ahakikishe hii barabara ianze pande zote, kutoka Mtangawanda hadi Siyu, na kutoka upande wa Siyu kuelekea Mtangawanda. Tumekaa kwa muda mrefu sana tukingoja hii barabara.

Nilikuwa nashangaa hata hivi leo nikikuuliza utasemaje? Pengine amejua unakuja ndio maana akasongeza hizo mashine, kwa maana ulikuwa ukiniambia itaanza baada ya wiki moja au mbili, lakini imechukua muda. Waziri, tafadhalii *contractor* aambilie aanz pande zote mbili kwa maana watu wamengoja hio barabara kwa muda mrefu sana.

Pande zingine watu wanaomba barabara lakini Lamu East watu wanaomba barabara ifunguliwe. Karibu miaka sita hakuna njia. Mfanye mpango wowote hata kama ni kuweka *murram* au kingine chochote kwa hio barabara ya Hindi-Kiunga. Uchumi wa Kiunga umefungwa kabisa kwa maana hakuna barabara kabisa, ilhali barabara hio ni *Security Road* na pia ya kimataifa ikielekea Somalia. Tumekosa majeshi hapo kwa sababu ya *Improvised Explosive Devices* (IEDs) zinazowekwa chini na kulipuka. Barabara hiyo ikitengenezwa itatusaidia sana kwa sababu kwa sasa haipitiki. Watu wanatumia boti pekee yake. Ahsante.

Hon. Speaker: Hon. John Paul.

Cabinet Secretary, those are short questions. You should be running through them very quickly. Give Hon. John Paul the microphone.

Hon. John Paul Mwirigi (Igembe South, UDA): Thank you, Hon. Speaker. I only have one question to the Cabinet Secretary.

Hon. Speaker: You are entitled to only one.

Hon. John Paul Mwirigi (Igembe South, UDA): It is about compensation of a road which was completed in 2023, the Kiji-Auki-Makiri Road. The names of the beneficiaries were gazetted but, to date, they are yet to benefit from the compensation. When are they likely to be compensated?

Thank you.

Hon. Speaker: Last on roads, Senior Hon. Sunkuli. *Nafungia hapo*. The remaining two questions are not on roads and I will not allow anybody to ask anything on roads hereafter.

Hon. Sunkuli.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Speaker, my question is about a road which the Cabinet Secretary knows very well about; the Kilgoris-Soit Road through Shartuka. It is a Low Volume Seal Road (LVSR) which is speedily wearing out. I do not know what the Cabinet Secretary is doing; as to whether the contractor is coming back to site, especially because now we have a factory there and people want to benefit from it from delivering cane. It is becoming more difficult to maintain the road unless you come to it quickly. This goes all the way to Chebole.

I am not allowed to ask another question but I hope the Cabinet Secretary read in the newspapers, that the road from Lolgorian to Maasai Mara was blocked by residents and tourists could not pass because there were two big pools of water that had stagnated and the road is impassable even by *boda boda*. What is the Cabinet Secretary doing about that?

Hon. Speaker: Hon. Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. Cabinet Secretary, my question is on the Kitale-Suam Road. It is 99 per cent complete.

Hon. Speaker: I thought it is complete.

Hon. (Dr) Robert Pukose (Endebess, UDA): No, it is 99 percent complete. We have people who are supposed to have been compensated, but they are yet to be compensated to date. Hon. Caleb Amisi asked about the people of Matisi and we also have people in Endebess, especially around Soko Mjinga and along that area, where they are yet to be compensated. They have approached the National Land Commission (NLC) and they are always going to the Deputy County Commissioner's (DCC) office. Even today, they called while headed to the DCC's office.

How are they going to be compensated? They will be left stranded if nothing happens.

Hon. Speaker: Members, bear with me. This is the cut-off on roads. Cabinet Secretary.

(*Hon. Eve Obara spoke off the record*)

Hon. Eve Obara, I will not give you a chance because you have just walked in. You and Hon. Farah have just come in. Cabinet Secretary, answer those questions. That is a cut-off point on roads. I am sorry, Hon. Farah, you will ask your question next time.

(*Hon. Farah Maalim spoke off the record*)

Many questions about the North have been asked. The Kulamawe Road and all others have been mentioned. I have been here, unless you were not. Go on, Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you, Hon. Speaker.

Hon. Members, allow me not to just individualise every question. We have paid every contractor at least 40 per cent and we shall be paying the next 40 per cent in due course, which should be in the next two to three weeks.

We shall have the Tuesday meeting to review this because we are in a very strong position to ensure that we comply with the settlement agreement, which was a bargain to sell part of our Road Maintenance Levy Fund (RMLF) and pay them.

On account of discounting our RMLF on a net present value (NPV), we equally asked them to discount to 35 per cent. We paid them 40 per cent and we shall be paying the other 40 per cent in due course. Therefore, for the road that Hon. Waluke spoke to and where there is a contractor, I confirm that on all those roads, together with my team, I will be happy to have a meeting with the contractor and Members of Parliament for the particular area, to address resumption of work. If they have not resumed work, why should we prioritise the next 40 per cent? However, we are in a very strong place to address that.

There was a question that was asked earlier regarding what we are doing around Malava to open the congestion and expedite movement of lorries around that area so that border control is not exacerbated with the challenge of roads. For the Malava and Chwele Road, because of the border and since we pride as being an anchor state because of the port of Mombasa which services Uganda, Rwanda, all the way to DRC, we will pay attention to the roads around the border.

As a country and anchor state, we do a lot of trade on account of transiting goods for these particular countries, and therefore, even if we were efficient in Mombasa but not efficient in the entire Northern Corridor, including the border, which also seeks to answer the question by Hon. Pukose on the Kitale-Suam Road. We are going to work quickly to make sure that we clean these border-point roads, including the building which is currently unfinished, which is why we are at 99 per cent.

We will work closely with Kenya Revenue Authority (KRA) to finish the buildings, even as the leadership of our neighbouring countries will be coming to Kenya. The Kitale-Suam Road is of concern and we shall finish that one per cent that is outstanding.

Having said that and with respect to Hon. Waluke's question, we will pay attention to that border area to make sure that the artery is clean, even when you have to go through the Chwele---

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

Hon. Speaker: I know you want to ask about compensation.

Hon. (Dr) Robert Pukose (Endebess, UDA): Yes.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): I will answer that because I have already handled Kitale Swamp. I can just deal with it together with the Project Affected Persons (PAPs) on the road that Hon. John Paul raised. In the sale of securitized assets, we made provision for all the PAPs. That is why, even on the road that was asked about - Kibwezi to Mutomo - we are compensating all the affected persons to the tune of Kshs1.5 billion.

We have released the money to the National Land Commission. The payment process is a bit slow because of the need to ensure that we are compensating the rightful persons. However, the money has already been made available. The PAPs have been taken care of in Hon. John Paul's area, Kibwezi-Mutomo Road and equally in Kitale Swamp. We are working closely with the National Land Commission. In fact, we have held many meetings. We have released Ksh14 billion to the Commission. As of now, they have paid out close to Ksh4 billion, and are holding about Ksh10 billion pending the reconciliation of records. We are also working

with the Ministry of Lands and Housing Development to streamline these records and facilitate the release of the remaining funds to the PAPs.

With respect to contractors who have not resumed work, as I said earlier, that should not be an issue. We can address it on a case-by-case basis. At the moment, the contractors are cooperating with us. If they are not cooperating with Members of Parliament, I am happy to chair joint meetings to resolve the challenges.

Regarding the Maseno-Kombewa Road, which was raised by Hon. Nyikal, we have provided funding to complete that section. This will ensure both sides of the road are completed. We even received Executive directions to finish both sides.

Hon. Zamzam asked about the ferry. I would like to state that we made payment within the last two weeks and construction has already started. We are concerned about the safety and efficiency of movement across the Likoni Ferry, especially given the troubling videos showing how people board. During my recent visit to Mombasa, this was one of the agenda items with the Governor. We are exploring the introduction of a crowd management system.

The road we constructed between Mombasa and Kwale through Kibundani, meant to support the Special Economic Zone, is ready and will soon be opened to ease traffic congestion at the ferry. The second ferry has also been paid for and construction has started. I received an update yesterday evening during a meeting with Captain Ruto.

