



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**VOL. IV NO. 66**

## THE HANSARD

Wednesday, 30<sup>th</sup> July 2025

The House met at 9.30 a.m.

*[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) in the Chair]*

### PRAYERS

### QUORUM

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

*(The Quorum Bell was rung)*

We now have the requisite quorum to transact business. Clerk-at-the-Table.

### PAPERS

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Proceed, Deputy Leader of the Majority Party.

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

1. Reports of the Auditor-General and Financial Statements for the years ended 30<sup>th</sup> June 2021, 30<sup>th</sup> June 2022, 30<sup>th</sup> June 2023 and 30<sup>th</sup> June 2024 and the certificates therein in respect of;
  - (a) Kainuk Mixed Secondary School.
  - (b) Turkana East Technical and Vocational College (TETVC).
2. Reports of the Auditor-General and Financial Statements for the years ended 30<sup>th</sup> June 2022, 30<sup>th</sup> June 2023 and 30<sup>th</sup> June 2024 and the certificates therein in respect of;
  - (a) Bishop Mahon Teachers Training College.
  - (b) Narok Teachers Training College.
3. Report of the Auditor-General and Financial Statement of Loima Technical and Vocational College and Financial Statement for the year ended 30<sup>th</sup> June 2023 and certificate therein;
4. Reports of the Auditor-General and Financial Statements of Turkana North Technical and Vocational College for the years ended 30<sup>th</sup> June 2023 and 30<sup>th</sup> June 2024 and the certificates therein;
5. Auditor-General's Summary Report on National Government Constituencies Development Fund for the year ended 30<sup>th</sup> June 2024.
6. Reports of the Auditor-General and the financial statements for the year ended 30<sup>th</sup> June 2024 and the certificates therein respect of;
  - (a) AIC Kang'itit Girls Secondary School.
  - (b) Chewoyet National School.
  - (c) Machakos School.
  - (d) Matungulu Girls Secondary School;
  - (e) Napeililim Secondary School;

- (f) St Brigid's High School – Kiminini;
- (g) St Theresa's Tartar Girls Secondary School; and
- (h) Turkana Girls National School.

7. Annual Report and financial statements of Kirinyaga University for the year ended 30<sup>th</sup> June 2024.

I beg to lay.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Next order.

### NOTICE OF MOTION

#### STATUS OF IMPLEMENTATION OF THE CONSTITUTION BY INDEPENDENT COMMISSIONS

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Geoffrey Mulanya, are you in the House?

**Hon. Geoffrey Mulanya** (Nambale, Independent): Yes.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Proceed.

**Hon. Geoffrey Mulanya** (Nambale, Independent): Hon. Temporary Speaker, I beg to give notice of the following Motion:

THAT this House adopts the first Report of the Constitutional Implementation Oversight Committee on the status of implementation of the Constitution by the following independent commissions, laid on the Table of the House on Tuesday, 12<sup>th</sup> November 2024.

- (a) Kenya National Commission on Human Rights.
- (b) The National Land Commission.
- (c) The National Gender and Equality Commission.

I beg to lay.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Mulanya. Next order.

### QUESTIONS AND STATEMENTS

#### REQUEST FOR STATEMENT

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Is Hon. Joshua Kandie, Member for Baringo Central in the House? Is Hon. Chairman, Departmental Committee on Administration and Internal Security present. Okay, the first request for a Statement on issuance of work permits to foreign nationals is hereby deferred.

*(Request for statement deferred)*

We move to the next one by Hon. (Dr) Keynan, Member for Eldas. Chairman, Departmental Committee Finance and National Planning.

#### EXPANSION OF FINANCIAL INSTITUTIONS IN NORTHERN KENYA REGION

**Hon. Adan Keynan** (Eldas, JP): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairman of the

Departmental Committee on Finance and National Planning regarding the expansion of financial institutions in Northern Kenya Region.

Over the years, there has been a shortage of adequate banking and financial institutions in Northern Kenya Region. This shortage has negatively affected the residents who are predominantly dependent on pastoralism, trade and informal micro-enterprises. Financial institutions serve as engines of economic development, fostering innovation, resilience and prosperity, which ultimately results in transformative value in anchoring community development.

In addition, financial institutions stimulate formal business growth, transitioning households from subsistence to stability. It is therefore essential to expand banking infrastructure and leverage mobile money, digital platforms and fintech innovations to reach the pastoralist community of Northern Kenya.

It is against this background that I request for a statement from the Chairman of the Departmental Committee on Finance and Planning on the following:

1. A detailed report of the strategies being implemented by the Government to increase the physical and digital presence of financial institutions across Northern Kenya Region;
2. Plans that the Government is putting in place to ensure that financial institutions model their services to nomadic lifestyle, addressing security and infrastructural challenges being faced by the pastoralist community of Northern Kenya;
3. A detailed report on the comprehensive and culturally responsive financial literacy programmes being offered by the Government to raise awareness among women, youth, elderly and persons with disability, especially those residing in Northern Kenya Region;
4. A framework put in place to incentivise financial institutions to offer inclusive and affordable credit and investment services to the vulnerable pastoralist people of northern Kenya; and
5. The plans that the Government is putting in place to adapt digital financial services to bridge the financial divide in Northern Kenya, including plans to partner with Government, non-governmental agencies and, in particular, private partnership.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Keynan. Do we have the Chairman, Departmental Committee on Finance and National Planning in the House? In the absence of the Chairman, I call upon the Deputy Leader or the Majority Party to give an indication on when this request for Rstatement will be responded to.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, I gladly say two weeks. I will talk to the Chairman to ensure it is done within that time. Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Members, before we invite Hon. Joshua Kandie, I would like to recognise the presence of students seated in the Speaker's Gallery this morning from Kapsabet Boys High School and Kapsabet Boys Junior Secondary School (JSS) from Chesumei Constituency, Nandi County. They are welcome to the National Assembly to continue observing proceedings.

Hon. Members, we have other students seated in the Public Gallery from Turima Tweru School in Tharaka Constituency, Tharaka Nithi County; St. Peter's Sangalo School, Mosop Constituency, Nandi County; Petra Education Centre from Sirisia Constituency, Bungoma County; and, ASE St. Brigids Academy, Keiyo South Constituency, Elgeyo Marakwet County. You are all welcome to the National Assembly to observe proceedings.

Before we continue, I invite Chairman, Hon. Murugara, to welcome all students on behalf of the House.

**Hon. George Murugara** (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. Allow me to welcome the young students and pupils who have paid us a courtesy call this morning to observe the proceedings of the House. I welcome them to the National Assembly where laws of the country, the budgeting process and oversight over the Executive are done. These are tomorrow's leaders and they aspire to become like Members of Parliament here.

I encourage them to study very hard so that they attain this and at one time in the future, are able to come. In spite of the difficult circumstances in that marginalised Constituency, I welcome students from Turima Tweru Primary School and Junior Secondary School from Tharaka Nithi. That is where we came from and we made it and so can you. Feel welcome and may you have fruitful deliberations and hearing as you listen to us.

Thank you very much.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. That is where Hon. Wakili Murugara and the Deputy President of the Republic of Kenya comes from, therefore feel encouraged. We will go back to Hon. Joshua Kandie, Member for Baringo Central, proceed.

#### ISSUANCE OF WORK PERMITS TO FOREIGN NATIONALS

**Hon. Joshua Kandie** (Baringo Central, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding issuance of work permits to foreign nationals.

In this era of rapidly expanding international trade and integration of world economies, migration policies must be geared towards building and maintaining a fair opportunity platform for both nationals and foreigners, while protecting vulnerable groups and ensuring sustainable development of the local human resource. While expatriates contribute to the transfer of knowledge, investment and skills development, it is imperative that their engagement in the local job market does not undermine employment opportunities for qualified Kenyan Citizens, especially the youth.

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

1. A report on the number of foreign nationals who have been issued with work permits in Kenya, indicating the duration of the permits granted for the last five years.
2. A report on the status of all foreign nationals in Kenya whose permits have expired as at May 2025 and an indication of the actions being taken by the Ministry of Interior and National Administration to identify, monitor and legally remove foreign individuals illegally working in the country, following expiration of their permits.
3. The steps being taken by the Ministry to ensure foreigners are not issued with work permits for skills that are readily available in the local labour force, in order to reduce the unemployment rate among Kenyans.

I thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Kandie. Chairperson of the Departmental Committee on Administration and Internal Security.