Regarding air travel, I have a substantive statement because it has a major concern. I will particularly look at how we are going to assist our *miraa* farmers and ensure their products reach markets in Israel, Djibouti and other destinations. Ethiopian Airlines operates scheduled international air services into Kenya under the Bilateral Air Service Agreement (BASA) signed between Kenya and Ethiopia. This agreement permits the carriage of passengers and cargo under a scheduled regime and does not restrict the type of cargo, provided the airline is properly certified by the relevant authorities and compliant with standards set by the International Civil Aviation Organisation.

Under such agreements, signatory States are obliged not to interfere with operations of designated airlines. Therefore, Ethiopian Airlines' ban on transporting *miraa* from Kenya is an internal decision by the airline and not linked to the existing bilateral agreement between Kenya and Ethiopia. Being aware of this, I prepared a brief statement because I knew it would come up. I intend to hold bilateral discussions with Ethiopian Airlines to intervene as the decision significantly affects the *miraa* sector. Since *miraa* is perishable with a short post-harvest life, we must find a quick solution. I will address that very quickly.

Turning to Samburu, as raised by Hon. Lenguris, the Wamba-Maralal-Baragoi Road has faced challenges, much like the Chepsonoi-Turbo-Kakamega Road, particularly with contractor pricing. We allocated funds for some tarmac from Maralal to Wamba and also towards Baragoi. We have had meetings with local leaders. The road was retendered and the bidding process has just closed.

Due to time lost between funding approval and the earlier failed tender, we will move quickly to award the contract to tarmac and upgrade the gravel road all the way to Baragoi and ensure it is motorable. This is under Kenya National Highways Authority (KeNHA), which is working hard to mobilise contractors. These projects are financed through affirmative funding secured last year and are included in this Financial Year's budget. Work should commence shortly.

Regarding Turbo Bridge, Hon. Janet Sitienei, significant work is ongoing. Funding has been provided for the road, and I believe the bridge should not be excluded. I do not have all the details with me, but I will follow up to ensure that Turbo bridge is not in the state you described.

For Busia, Hon. Catherine Omamo, the 22.5-kilometre road and the bridge you mentioned must be addressed. I will follow up on this as well. I am here with my Principal

Secretary. I may not have an immediate answer, but I will look into the matter and get back to Hon. Catherine Omanyo.

Regarding Hon. Oron's question on Tom Mboya Road in Kisumu, the 9.5 kilometres is under a contractor. The road took long because we did not pay the bills. However, since this is Kisumu City and the road is under contract, it will be irresponsible not to provide funding. I will confirm the funding status. If delays were caused by pending bills and they are no longer a challenge, we will ensure the contractor returns to site and completes the outstanding portion of the 9.5 kilometres.

I do not recall Hon. Bashir's question. However, in response to Hon. Ruweida's question regarding the Mtangawanda-Kizingitini Road, which was initially planned to run from Mtangawanda to Siyu, the contractor is on site. I summoned them to my office, and the son, Yusuf, came. We gave them ultimatums. The biggest challenge here was that contractors had to put efforts to hire a badge to carry the heavy equipment which is delaying the work. If the heavy equipment has landed in the island, it should not be a problem. This road is funded through the affirmative funding that we got late last year. We have provided adequate funding to make sure the road moves without stoppage.

The last question was on Hon. John Paul's concern on the Project Affected Persons (PAPs), which I have talked to. As I said earlier, the funding is available. We are working with the National Land Commission (NLC) to make sure that they accelerate the payment. Currently, NLC is not sourcing for funds. We are pushing them to pay because they are sitting on Ksh10 billion amount of resource, which is within their accounts. They are working on reconciliation to pay the Project Affected Persons (PAPs) on the various portions of roads, including Mtwapa-Kilifi, Kwa Jomvu-Mariakani and James Gichuru-Nakuru, which is under China Wu Yi.

On Hon. Sunkuli's question on Kilgoris-Shartuka-Soit Road and Chebole-Siongiroi-Chebunyo-Emurua Dikirr Road, we have provided funding for the reconstruction. The works will start this Financial Year. On the Chebole side, all the way to Daraja Sita, a reseal of the road is ongoing. Hon. Sigei confirmed that there is work in progress. The repairs and resealing of that road would be completed in the next three weeks.

Hon. Pukose asked about the Suam-Kitale Road. It is 99 per cent done. The one per cent is more of the building and works to do with Kenya Revenue Authority (KRA). We are working with them to complete the works.

I, thank you.

Hon. Speaker: Let us have Hon. Eve Obara then we close with Hon. Farah. Please joy ride quickly.

Hon. Eve Obara (Kasipul Kabondo, ODM): Thank you very much, Hon. Speaker. My question is on the feeder roads on the Ahero-Kisii Highway. The highway was completed and well done. But there are feeder roads leading to public institutions that were supposed to be tarmacked. Most of them have a length of below the two kilometres. Up to date, nothing has happened, despite the fact that we have written several letters requesting for the roads to be done. These are short-distance roads, less than two kilometres, leading to public institutions like schools, hospitals, the Deputy County Commissioner's (DCC) Office and the police station. Please, can these roads be completed?

Thank you.

Hon. Speaker: Thank you. Hon. Farah. I will give a correction that it is not true that nobody had asked any question about North Eastern roads. The Cabinet Secretary answered questions on the Kulamawe Road.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, Kulamawe is not in North Eastern but in Upper Eastern. North Eastern is Garissa, Wajir and Mandera.

Cabinet Secretary, a directive was given for the design work to be completed for Madogo-Garissa-Dadaab-Liboi-Harhar Road. His Excellency expected this to be completed within the budget of the last Financial Year. However, there seems to be some delay in that. We would like to know when that can be ready so that the funding can also be sought from the World Bank or other donors for that section.

The same section of the road that is used for supplying items to 450,000 refugees in Dadaab, is now completely impassable. It is a nightmare to drive through Garissa-Dadaab. What emergency measures have you put in place or wish to put in place at least to make that bit passable so that it can be used with ease, for the time being, as we wait for the tarmac to be fixed much later?

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Biego!

Hon. Paul Biego (Chesumei, UDA): Thank you, Hon. Speaker. My question is about the Danger-Chemuswa Road. The last time the Cabinet Secretary was here, he promised that something would go on. There is a bit of work going on, but it is also causing a lot of problems because the contractor does not give alternative routes when he blocks the road, especially when constructing the bridges. There is also a bridge in Kosirai Ward which had been awarded to a contractor by Kenya Urban Roads Authority (KURA). Recently, we lost a life on that bridge. I would like to know the status. The contract was awarded a long time ago but it has not taken off.

Thank you.

Hon. Speaker: Respond to those three questions from Hon. Farah, Hon. Eve and Hon. Biego.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Let me start with Hon. Eve Obara on the Ahero-Kisii short-distance spur roads that link up to public institutions. Hon. Obara, I request that you allow me to confirm on that. If they were in the contract, then there is absolutely no reason why they should not be done. I will personally get back to Hon. Obara to confirm on the status of those spur roads linking up to these public institutions. Sometimes, the reason why we construct a road is to service public institutions.

To some extent, contractors, even at 99 per cent, abandon work based on the signature that it seems to be complete. However, sometimes it was due to non-payment. But to an extent that they were in the contract, I will pick them up and we will make sure that those roads are done.

On Hon. Farah, we gave instructions for the design of this road starting from Madogo all the way through Garissa. I request to follow up so that I can confirm whether it has been completed. I did not get the details before I came here. We are seeking for donor funding like World Bank, to build this road. With this kind of funding, we can introduce it into budget any time because it does not impact on the cash flow, as it were. On the same Garissa-Dadaab Road, there is need to service the Internally Displaced Persons (IDPs) camps there. To the extent that we need to service Dadaab, we need to make that road motorable because of the refugees out there. So, again, Principal Secretary, let us pay attention to that.

On Hon. Biego's question on Danger-Chemuswa Road, we have a contractor. If it is a case of being slow and needs to address the crossings and bridges, we will look into it. The only challenge we have on this road is that, sometimes, we get instruction that we should start from the other side. But we have a strong contractor on that road. We do not know why it is slow. But again, the concern has been picked. We will talk to the contractor and see whether we can have two gangs so that one is on one side and one on the other side because it is a long road.