**Hon. Gabriel Tongoy** (Narok West, UDA): Thank you, Hon. Temporary Speaker. We will respond to this Statement in two weeks' time.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Will you do it in two weeks' time?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Yes.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Is that agreeable with you, Hon. Kandie?

**Hon. Joshua Kandie** (Baringo Central, UDA): Yes, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Next is Hon. Sabina Chege who is also known as *Maitu*.

#### COVERAGE OF COCHLEAR IMPLANT SURGERY UNDER SHIF

**Hon. Sabina Chege** (Nominated, JP): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Health regarding coverage of cochlear implant surgery under the Social Health Insurance Fund (SHIF).

The sense of hearing is important for the cognitive development of children. The Kenya National Bureau of Statistics (KNBS) and World Health Organisation (WHO) estimate that approximately one in 1000 children in Kenya are born with severe to profound hearing loss. If untreated, hearing loss is often associated with academic underachievement which may lead to reduced employment opportunities in life. Worryingly, individuals with hearing loss who require cochlear implant surgery are allegedly not covered under the SHIF. Without suitable interventions, hearing loss will continue being a barrier to both education and social integration of the affected people, especially our children.

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

1. A report on whether cochlear implant surgery is covered under SHIF, and if not, the measures being taken by the Government to ensure provision of Cochlear implant surgery under SHIF.
2. Steps being taken to ensure provision of cochlear implants for hearing impairments in the country adhere to international best practices.
3. Measures being taken to raise awareness on hearing loss and the importance of cochlear implants in the country.

I thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Sabina. Is the Chairperson of the Departmental Committee on Health in the Chamber? I can see Hon. Nyikal, but he is not seated in his usual place.

**Hon. (Dr) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Speaker. What Hon. Sabina has raised is important. We will have this Report in two weeks' time.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Sabina Chege, is that agreeable?

**Hon. Sabina Chege** (Nominated, JP): That is fine, Hon. Temporary Speaker, although a week would have been enough. I need to know whether it is covered under SHIF or not and the measures in place. Being a doctor and a former Principal Secretary, I am sure he can fast-track the time to one week.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Would you like to make a comment on that, Hon. (Dr) Nyikal? She is requesting for a week. Are you able to give the response in one week?

**Hon. (Dr) James Nyikal** (Seme, ODM): To be accurate, let us leave it at two weeks. I will make an effort. This is important. So, we will get some information. Going by the request

for Statement, we will have to seek information outside the country. If she can bear with us, we will give the response in two weeks' time.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): We will wait for two weeks. Next is Hon. Owen Baya in his capacity as the Member for Kilifi North.

**MANAGEMENT OF WATAMU MARINE  
NATIONAL PARK AND RESERVE**

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, I rise in my capacity as the Member for Kilifi North. Pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife regarding the management of Watamu Marine National Park and Reserve by the Kenya Wildlife Service (KWS).

Watamu Marine National Park and Reserve is internationally renowned for its natural beauty, boasting a rich marine life featuring the whale sharks, manta rays, three species of sea turtles and the beautiful coral reef gardens, among others. It is also recognised internationally as a United Nations Educational, Scientific and Cultural Organisation (UNESCO) biosphere, reserved and designated as a site of natural excellence. This is also because of its unique role in protecting marine ecosystems and biodiversity, a duty entrusted to the Government under the Constitution of Kenya.

In the recent past, KWS appears to have overlooked the collaborative approach for the management of Watamu Marine National Park and Reserve. This is attributed to the KWS imposing new charges on recreational activities in the park and have been repeatedly harassing fishermen in the area by confiscating their boats and nets which are essential for their livelihoods. Communities of Watamu and Dabaso Ward are aggrieved by the fact that most of the revenue derived from the marine parks in the area is collected and utilised solely by KWS, rather than also being invested in the community through corporate social responsibility initiatives. Additionally, Mida Creek landing sites remain un gazetted. Hence, land owners bordering it claim ownership of their riparian area, thereby hindering activities by the fishing communities. Local residents also face restricted access to the beach, as investors are permitted to fence up to the Mangrove Forest.

Hon. Temporary Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife on the following—

1. Efforts being made by the Cabinet Secretary for Tourism and Wildlife to enforce a 50-50 revenue sharing deal between Watamu Marine National Park and Reserve and Kilifi County Government.
2. An inquiry into the utilisation of funds by KWS in management of Watamu Marine National Park and Reserve and recommendation for corporate social responsibility initiatives within the local community.

I thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Is the Chairperson of the Departmental Committee on Tourism and Wildlife present or any member of that Committee? Hon. Baya has requested for a Statement. In the absence of the Chairperson, a member of the Committee or Leader of the Majority Party, you will have to stand in the capacity of Deputy Leader of the Majority Party and give a commitment to the House.

**Hon. Owen Baya** (Kilifi North, UDA): These are very interesting times, Hon. Temporary Speaker. On behalf of the Committee, I promise that they will bring a response in two weeks' time. I also urge Chairpersons to be in the House, especially on Wednesday

mornings when we request for Statements guided by the Order Paper. They can see the House leadership is present.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Owen Baya, being in this House is a learning process. I would like you to stand and just withdraw what you said especially concerning informing the Chair then I will make a Statement.

**Hon. Owen Baya** (Kilifi North, UDA): I withdraw, Hon. Temporary Speaker. The response will be given in two weeks.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Members, I order that the Chair of the Departmental Committee on Tourism and Wildlife give the response in two weeks.

Next is Hon. Silvanus Osoro, Member of Parliament of South Mugirango. These are responses. I can see the Chair of the Departmental Committee on Administration and Internal Security is in the House. Are you ready with the response for this? Now I would like to know whether Hon. Osoro is not in the House.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Temporary Speaker, I have two responses to Requests of Statements.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Especially the one for Hon. Silvanus Osoro who is not in the House. He is in a different engagement concerning the House. You may table the response to the Requests of Statement. You may now proceed to the next response to Hon. Beatrice Kemei. She is in the House.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Well guided, Hon. Temporary Speaker. I will table the one for Hon. Silvanus Osoro once I am done with Hon. Kemei.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Please, for order, table that one first then you can proceed to the other.

#### SEIZURE OF MINING MACHINERY IN MIGORI COUNTY

*(Response tabled)*

#### STATUS OF INVESTIGATIONS INTO MURDER OF MR JOSHUAH MUTAI

**Hon. Gabriel Tongoyo** (Narok West, UDA): Thank you, Hon. Temporary Speaker.

This is a response to the Request of Statements by the Member of Parliament for Kericho County, Hon. Beatrice Kemei. It regards the status of investigations into the murder of Mr Joshuah Mutai, including efforts to apprehend the primary suspect.

Secondly are the immediate measures to safeguard residents of Sigowet Ward, particularly village elders, who feel apprehensive while executing their duties. There are the initiatives the ministry has taken to enhance security of local administrators across the country and long-term measures to support and remunerate village elders in recognition and support to their contribution to grassroots administration.

I respond as follows.

The Assistant Chief of Kibinet sub location, Mr David Lagat, sent the now deceased village elder of Kapkayo village, Mr Joshuah Mutai, on 6<sup>th</sup> February 2024 to deliver summons issued by the Kericho County Children's Office to Mr Franklin Kipkoech alias Samuel. Franklin is the prime suspect in the murder. The summons pertained a complaint of child neglect and abuse where Mr Franklin was alleged to have neglected and assaulted his 12-year-old son called Nelson Kipngeno Cheruiyot.

On the day that followed, Mr Franklin reported to the Kericho County Children's Office that police officers from Kibinet Police Post had arrested him. It was in connection with a child

neglect and assault case. Subsequently, he was charged before the Chief Magistrate's Court in Kericho on the 9<sup>th</sup> February 2024 vide CR746/31/2024, CFE344/24.

However, the case was withdrawn under Section 204 of the Criminal Procedure Code on 13<sup>th</sup> March of the same year. That followed a reconciliation where Mr Franklin sought forgiveness from both his wife, Mrs Winnie Chepkoech, and his son. Later, it emerged that Mr Franklin had been displeased with the action of the now deceased village elder, Mr Joshua Mutai, for delivering the summons to him. He reportedly held a grudge against him although the deceased never reported to the police any threats to his life, which could have warranted further investigation.

On 21<sup>st</sup> April 2025, Mr John Kemei who was the Chief of Kibinet location, reported to the Sondu Police Station that a lifeless body of a male adult had been discovered lying at Mwembe village. Police officers from Sondu Police Station accompanied by Crime Scene Investigation officers of the Directorate of Criminal Investigations (DCI) visited the scene.