There is also a concern by the two parties on why it is not coming out from either side. But to the extent of it being slow – like I said, pending bills for now is not a challenge – we will pick up that and address the speed of construction of this road.

I, thank you.

Hon. Speaker: Hon. Members, Hon. Simon King'ara came in late, but he has explained why and I am satisfied. I want to give him a second chance. So, I rescind the order to drop Question 14/2025 and allow Hon. Simon Kingara to ask the same. Go ahead, Hon. Simon. First, apologise to the House for coming late.

Hon. Simon King'ara (Ruiru, UDA): Thank you, Hon. Speaker, for your kindness. I apologise. I have explained to the Hon. Speaker and it is on his record why I was late. It was not deliberate. I respect this House.

Question 14/2025

INCLUSION OF ISSUANCE DATE IN SMART DRIVING LICENCES

Hon. Simon King'ara (Ruiru, UDA): Hon. Speaker, I rise to ask the Cabinet Secretary for Roads and Transport the following Question:

- (a) Could the Cabinet Secretary explain why the new generation smart driving licence does not indicate the date when the holder first obtained it?
- (b) Could the Cabinet Secretary also consider integrating the original date of licence issuance into the smart driving licence, particularly for individuals upgrading from older versions, to support Kenyan drivers abroad who rely on this information to verify their driving experience?

Thank you.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you again, Hon. Speaker. The new generation smart driving licence was introduced as part of Kenya's broader commitment to modernise its road transport system, enhance road safety and align with regional and international standards. The licence incorporates advanced security features and integrates with the National Transport and Safety Authority (NTSA) digital platform ensuring real-time access to drivers' data and compliance history.

Notably, Kenya has adopted the regulations of the Tripartite Transport and Transit Facilitation Programme (TTTFP), an initiative launched by the regional economic communities in the three regions, namely, the Common Market for East and Southern Africa (COMESA), East African Community (EAC) and South African Development Community (SADC).

The primary objective of this was to harmonise cross-border transport policies, including standardisation of drivers' licensing categories and practices across Member-States. This facilitates seamless and safer movement of drivers and goods across borders within the region.

In line with the TTTFP standards, the current design of Kenya's smart driving licence, as brought out by Hon. King'ara, does not include the date when the holder first obtained the licence as this information is not a prerequisite requirement under the harmonised regional framework. However, given the concerns of Kenyans out there, it is important to emphasise that while the physical card does not display this date, the full driving history of every licence holder, including the original issuance date, is securely stored within the NTSA Integrated Road Safety Management System. This information is readily accessible to authorised institutions, such as law enforcement agencies and regulatory bodies for verification, enforcement and administrative purposes.

The Ministry, through the NTSA, continues to review stakeholders' feedback and any necessary enhancements to the system including potential adjustments. We are working on accommodating the date of first issuance in the data structure within the digital data structure. Therefore, that will be done in due course.

In respect to the second question, the Ministry acknowledges the importance of reflecting the original date of licence issuance, particularly for Kenyan drivers seeking to validate their driving experience when applying for licences or employment opportunities abroad.

While the current smart driving licence was developed in compliance within the TTTFP standards which do not require the inclusion of the original issuance date, there is recognition that this information remains relevant for many licence holders, especially those upgrading from older versions of licences. To address this concern, the Ministry, through the NTSA, is considering the integration of the original date of the licence issuance, in either the physical card or through enhanced digital access options.

The Director-General (DG) of the NTSA accompanied me today. I am very sure that the update is being done so that that smart chip accommodates that date of first issuance. Therefore, such integration will be done carefully to ensure consistency with regional regulatory frameworks while also leveraging the NTSA Integrated Road Safety Management System, where all historical data, including original issuance date is securely stored.

The Ministry remains committed to ensuring that our licensing system not only meets international and regional standards but also serves the practical needs of Kenyan drivers at home and abroad.

I, submit. Thank you.

Hon. Speaker: Hon. King'ara, that is a very adequate response to your question. Is it not?

Hon. Simon King'ara (Ruiru, UDA): Hon. Speaker, I just request that the process is fast-tracked because diaspora remittance is an economic enabler. Many Kenyans out there cannot work because of lack of experience, which was not captured when they got the new driving licence. As much as it complies with the world requirements, I am in the diaspora. Apart from the big towns in the world, Kenyans in small villages out there do not have those machines to chip in their licence and get the data. If that information is indicated on the card, then they will be good to go.

Hon. Speaker: Thank you. The last question is by Hon. Jayne Kihara. Cabinet Secretary, note what the Member has indicated. Hon. Jayne Kihara, use the microphone next to you on your right.

Question 57/2025

COMPENSATION FOR LAND ACQUIRED BY KENYA RAILWAYS CORPORATION

Hon. Jayne Kihara (Naivasha, UDA): Hon. Speaker, I rise to ask the Cabinet Secretary for Roads and Transport the following question:

- (a) Could the Cabinet Secretary clarify whether compensation for land acquired by the Kenya Railways Corporation for the construction of the Standard Gauge Railway (SGR) and the Metre Gauge Railway (MGR) has been fully settled?
- (b) Could the Cabinet Secretary provide details on the criteria used to identify legitimate landowners and clarify whether compensation was determined based on the prevailing market rates?
- (c) Could the Cabinet Secretary explain why some legitimate landowners were not compensated for their land acquired for the construction of the railway line and

outline measures the Ministry has put in place to ensure that all genuinely affected land owners are duly compensated?

I, submit, Hon. Speaker

Hon. Speaker: Hon. Jayne, is this in relation to your constituents, so that the Cabinet Secretary does not meander around?

Hon. Jayne Kihara (Naivasha, UDA): Yes. In Naivasha.

Hon. Speaker: In relation to Naivasha?

Hon. Jayne Kihara (Naivasha, UDA): Yes, in relation to Naivasha.

Hon. Speaker: So, Cabinet Secretary, I do not expect you to meander around from Mombasa to *mwisho wa reli* in Narok.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you, Hon. Speaker and Hon. Jayne Kihara.

Compensation for land acquired for the Standard Gauge Railway, a major project undertaken by the Government, and the Meter Gauge Railway projects, was settled in accordance with the awards of compensation to the person entitled. Payment was only held by the National Land Commission (NLC) as guided by the Lands Act on issuance where there was no competent person to receive payment, mostly in cases where the process of succession was ongoing. Upon completion of the process and letters of administrations being issued, the NLC makes payments appropriately. That is what I said earlier with respect to the Project Affected Persons (PAPs) on the ongoing road network even when money is available.

There are cases when the person entitled to be paid does not consent to receive the amount awarded where the PAPs are aggrieved by the award of compensation and seek reprieve from the Land Acquisition Tribunal. The other issue is where there is a dispute as to the right of the persons entitled to receive the compensation, or as to the shares in which the compensation is to be made. Those are some of the challenges and areas where money could be available, but payment is not made to the PAP who needs to be compensated.

On the second issue on the criteria used to identify legitimate landowners and whether compensation was determined based on prevailing market rates, Section 112 of the Land Act 2012, revised in 2019, guides the NLC in identifying all interested persons and the nature of their interests over the affected land. It also guides NLC on determination of ownership where the Commission conducts an inquiry to hear issues of proprietary and claim for compensation by persons interested in the land. At the inquiry, the Commission makes a full inquiry into and determine the person interested in the land in line with Section 112 and Section 3(A) of the Land Act.

It also inquires into received written claims of compensation from those interested in the land in line with the same Act 112(3)(B). NLC also has powers of the court to summon and examine witnesses including the persons interested in the land and compel the production of delivery and delivery to the commission of documents of title to the land in line with Section 112(5) of the Land Act. Therefore, on the conclusion of the inquiry, NLC prepares a written award of compensation for every person whom the compensation has determined to have an interest in the land.

On whether compensation was determined based on prevailing market rates, the Commission is guided by the Land Assessment for Just Compensation Rules (LAJCR) of 2017 and the Land Value Amendment Act (LVAA) of 2019. The regulations provide for a criterion for determination of just compensation and factors to be considered. Among the factors to be considered when assessing compensation Hon. Members, is the market value of the land. LAJCR of 2017 further provides a criterion for assessment of market value.

On the concern of legitimate land owners not compensated for their land acquired for the construction of this infrastructure, Hon. Speaker, during the compulsory land acquisition for the Nairobi-Naivasha Standard Gauge Railway (SGR) Project and the Naivasha Inland

Container Terminal at Longonot Station, Meter Gauge Railway (MGR) Link line, it was noted that several unresolved historical land disputes and property boundaries inconsistencies existed within the Mai Mahiu area.

Further, there were ongoing court cases pending determination. In line with section 115 of the Land Act. Compensation for properties that were in dispute was held by the Commission until the dispute as to the right of the person entitled to receive the compensation was determined. Kenya Railways being the acquiring entity has continuously liaised and facilitated relevant government agencies to ensure resolution of land boundary and ownership issues, hindering payment to ensure affected land owners are compensated.

Hon. Speaker and Members, further, the Ministry ensures provision of adequate budget under the Railways Development Levy Fund (RDLF) to ensure that all affected property owners are compensated upon resolution and determination of existing disputes. In conclusion and as I submit, there will be outstanding cases in line with some of those challenges, but with the extent of funding, I think we have got enough allocated funds under the RDL, to be able to compensate once the NLC resolves all the issues and we should be able to do that.

I submit, thank you.

Hon. Speaker: Thank you, Cabinet Secretary. Hon. Jayne, I believe you are satisfied.

Hon. Jayne Kihara (Naivasha, UDA): Am I allowed to say something?

Hon. Speaker: You are allowed.

Hon. Jayne Kihara (Naivasha, UDA): Hon. Speaker, I would wish for the Cabinet Secretary to provide details of the cases in court. There are those people who would come with titles and say this is my land, it was affected, there is no dispute anywhere and yet I have not been paid. Therefore, I wish to find out how he would want us to solve that. They come to my office with titles which means there is no court case and if there is a court case, then we need to know which ones because we need to settle these matters. Indeed, like the Cabinet Secretary says, there are many problems in matters land but, there are those who think it is clear that they should have been paid.

Hon. Speaker: Hon. Jayne, you can also help your constituents by compiling a list of those claiming not to have been compensated when they ought to. Visit the ministry. I am sure they also hold a list. Reconcile and then have everything done. It is good for the gallery to ask questions here, but you can also do so much by going to visit them. I know the section that we are talking about is not that big. If you have a complete list, visit them and I am sure they will be able to reconcile.

Hon. Jayne Kihara (Naivasha, UDA): Much obliged, Hon. Speaker.

Hon. Speaker: Thank you. Cabinet Secretary, I think we will end here.

(Hon. Moses Kirima spoke off record)

Do you want to joy ride on this?

Hon. Moses Kirima (Central Imenti, UDA): It is just a joy rider.

Hon. Speaker: Is it about railways?

Hon. Moses Kirima (Central Imenti, UDA): It is compensation with the rule. The one for Madam Jayne.

Hon. Speaker: Yes.

Hon. Moses Kirima (Central Imenti, UDA): Hon. Speaker, thank you for giving me this opportunity as a rider. *Waziri*, we have a road for which money was allocated for compensating the people who were affected. That is the Cocacola-Kidaku-Kaliene-Chariaki Road. People were compensated; money was set aside for compensating citizens whose land was affected. That money has not been transmitted to their accounts by Kenya Rural Roads Authority (KeRRA) to date. What is the Ministry doing about it, taking into account that these

questions were also asked directly to the President when he visited Meru and he promised, which also I am aware, that KeRRA had set aside money through this Parliament for compensating the farmers who are the owners of the land?

Secondly and lastly, at the same time---

Hon. Speaker: A joyrider is only entitled to only one question.

Hon. Moses Kirima (Central Imenti, UDA): I am joining it together. It is a continuous question.

Hon. Speaker: You said it is the second one.

Hon. Moses Kirima (Central Imenti, UDA): Sorry, Hon. Speaker. It is a continuous question. On the same road which you know very well that these farmers were affected all the way back from the year 2016 to date, there has been an attempt to put some little money to do that road. What is the Cabinet Secretary doing to make sure that there is adequate money to have this road finished or done completely? The budget was Ksh1.9 billion and nothing has been done about this road as we speak.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): Thank you, Hon. Speaker. I think I had a session with *Mheshimiwa* in my office and this particular Road, Coca-Cola, linking up to a number of points like university got funding in the current financial year. Therefore, we will not be able to construct the road unless we compensate the project affected persons.

On whether the money is being held by KeRRA or NLC, I am sitting here with Engineer Mang'ondo Jackson, the acting Director-General (DG) for KeRRA, and we will pay attention so that we do not award the road yet we cannot start construction because we do not have easement on account of non-payment. We will settle the two issues.

(*Hon. Moses Kirima spoke off record*)

Hon. Speaker: Stop engaging the Cabinet Secretary. You can only speak through Hon. Speaker.

Hon. Moses Kirima (Central Imenti, UDA): Let us have clarification because on this Coca-Cola Road, there is funding. I also indicated there are affected persons who have not been paid. I indicated that when we did the asset back--- What has come to be known as securitisation---

We took care of our affected persons and we provided funding, therefore, it is just a question of reaffirming the payment process.

Thank you.

(*Hon. Robert Basil spoke off record*)

Hon. Speaker: Hon. Basil, what is it? I thought you asked a question and it was answered.

Hon. Robert Basil (Yatta, WDM): No, he did not answer my question. It was actually about Matuu-Ekalakala Road where the contractor abandoned site. He has never been to the site.

Hon. Speaker: Yes, Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): I think that is where I had begged to be a bit general on account of contractors who have abandoned sites on account of non-payments.

Hon. Speaker: Yes, I think you made a general response.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): I indicated that I will follow up with contractors where work has stalled, especially where the second tranche of 40 per cent is due. We have called contractors for a meeting on Tuesday. For this particular road, let us get the full details. If the delay is due to non-payment, we will ensure the contractor resumes work. If it is due to other reasons, we will investigate and address the issue for work to resume, Hon. Bashir.

Thank you.

Hon. Speaker: Hon. Kipchumba, what is it? We have concluded questions.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Speaker, for the opportunity. There are roads that have been abandoned by contractors. Cabinet Secretary, what is the status of maintaining roads that contractors have abandoned? I have several of such roads in Marakwet West, including Kibat-Kapcherop, Chebororwa-Kokongoi and Chepkaitit-Kipkundut, which have been abandoned for almost three years. Who is supposed to maintain roads abandoned by contractors?

Thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Roads and Transport (Mr Davis Chirchir): As I said, where contractors resume work on roads, we will ensure they not only continue construction but also repair sections already built. Some of these roads have been abandoned for years and sections that had been built are destroyed. To the extent that we have latitude to vary a contract or where the dilapidated section is because construction was incomplete, it should not be a challenge because we pay the contractors.

Once the road is completed, there should be no dilapidated section. We will address the issue, not only for Kapcherop, Keiyo and Marakwet but across the country. Some roads have been abandoned for six to nine years. It is true that we need to rebuild such roads. We will pay attention to all such roads in the entire country.

Hon. Speaker: Thank you, Members. We have come to the end of Question time. Cabinet Secretary, thank you for your endurance and clarity of answers. The Cabinet Secretary has indicated a meeting with all contractors on Tuesday. All Members with records of stalled roads to drop the lists with the Clerk and we will forward them to the Cabinet Secretary. Cabinet Secretary, thereafter compile that list and send it to the Chairperson of the Departmental Committee on Transport and Infrastructure, whom I will give an opportunity to table in the House for Members to go through. If they tease out any further questions, we will invite you to answer. You are now released, unless lawfully held, to go back to your office.

Thank you, Cabinet Secretary.

Next Order.

MOTION

ADOPTION OF REPORT ON AUDITED ACCOUNTS OF NG-CDF FOR CONSTITUENCIES IN BUSIA

THAT, this House adopts the Fifth Report of the Decentralised Funds Accounts Committee on its consideration of the report of the Auditor-General on the financial statements for the National Government Constituency Development Fund (NG-CDF) for six constituencies in Busia County, being Teso South, Matayos, Nambale, Funyula, Teso North, and Butula constituencies for the Financial Years 2013/2014, 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 10th April 2025.