It was established that the lifeless body was that of Mr Joshua Mutai. He had been murdered at an unknown time during the night of 20<sup>th</sup> April 2025. The body had deep cuts at the back and on the left side of the head, with both legs dismembered at the ankle. The scene was processed and documented and the body moved to the mortuary for preservation.

Preliminary investigations identified Mr Franklin Koech as the prime suspect in the murder. Police officers proceeded to his home to arrest him but he was not found. A search of the suspect's house led to the recovery of a bloodstained *panga* and other exhibits of evidential value. These were taken to the Government Chemist in Kisumu for forensic analysis. The expert report is still pending.

On 22nd April 2025, a post-mortem examination was conducted. The cause of death was established to be extradural hematoma due to trauma and excessive blood loss resulting from the dismembered legs. The DCI team also conducted a forensic site analysis. Data collected was forwarded to a mobile service provider for call data history to assist track the suspect's whereabouts. The results are still pending. A police case file number 74680/2025 was opened. Investigations are still ongoing, pending the arrest of the suspect.

The second question is on immediate measures implemented to safeguard residents. The police have intensified both mobile and foot patrols in key areas to beef up security and deter criminal activities. Community forums and consultative meetings are being held with local residents.

The gatherings provide a platform for open dialogue, fostering peace, conflict resolution, and encouraging residents to participate actively in promoting safety and security in their neighbourhoods. Community policing committees are being reactivated and strengthened to promote closer collaboration between police and residents. The *Fichua kwa DCI* toll-free hotline, 0800722203, has been circulated for public use.

The third question is on initiatives the ministry has taken to enhance local administration across the country. The government has implemented several measures to enhance security of Chiefs and Assistant Chiefs due to increasing threats, especially from criminal gangs during conflict situations.

The measures include, most importantly, the launch of the National Government Administration Police Unit (NGAPU). Officers will accompany administrators during their duties. The newly formed unit was launched recently to support National Government Administrative Officers (NGAO) as they execute their duties.

The NGAO officers in crime-prone areas are allowed to apply for private firearms. Chiefs undergo regular training in conflict resolution, personal security, and intelligence gathering to handle threats in their areas better. The ministry has also deployed multi-agency rapid response units in hotspots. Especially in areas prone to cattle rustling, banditry, or land conflicts. Through the *Nyumba Kumi* initiative, Chiefs are encouraged to promote community-

based vigilance that helps identify and report threats. More security personnel have been deployed to reinforce local administration in insecurity-prone regions like parts of the North Rift and coastal counties.

Lastly is on long-term measures. Village elders play an important role in local governance, community leadership, and dispute resolution both in rural and urban areas. They are respected members of community chosen for their wisdom, experience and integrity. My ministry is currently developing a Village Elders Policy to provide, among other things, remuneration of village elders.

May I also add that we are as a House aware of the Bill before us? The late Hon. Malulu Injendi co-sponsored it. It addresses issues affecting village elders so that we legislate and have them recognised and remunerated.

Thank you, Hon. Temporary Speaker. I submit.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Chairman. I would like to give a chance to Hon. Beatrice Kemei. Is the response satisfactory?

**Hon. Beatrice Kemei** (Kericho County, UDA): Thank you, Hon. Temporary Speaker. I appreciate the Chairman for the response. However, it is not satisfactory. I am not convinced, especially given the delay. From February to date, five or six months, investigations are still ongoing, yet nothing concrete has come forth. Residents are still living in fear because the suspect is still at large. I feel more should be done.

I also suggest that the administration be involved. Reconciliation is fine, but considering that the village elder died this shows it was not in good faith. We must go beyond reconciliation. Again, I insist that residents remain in fear. On the issue of chiefs applying for firearms to enhance security, I appreciate that. But what about the village elders? These are the people on the ground. The Ministry should go beyond supporting chiefs and also consider empowering village elders.

Finally on remuneration, in every function I attend, people ask what we in the National Assembly are doing and what the Government is saying. It seems lobbying is ongoing, but there is no clear timeline. We are often told, ‘it is being done,’ or ‘the Government is handling it,’ but when? I feel we need a concrete timeline. Otherwise, I still expect more from the Chairman. When exactly should we expect this?

Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Chairman, clearly, the response is not satisfactory to the Hon. Member for Kericho. What would you like to say?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Thank you, Hon. Temporary Speaker. First, I appreciate the frustration expressed by my colleague. When a member of society dies under such circumstances, it is troubling. However, we must acknowledge the complexity of investigations. Sometimes, it is difficult to provide precise timelines. That said, I commit that the Directorate of Criminal Investigations (DCI) will expedite the process to ensure the suspect is brought to justice.

On the issue of village elders, I have already made it clear. Besides the Ministry's policy, there is a Bill currently before this House. We should fast-track it so that these important members of society, village elders, are recognised by law and can be remunerated accordingly. It is our responsibility as a House to move that Bill forward.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Can we give a timeline? Can we say, within the next month, so the Hon. Member has something concrete to take back to her constituents?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Yes, Hon. Temporary Speaker. I will try.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Within one month. You will bring a report to this House on the progress of the matter. Thank you.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Well guided, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Members, before we move on, seated in the Public Gallery this morning, we have students from: DON St Philip's JSS School from Imenti North Constituency, Meru County; Mitero Silver Springs Academy, Gatundu North, Kiambu County; and, St Clare Catholic School from Sigowet/Soin Constituency, Kericho County.

Seated in the Speaker's Gallery, we have PAG Jerusalem JSS students from Chesumei, Nandi County.

I now give the Member for Kericho County a chance to welcome the students. All students are welcome, but please proceed to welcome all of them for us, from different constituencies.

**Hon. Beatrice Kemei** (Kericho County, UDA): Thank you, Hon. Temporary Speaker. I welcome all students visiting this honourable House from various parts of the country. It is important for students to see how Parliament works. When we were in school, we debated and referred to 'Madam Speaker', though at that time, we only had 'Mr Speaker'. I do not know why that was, but today they get to see both titles in use.

To the students, work hard. We were once in your position, and through hard work, we are now in this House. I wish you well as you prepare for your end-of-year exams. I also encourage discipline, especially among girls. Avoid early pregnancies, abortions and related issues. To the community, let us protect our children. The boy child is also vulnerable. Let us ensure that all students are safe and focused in school.

Once more, I welcome all students. Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Member for Kericho County, for those kind words of welcome. Now we move to the response for Hon. Walter Owino, Member for Awendo. The response will be given by Hon. Kiragu. You may proceed Hon. Kiragu.

#### SAFETY OF ROAD USERS ALONG ISEBANIA-KISII-AHERO ROAD

**Hon. (Eng) John Kiragu** (Limuru, UDA): Thank you, Hon. Temporary Speaker. I have the Statement signed by the Chairman.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): To confirm, is Hon. Walter Owino in the House?

*(Hon. Walter Owino spoke off the record)*

Yes, you are. Hon. Kiragu, you may proceed.

**Hon. (Eng) John Kiragu** (Limuru, UDA): Hon. Walter Owino, Member for Awendo, requested a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the safety of road users along the Isebania–Kisii–Ahero road. The request covered the following:

1. Steps being undertaken by the Ministry of Roads and Transport to erect speed bumps along the road, particularly from Ranen to Awendo town centres, to regulate high-speed vehicles;
2. Measures to ensure the safety of road users, especially students, teachers, and staff, who require pedestrian crossings;
3. Plans, if any, to upgrade the Isebania–Kisii–Ahero road into a dual carriageway, as it is a significant link to the A1 highway connecting several countries.

The Committee received a written response from the Ministry of Roads and Transport on 14<sup>th</sup> May 2025 and wishes to make the following comments:

1. On speed bumps: The Ministry reported that two complete sets of bumps with rumble strips have been installed between Ranen and Awendo town to regulate speeds, enhance safety, and facilitate safe pedestrian crossings. Additional speed control measures, including road signs, will be included in a maintenance contract scheduled to begin in the 2025/2026 financial year.
2. On pedestrian safety: Pedestrian pathways have been provided at Awendo Bridge. Road markings are currently underway to demarcate designated pedestrian crossing points.

The third question was on plans to upgrade the Isebania-Kisii-Ahero Road to a dual carriageway. The Ministry submitted that considerations for dualling the road will be done when traffic surveys justify the need. The section between Kisii Town and Suneka has been dualled to accommodate the high volume of traffic.