(Moved by Hon. Gideon Mulyungi on 22.7.2025)

(Debate concluded on 22.7.2025)

(Question put and agreed to)

Next Order.

BILL

Second Reading

THE KENYA INSTITUTE OF PRIMATE RESEARCH BILL (National Assembly Bill No. 52 of 2024)

(Moved by Hon. (Dr) James Nyikal on 19.6.2025)

(Resumption of debate interrupted on 19.6.2025)

Hon. Speaker: Chairman, Departmental Committee on Health.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Speaker. I had started moving the Bill. Its purpose is to provide a legal framework for the Kenya Institute of Primate Research. This is an Institute that deals with research on non-human primates. The research includes preclinical research, biomedical research and research that translates biological findings into clinical work, known as transitional research.

The Institute has been in existence since 1958, but it has been operating under a legal notice pursuant to the Science, Technology and Innovation Act. The Institute does very important work. Therefore, there is a need to establish it through its own Act and give it appropriate powers to enable it to grow in the area of experimental research in animals.

The research is broad, including not only research on the primates themselves but also research for production and testing of medicine. We need to pass this extremely important Bill to have the Institute operate on its own. The Institute has received international recognition. It is recognised by the World Health Organisation (WHO) as a collaborating centre. This Bill will give it the autonomy to enable it to collaborate with other international organisations.

The Institute is important for us because its research is focused on public health priorities for this country. As you know, in the production of medical products, particularly medicines, vaccines and diagnostics, the main stage after basic science has been done involves testing in animals. Non-human primates are widely used for this. This Institute acts in a specialised capacity. It conducted specialised research in the production of snake venom and vaccine development. These are areas that the country plans to invest more in. In fact, we are putting in place the Biovax Institute and, therefore, this will be extremely important for us.

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

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

Hon. Temporary Speaker, innovation is actually the basis of production of our own products. Like many African countries, we depend on drugs, diagnostics, and vaccines that have been produced in other countries or researched from other countries. These products are

Disclaimer: The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.

very expensive because of the patent laws. The big difference between branded medicine and the generics is basically that these are patented and the people who have done heavy research have to recoup their investment so the products are very expensive.

If we can invest in our own research and produce our own medicines not only for ourselves but even for the region, it will take us a long way. At the same time, it is not only that the medicines will be available to us, but we will also have patents that will earn royalties to the people involved. The institutions able to do that will also attract a lot of funding from overseas and other stakeholders.

In this Bill, we are proposing that we are not only going to have research in this institution, but it will also be a training area. A very specialised training centre is provided for in this Bill. There have been some thoughts that probably it will do what the Kenya Medical Research Institute (KEMRI) is doing, but it will actually be very different. The KEMRI is purely clinical, but this will involve a lot of basic research.

There is a clinical element in it, but there is also research. If you are doing research on animals, it is important that the future well-being, biological integrity and survival of those animals is taken into consideration. That will also be covered in this. If one is dealing with animals, there are laws that protect this animal like the Wildlife (Conservation and Management) Act, CAP 376 and the Prevention of Cruelty to Animals Act. These Bills take into consideration those laws.

This will involve very many institutions and there has been stakeholder considerations. Many comments have been received from institutions including the Ministry of Health, the State Department for Public Health and Professional Standards, Ministry of Agriculture and Livestock Development, the Kenya National Innovation Agency (KeNIA), International Livestock Research Institute (ILRI), KEMRI, and even the Attorney-General's Office. They have all given a lot of advice because there is a need to see how this links.

The Kenya Law Reform Commission (KLRC) has advised the Institute itself on how to link with that. This Bill is therefore really important, and I will just make a few statements to demonstrate how this Act meets the objective of improving research, protecting the animals, looking at standards, and linking with international organisations.

Part 2 establishes the Institute together with all its structures. Part 3 establishes the Scientific and Ethics Review Unit. Ethics is extremely important; whether you are dealing with research in animals or human beings. Clause 29 establishes research structures with standards and procedures of conducting research, which must be of international standards.

Clause 30 deals with collection and storage of biological materials. If we have biological materials that are stored, they are an asset in research but they are also a danger. They therefore have to be very well laid down so that we do not have biosafety problems. We also have a research bank which is important because a lot of information is available here. If this information is scattered, then researchers who can actually translate it into innovation and products cannot access it.

Clause 31 therefore deals with that. Part 4 provides for certification of animal care and use programmes. People will put up programmes and institutions that may also want to do research or use animals in research. This must be regulated and that is what this clause will do. Part 5 is dealing with the training as indicated. As I said, in Part 4 there is intellectual property protection that we will need so that we provide for patent application processes, recognition of sponsors and researchers, and their property rights in those ventures.

The Bill also provides for commercialisation of ideas and products, and the provision is made under this. As indicated, this country is moving forward; we have a BioVax institute. If you are moving in that direction, we need a lot of legal protection. Clause 44 provides for that.

Clause 52 mandates the Cabinet Secretary in consultation with the board to make regulations.

As I come to the end, I really appeal to Members of this House to support this. It will be a very big and important move in this country towards production of our own health products. This is not only for our own use, but for export and we will also definitely generate revenue from that.

With that, I beg to move. I ask Hon. Sunkuli to second.

The Temporary Speaker (Hon. Omboko Milemba): Very well. I can see many *daktaris* in the House, and they are also on my list but Hon. Sunkuli, you are the seconder. Proceed.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Temporary Speaker, in seconding this important Bill, I request the House to consider the incorporation of the Kenya Institute of Primate Research (KIPRE) into an organisation on its own. As it is now, KIPRE is domiciled in the Ministry of Health. Before, it used to be domiciled in the museums. I remember when Richard Leakey was in charge it was in the museums. It has been moving but eventually found its home in the Ministry of Health. The headquarters of KIPRE is in the Oloolua Forest in Kajiado, not far from Ngong. It maintains a colony of primates that it uses for research.

As the Chairman of the Departmental Committee on Health, which I am a member of has said, KIPRE was incorporated through a Legal Notice, and its scope is therefore limited. We want to bring it to the standard where it becomes an organisation that stands on its own, and be considered as one of the Semi-Autonomous Government Agencies (SAGAs) in the Ministry of Health.

The Kenya Institute of Primate Research has had many achievements. First of all, it has done a lot of research on non-human primates. This is a very safe way of ensuring that research is tested on non-humans in a manner that is relevant to the use by human beings. This institute has been achieving this because it has that strong colony, and very high-level researchers within it. Because of that, we have had one major achievement by KIPRE; that is the development of an anti-snake venom. This might look like an easy thing, but so far snake bites have been a serious threat to many people in the rural areas. We do not have an anti-snake venom developed in Kenya. Some are developed in India. Snakes are different and their anti-snake venoms are expensive.

The KIPRE has developed an anti-snake venom that is our own. I was present during our last World Health Organisation Assembly meeting in Geneva. Kenya was the leader in displaying innovations. No organisation other than KIPRE, together with other African countries, and principally the Gambia that seconded us, displayed this innovation. We displayed this anti-snake venom.

I can assure you that put our name very high. Many other innovations are going on in KIPRE right now. Of course, one of the targets is to ensure that they develop more knowledge on zoonotic diseases. That means diseases transferable from animals to human beings. The KIPRE has been very effective in performing this.

The House should consider that research is the most important part of any scientific development. You must have research before you think about extension. This organisation deserves a status of its own to do research for medical coverage. This is one of the ways of ensuring that we have UHC in a more sustainable manner.

I commend the Bill to the House. I second.

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

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

(*Question proposed*)

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. (Dr) Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker.

My neighbour here, the Member for Emuhaya, is asking me: "What do you want to do as a House?" As it exists today, KIPRE is a Semi-Autonomous Government Agency (SAGA) within the Ministry of Health created under a legal notice. As you are aware, most legal notices that created most SAGAs within the Ministry of Health expired and, therefore, it does not exist under any law. The KIPRE was established in 1958. This means it was in existence even before Kenya attained Independence.

The people who founded it saw the importance of this institution. Many people might be hearing of it for the first time. The KIPRE is the Kenya Institute of Primate Research. You know all of us are primates. We are living things that divide into animals and plants. Primates are in animals. Human beings are primates. Monkeys and baboons that are non-human primates are our closest relatives. The KIPRE researches on non-human primates, our close relative and applies that knowledge to humans.

The KIPRE is domiciled at Oloolua, as my colleagues the Chair and Hon. Sunkuli have put it. They have about 150 acres of land. They have monkeys, snakes and all the other ecosystems that goes with that. They research on primates and contraceptive gels like Smugel and others. They work on those then they translate to humans once they research.

Research takes a very long time and many scientists under KIPRE are not the normal civil servants. We have scientists who by the time they come to the conclusion of research are 65 or 70 years old. This Bill aims to protect these scientists. Training scientists within a country is a very expensive thing. We should not lose them to other countries when they are at the prime age of 60 or 65. We should protect and retain them. In this Bill we have raised the issue of the retirement age to be that of the university level. The scientists at KIPRE are the same ones teaching at the university level. They should retire at the same age as the university lecturers at 72 years.

As it stands currently, KIPRE scientists are treated like just any other civil servants. I feel we are missing the point in an institution that was created in 1958, just before Kenya attained its Independence. As my colleague put it, KIPRE is developing anti-snake venom yet we already have anti-snake venom within our country. The anti-snake venom we have is brought from India and its efficacy is around 60 to 70 per cent. What KIPRE is doing is increasing that efficacy by using snakes that are regionally based here in Kenya. They have travelled all over the country in Kitui, Baringo, Vihiga, Kakamega forest, and all other places within the country and collected various snakes.

If you visit KIPRE, you will be shown those snakes. They extract venom from those snakes and through the scientific process of making the serum from the horses, they are now in the process of developing Kenya-specific anti-snake venom that will have a higher efficacy. In addition to that, they are in the process of going regional. Within our region, South Sudan has the highest incidences of snake bites. When you look at the data for the snake bites within our country, it is very high. We lose many people through the bites within the region. They will develop anti-snake venom that can be used within the region that will be exported to South Sudan, Ethiopia, Somalia and within the East African region.

This is a very important institution for us. We might ask yourself, what is the difference between Kenya Medical Research Institute (KEMRI) and KIPRE? The KEMRI deals with research on human beings. They even deal with treatment. They are experimenting on treatment through consent. You give consent and they follow the protocols that are available within the various investigation; KEMRI is completely different. As we stand today, KIPRE and KEMRI

can co-exist independently as two Semi-Autonomous Government Agencies (SAGAs) that support each other, together with the Biovax.

We want to ask the House to support this very noble Bill that will give KIPRE the framework in which they will be able to work and engage with partners. It has its international donor support from the various partners and KEMRI equally has different international support partners. These partners will all work in synergy to help the country in the health care area. We want to support this very important Bill. I ask the House to support it and make it an Act as soon as possible.

With those few remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): Very well. Hon. (Prof) Jaldesa.

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

As my colleagues have said, the Kenya Institute of Primate Research was established in 1958 before Kenya's Independence by the Leakey family. The original objective was to study non-human primates to understand their behaviour and translate that into understanding human behaviour and supporting the development of a productive system. The Kenya Institute of Primate Research has pioneered the development of contraception and other medical technologies such as minimally invasive surgery. It is a very important institute and because of its research work, it is involved in North-South collaboration, partnering with other institutions across the world.

For instance, with regard to snake venom, the Liverpool School of Tropical Medicine in the United Kingdom took snakes from here and produced an anti-venom. We are exporting our snakes, but not benefitting from that process. We then go on to import the anti-venom they produce. We have the capacity and potential to produce our own anti-venom.

There is a great opportunity to partner with other centres such as the Serum Institute of India, a centre in Costa Rica and another one in the United Kingdom. We could be a prime centre in Africa. If nurtured, that institute can produce the best materials for learning, teaching and export in this region. It should not continue to exist under a legal notice, which can be revoked at any time by the Cabinet Secretary. For this reason, the Departmental Committee on Health felt that the institute must be established under an Act of Parliament to give it security of tenure. This will give the institute stability and enable it to do the work it is meant to do.

With those few remarks, I support the Bill. I urge the House to support the Committee's proposal to enact the Kenya Institute of Primate Research under an Act of Parliament.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): From the look of things, there does not seem to be a lot of interest. The Member for Emuhaya, Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Temporary Speaker. As one of the authorities from the Departmental Committee on Health mentioned earlier, many people may be hearing about the Kenya Institute of Primate Research (KIPRE) for the first time. Although established in 1958, KIPRE was domiciled in the National Museums of Kenya under the leadership of Dr Richard Leakey and was largely regarded as a historical institution. That is possibly why it was initially domiciled under the National Museums. Perhaps the hangover of association of primates with history and museum-related matters led authorities to domicile the institute in the museum.

As very well moved by *Daktari*, this is an institution that conducts research on primates, which are closest biological relatives of humans. It is widely believed that everything that affects primates is likely to affect humans. Many diseases cut across both primates and humans. There are stories and tales suggesting that the Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome (HIV/AIDS) was a primate-related disease. This is the kind of research that KIPRE should be dealing with clinically. There are now modern diseases such as

Coronavirus Disease (COVID-19), which we suffered from. We still do not know whether COVID-19 also affects primates. Given this background, KIPRE is an important institution.

I also wish to indicate that having domiciled the Kenya Institute of Primate Research (KIPRE)---

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

Hon. Omboko Milemba (Emuhaya, ANC): Maybe you will inform me later, not now. I would want to hear from him after I am done with my contribution because he is a senior expert in this area.

Having domiciled KIPRE in the Ministry of Health, the institution is operating at the level of a legal notice, which is a very low level of law. I know that in the hierarchy of law, we would then come up with regulations, which are good, but a substantive Act would be better. The institution would be stronger if we elevated its operation and management to be regulated by an Act. An Act would ensure that the institution operates independently under its own structure. That would allow scientists in the institution to operate independently.

We have further heard that scientists in the institution are being treated as civil servants who must retire at the ordinary age of 60. We know that scientists and researchers realise their acumen and apogee as they age. That apogee is likely to be realised at the age of 65 going to 70. Therefore, they are proposing that we allow them to retire at the same age as university lecturers and other people in the fields of research and teaching.

This is a good law. During the Committee of the whole House, we should look at the clauses on who will lead the institution, the number of staff and its structure, so that we can make a stronger law moving forward.

Therefore, I support this Bill so that KIPRE may be independent and help not only in the area of snake venom development, but also---

The Temporary Speaker (Hon. Farah Maalim): Do you still wish to be informed by Hon. Pukose? Once you conclude, he cannot rise on a point of information.

Hon. Omboko Milemba (Emuhaya, ANC): Let me be informed.

The Temporary Speaker (Hon. Farah Maalim): Proceed, Hon. Pukose. What is your point of information?

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker. Hon. Omboko Milemba said he does not know whether KIPRE was involved in the management of the COVID-19 pandemic. I wanted to inform him that KIPRE was a key partner in the investigations into COVID-19. Even today, they are actively involved in any viral disease investigations. They have the equipment, knowledge and capacity to conduct investigations on any haemorrhagic diseases.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. You can conclude now.

Hon. Omboko Milemba (Emuhaya, ANC): That is very positive information and what I wanted to hear. Such information enhances our capacity and the capacities of those who are listening to us.

In teaching, when we conduct an experiment, we always conduct another controlled experiment to test the original hypothesis. The Kenya Medical Research Institute (KEMRI) would conduct experiments on humans while KIPRE would conduct the test experiments.

This is a very good law and I support it.

The Temporary Speaker (Hon. Farah Maalim): From the look of things, there does not seem to be a lot of interest beyond that. I now call upon the Mover to reply. Proceed, Hon. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. Let me start by appreciating and thanking my colleagues for their contributions to the Bill. Emphasis has been made on important areas like the issue of zoonotic diseases. We will take those

recommendations into consideration during the Committee of the whole House as we come up with amendments.

In terms of collaboration, Members mentioned specific areas like India, Costa Rica and even London. We will see how to fashion amendments so that donors can find it easy to work with us. The retirement of researchers is an extremely important area because many researchers retire early and we end up losing the knowledge that they have gathered over many years.

The issue of epidemics and pandemics is extremely important.

Actually, we become extremely important in the international arena. Many times, when we have sick people, samples are taken, their blood is taken to other countries and then it is used for research. Then the products come to us. Now, when we have our own, those are things we can use locally.

With that, I thank everybody and I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. We will put the question at an appropriate date or time in the future.

(Putting of the Question deferred)

Next Order.

MOTION

CONSIDERATION OF SENATE AMENDMENTS TO THE NATIONAL DISASTER RISK MANAGEMENT BILL (National Assembly Bill, No. 24 of 2023)

Hon. Baya, are you ready to move this Bill?

Hon. Owen Baya (Kilifi North, UDA): Yes, Hon. Temporary Speaker, I am ready to move. If you give me permission right now, I will do exactly that.

The Temporary Speaker (Hon. Farah Maalim): Yes, fair enough.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I beg to move:

That, this House do now consider the Senate amendments to the National Disaster Risk Management Bill, 2023 in accordance with Article 112 of the Constitution and in line with our Standing Orders. The House will recall that on the 27th March, 2024, we passed this landmark Bill with the aim of establishing a coordinated and sustainable framework for disaster risk management across the country.

The House will also recall that apart from establishing a coordinated framework, the Bill sought to establish the National Disaster Risk Management Authority and County Disaster Risk Management Committees, with which entities are required to promote and implement disaster risk management and advise the national and county governments on disaster risk management measures.

Following its passage, the Bill was transmitted to the Senate in accordance with Article 110(4) of the Constitution, given that disaster is a shared function between the two levels of Government. The Senate has since deliberated on the Bill and proposed a number of amendments which this House is now called upon to consider.

I further note that on the 30th April, 2025, you referred the Schedule of Senate amendments to the Departmental Committee on Regional Development for consideration and reporting. Allow me to sincerely thank the Chairperson and members of the Committee for their dedication and hard work in reviewing the Senate's proposal and preparing a comprehensive report to guide this House in the deliberations.

I have reviewed the Committee's reports and noted that the Senate proposed amendments. Hon. Temporary Speaker, this is where the rubber meets the road. So, the Senate has proposed amendments to clauses 2, 3, 4, 6, 7, 9, 10, 27, 28, 29, 32 and 52 of the Bill. In doing that, they have already set the Motion for mediation because definitely if they have rejected our amendments, my capacity and my thought is that I do not think we will agree. We will agree with some, but I think the majority will not agree.

Additionally, the Senate proposed introduction of the following new clauses, namely clauses 41A, 41B, 41C, 41D, 41E and 52A. These are new clauses that the Senate is introducing into this Bill. I have noted some of the proposed amendments which seek to broaden the definition of key terms used in the Bill by introducing definitions such as; climate change adaptation, emergency and emergency responders.

In addition to expanding the interpretive scope of the Bill, these definitions actually enhance operational clarity and ensure a more comprehensive understanding of the disaster framework, which we have no problem with. But there are new clauses that are being introduced already in a Bill that was already passed by the National Assembly thus setting the stage for mediation.

The Senate also proposed the inclusion of an additional object of the Act. So, they are expanding the objects of the Act. Specifically, I note that the Senate recommended that, among other objectives, the Bill should also provide for appropriate and dignified assistance to victims and casualties of disaster. Further, the Senate proposed that the Bill should promote inclusiveness as well as multidisciplinary and a multisectoral approach to disaster management. The emphasis on inclusiveness, multidisciplinary approach and the provision of dignified assistance and relief aligns well with Kenya's human rights obligation and is thus supported. We support those new inclusions. In fact, they are consistent with international human rights conventions to which Kenya is a party.

I have also reviewed other amendments proposed by the Senate that the Committee requests the House to reject, and I fully concur with the Committee. The Committee has requested the House to reject Senate amendments to Clauses 6, 7, 27, 29, 52, new Clauses 41A, 41B, 41C, 41D and 41E and 52A. The Committee has given valid reasons why we should reject these amendments. I strongly advocate that this House reject these amendments and proposals made by the Senate.

If you read the body of the Report, you will see concisely why the Committee has said we reject the amendments. The Committee has requested the House to agree with Senate amendments to Clauses 2, 3, 4, 7(ma) and (mb), 9, 10, 28, and 32. We are okay with those amendments and I urge the House to say yes to them. We reject the other amendments.

As I conclude, I wish to emphasise that this is a critical piece of legislation in the area of disaster risk management. In light of the increasing frequency and intensity of disasters driven by climate change, environmental degradation and other emerging risks, our country urgently requires a comprehensive legal framework to enhance preparedness, response, mitigation and recovery.

I would like to guide the House that we do not have to go to the Committee of the whole House on the amendments. The stage for mediation has already been set. Going into the Committee of the whole House on this Bill is wasting time. My proposal to this House is that we reject the Bill in toto, so that we go to the mediation table. Let us reject it at this stage then we can sit and negotiate and come up with a Bill that is agreeable to the two Houses. That way, we will get a way forward faster than if we go to the Committee of the whole House and then again sit at mediation.

This is a comprehensive framework that we need right now. But when the Senate makes such significant amendments almost to the whole Bill, it is important that we go for mediation to come up with a Bill that will serve this country properly.

I beg to move and request Hon. Pukose to second. No, the Chairman of the Committee, Hon. Lochakapong, is here. I request him to second me on this.

Thank you very much, Hon. Temporary Speaker.

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Temporary Speaker. I stand to second the Bill as moved by the Deputy Leader of the Majority Party. On 30th April 2025, you conveyed the Message from the Speaker of the Senate on the Bill and requested the Departmental Committee on Regional Development to consider the amendments and thereafter report to the House. The Senate has proposed amendments to so many clauses. We have agreed with some of the amendments and rejected a majority of them.

We ask the House to agree with the Committee on the amendments we have approved but reject the amendment we have issues with. We agree with Senate amendments to Clauses 2, 3, 4, 7(ma) and (mb), 9, 10, 28 and 32 of the Bill. The Committee proposes rejection of amendments to Clauses 6, 7, (mc), 27 and 29. The Senate also introduced new clauses, which we do not agree with. These are Clauses 41A, 41B, 41C, 41D, 41E, 52, and a new Clause 52A.

Now, I stand to second what has been moved and appreciate the Committee, the Leader of the Majority Party, the Members, and the Office of the Speaker and the Clerk for giving us both technical and logistical support in the consideration of this Bill. Therefore, I second this Bill.

Thank you.

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

(Question proposed)

Yes, Hon. Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker. I believe the correct position would be to oppose the Senate amendments to the National Disaster Risk Management Bill (National Assembly Bill No. 24 of 2023).

As aptly put by the Deputy Leader of the Majority Party in moving, and also by the Chairman of the Committee, this means the Bill is now going into mediation, so that consensus can be reached. A Mediation Committee will be formed comprising Members from the National Assembly and the Senate, and then what the Committee has agreed on, and what the Senate has proposed, can be debated and reconciled. There will be room for give and take. This is not a new phenomenon. It is provided for under our Standing Orders. For some of us in the Budget and Appropriations Committee, we had a mediation process with the Senate and reached an agreement on the Division of Revenue Bill regarding how much was to be allocated to counties.

This is a matter that can be negotiated, and once they have reached agreement on the various Senate amendments and the Committee's position, we as a House can then adopt the agreed version. This Bill has been delayed for quite some time. When you look at it, it has been with us since 2024. Many Bills that go to the Senate take too long. For example, I had a Bill on the Kenya Drugs Authority, which has also faced long delays in the Senate. That Bill is important because it would help us achieve maturity level three, a requirement by the World Health Organisation, for us as a country to engage in drug manufacturing, including vaccine production.

This is a very important issue, because matters of disaster are functions shared between the national Government and county governments. We should have both county and national teams in place as early as possible.

With those few remarks, I oppose the Bill.

The Temporary Speaker (Hon. Farah Maalim): There does not seem to be a lot of interest in this.

(Hon. Joshua Mwalyo spoke off the record)

That is Mwalyo? Give him the microphone.

Hon. Joshua Mwalyo (Masinga, Independent): Thank you, Hon. Temporary Speaker. I also want to add my voice in support of my senior, Hon. Pukose, to oppose the Bill. This is something that is supposed to be done concurrently with this House. Managing a disaster is not easy. We need concurrence so that when we start managing the risks and disasters that happen in the country, everything is put right so that no one can blame the other for the steps taken. That will also be a means of managing the risks.

I join my colleagues in opposing the Senate amendment Bill so that we can sit down with the Senate and agree on a version of the Bill. In this country, it is important that the two Houses agree. Many proposals that have been taken to the Senate are rejected. When they are brought back to this House, we are supposed to sit down and solve them amicably. It is important for it to go before the Mediation Committee so that we can have an agreeable version of the Bill and pass it.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. There seem to no more interest. The Question will be put at an appropriate date and time in the future.

Next Order.

Order! Sorry, the Mover needs to reply.

Proceed, the Deputy Leader of Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Temporary Speaker. I agree that this Bill must be defeated on the Floor of this House so that we give chance to mediation. As a country, we need the Bill. However, because the Senate has done what it did, it is important that we allow the democratic process as it is enshrined in the Constitution to take place so that we come up with an agreeable Bill. I thank the Speaker, the Committee and anybody else who has participated in the debate of this Bill. We have an opportunity to go for mediation. Therefore, as a House, we oppose the Senate amendments to the National Disaster Risk Management Bill (National Assembly Bill No. 24 of 2023).

I beg to reply. Thank you.

The Temporary Speaker (Hon. Farah Maalim): The Question will be put at an appropriate time in the future.

(Putting of the Question deferred)

Incidentally, the Next Order is the Committee of the whole House in consideration of Senate Amendments to the National Disaster Risk Management Bill. Therefore, order No. 11 does not arise.

Let us move to Order No. 12

BILL

Second Reading

THE ELECTION OFFENCES (AMENDMENT) (NO. 2) BILL (Senate Bill No. 28 of 2024)

(Moved by Hon. Owen Baya on 22.7.2025)

(*Resumption of debate adjourned on 22.7.2025*)

The Temporary Speaker (Hon. Farah Maalim): The Deputy Leader of the Majority Party, are you ready to Move it?

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, now that there is no interest on this Bill, I request that you allow the Mover to reply.

The Temporary Speaker (Hon. Farah Maalim): On Order No. 12?

Hon. Owen Baya (Kilifi North, UDA): Yes, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): It is on resumption of debate adjourned on Tuesday, July 22, 2025. There is no interest on the Bill. Fair enough. Proceed and reply.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I beg to reply. This is a very important Bill that criminalises certain election offences. It is clear that in the past elections we have had criminal activities. Elections were not really fair and just. We want to ensure that there is justice in the electoral process. That is the clarion call of all Kenyans...

The Temporary Speaker (Hon. Farah Maalim): Justice in the electoral process that is free and fair.

Hon. Owen Baya (Kilifi North, UDA): Yes, free and fair elections. I want to infuse a new word: "electoral justice" in it. There are very many electoral malpractices.

The Bill emanated from the discussions of the adopted report of the National Dialogue Committee (NADCO) that was first tabled in the Senate. We had an opportunity to debate it as the National Assembly. After the Question is put and agreed to, the Bill will proceed to the Committee of the whole House stage. We are almost approaching 2027 and we want to have sanity in elections. Therefore, all those malpractices that people used to take for granted have now been criminalised in this law, including delaying of announcement of results by the electoral body; it is an offence.

The staff of the Independent Electoral and Boundaries Commission (IEBC) will find that now it is an offence for them to delay, not to announce, to tamper with or to do anything that jeopardises the results of an election. It is an electoral offence. And candidates who go out there to smear other people's names and to say false things about other candidates, including declaring that a candidate has withdrawn, commit an electoral offence under this new law.

We want to put all those electoral offenders on notice that at the passage of this Bill, it will have consequences and ramifications for those who have been taking elections for granted and do the things that they want to do, including tearing up other opponents' posters. The offences include even posting on social media and digital platforms, things that are untrue about another candidate or passing wrong information about other candidates and other political parties on digital platforms or by speech or by any other means. It is now a criminal offence under this law. Therefore, it is important that we hasten and pass this law so that we can safeguard the integrity of our elections and the process of how elections are conducted in this country.

Hon. Temporary Speaker, I reply.

The Temporary Speaker (Hon. Farah Maalim): I hope that also includes TikTok. Many American states have banned TikTok. The offences committed can be criminal. This begs the question of who is committing the offences because a person can be out of your jurisdiction. Social media right now allows somebody to address Kenya when they are in Costa Rica or Guatemala or anywhere else in the world. That criminality itself, can never be brought to justice. Now that there is no more interest and you have already replied, I will direct that this Question be put at an appropriate time and date in the future.

(Putting of the Question deferred)

Next Order.

MOTIONS

ADOPTION OF REPORT OF AUDITED ACCOUNTS OF SELECTED STATE CORPORATIONS

THAT, this House adopts the Report of the Public Investments Committee on Commercial Affairs and Energy on its examination of the Reports of the Auditor-General on the Financial Statements of selected State corporations, laid on the Table of the House on Wednesday, 4th June 2025.

The Temporary Speaker (Hon. Farah Maalim): Is the Chairman of Public Investments Committee on Commercial Affairs and Energy in the House to move this, or even a Member of the Committee? Fair enough, under these circumstances, this Order is deferred to an appropriate date in the future when the Chairman is in the House and to move the Motion.

(Motion deferred)

Next Order.

ADOPTION OF THE SECOND REPORT ON THE STATUS OF IMPLEMENTATION OF THE CONSTITUTION

THAT, this House adopts the Second Report of the Constitutional Implementation Oversight Committee, laid on the Table of the House on Tuesday, 24th June 2025, on the Status of Implementation of the Constitution by-

1. The Office of the Controller of Budget.
2. The Commission on Revenue Allocation (CRA).
3. The Office of the Auditor-General.

The Temporary Speaker (Hon. Farah Maalim): Is the Chairperson of the Constitutional Implementation Oversight Committee, a Member of the Committee or the Vice-Chairman in the House to move this Motion? Since the Chairperson is not in the House, I direct that this be put on the Order Paper at an appropriate date in the future for the Chairperson or a Member of the Committee to move it.

(Motion deferred)

Next Order.

ADOPTION OF THE THIRD REPORT ON EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS

THAT, this House adopts the Third Report of the Select Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions, laid on the Table of the House on Wednesday, 30th April 2025.

(Moved by Hon. Yusuf Adan on 22.7.2025)

(*Resumption of debate adjourned on 22.7.2025*)

The Temporary Speaker (Hon. Farah Maalim): Is the Chairperson of the Select Committee on National Cohesion and Equal Opportunity in the House? That must be Adan Member for Mandera West, am I right?

(*Hon. Yusuf Adan spoke off the record*)

You are in there? Are you ready to move this?

Hon. Joshua Oron (Kisumu Central, ODM): Hon. Temporary Speaker, given that this Motion was exhaustively discussed yesterday, I beg to reply. I do not know whether there is any other Member...

The Temporary Speaker (Hon. Farah Maalim): Fair enough. This has been moved and exhaustively debated. This was a resumption of yesterday's debate. So, there being no further interest from Members, I direct that you reply.

Hon. Joshua Oron (Kisumu Central, ODM): Hon. Temporary Speaker, this Report is very important as it highlights some of the inequalities in employment across government departments. Yesterday, the only issue that was raised concerned the use of the term "Kalenjin" in the report regarding the Moi Teaching and Referral Hospital, where 66 per cent of employees belong to one tribe. Hon. Members questioned whether there is indeed an ethnic group called "Kalenjin." In our response as a Committee, we do not manufacture things. According to the Kenya National Bureau of Statistics (KNBS), the Kalenjin as an ethnic group is well-represented in their data. For that reason, the Committee will not change any information in the Report.

I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Hon. Members, the question on this Motion will be put at an appropriate date. I direct that this be placed on the Order Paper for consideration at an appropriate date in the future.

(*Putting of the Question deferred*)

ADJOURNMENT

Hon. Members, the time being 6.56 p.m., and there being no other business to transact today, in the Order Paper, this House stands adjourned until Thursday, 24th July 2025, at 2.30 p.m.

The House rose at 6.56 p.m.

Published by
Clerk of the National Assembly
Parliament Buildings
Nairobi