I will now proceed to the summary of the payment status for the Isebania-Kisii-Ahero Road projects as follows:

1. For Route 1 covering Kisii to Isebania, the contractor is the China Henan International Corporation Group Limited. The contract sum is Ksh480,597,817,890.74. The revised contract is Ksh14,053,834,471.12. The amount certified is Ksh13,978,202,354.54. The amount paid is Ksh11,186,268,715.73. The outstanding amount is Ksh2,781,933,639.
2. For Route 2 covering Ahero to Kisii, the contractor is the Third Engineering Bureau of China City Construction Group Company Limited. The contract sum is Ksh9,467,004,191.31. The revised contract sum is Ksh13,883,459,815.23. The amount certified is Ksh13,883,459,815.23. The amount paid is Ksh12,988,328,681.10. The outstanding amount is Ksh895,131,124.01.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Kiragu, on behalf of the Chairman of the Departmental Committee on Transport and Infrastructure. Hon. Walter Owino, is that response satisfactory?

**Hon. Walter Owino** (Awendo, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I thank the Committee for the response. However, I am not satisfied because they are talking of having erected two bumps on a 4-kilometre road. You can imagine how ineffective that is. The road is still very dangerous. Accidents occur on that road as recently as last evening. I request the Ministry to kindly send their officers to assess that road and look at what is happening. The two bumps are not enough.

Secondly, they are talking of having put pathways on the bridge. We requested them to put pathways covering both sides of the road to help students who use the road on their way to and from school. I request the Ministry to be more sensitive regarding this matter.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Member for Kwanza, does this matter also concern you? Would you also like to weigh in? Please proceed.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Hon. Temporary Speaker, I just want to agree with my colleague. We should pass a resolution in this House that the Ministry and the State Department for Roads regularly check on the roads. You will realise the roads are very unsafe when driving. Therefore, I agree with my colleague that the Ministry of Transport and Infrastructure should regularly check the roads. In fact, there is a broken and unmarked bridge in my constituency. That road is very dangerous for those who do not usually use it. You will find yourself in a ditch. It is time that the House gave these people deadlines so that they can regularly check the roads. Some of these people just sit idle in their offices, but earn salaries from taxpayers' money.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Kiragu.

**Hon. (Eng.) John Kiragu** (Limuru, UDA): Hon. Temporary Speaker, I take seriously the comments by my very good friends. It is true that speed bumps help to make roads safe, but it is also noteworthy that they have been known to cause accidents, particularly when they are not properly marked. I take your statement seriously. We will ensure that the concerned Ministry or Department undertakes a revised safety evaluation of the mentioned sections so that we provide a safe means of transport between those areas, particularly areas where students cross the road.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): I would like to encourage further engagement with the Committee, so that you invite the Member for Awendo, Hon. Walter Owino, especially on the day that the Director-General will be present. Hon. Kiragu, is this a road under the Kenya National Highways Authority (KeNHA) or the Kenya Rural Roads Authority (KeRRA)?

**Hon. (Eng.) John Kiragu** (Limuru, UDA): It is a KeNHA road. In fact, I would like to suggest to my good friend that it would be good for the Committee to travel to those areas to acquaint ourselves with the real problems facing our people, particularly regarding safety.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): So that we close this subject, I would like to ask you, as a representative of the Chairman, to further engage the Director-General of KeNHA concerning this Isebania-Kisii-Ahero Road, bearing in mind that there have been many accidents on that road, as reported by the Member.

*(Hon. Dorothy Muthoni spoke off the record)*

Is anything out of order, Hon. Dorothy Ikiara?

**Hon. Dorothy Muthoni** (Nominated, UDA): Hon. Temporary Speaker, this is a matter of national importance. Road safety should be taken very seriously. We continue to lose lives, especially along the highways.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Order, Hon. Dorothy. What you are saying is important. Unfortunately, we had already closed this matter, but I hope you will get another opportunity in future to engage on road safety. You may also wish to present a statement on a road of concern to you.

Next Order.

## MOTION

### POLICY ON MANDATORY USE OF PUBLIC HEALTHCARE FACILITIES BY PUBLIC OFFICERS

THAT, aware that Article 43(1)(a) of the Constitution provides every person has the right to the highest attainable standard of health, which includes the right to health care services; further aware that the Government committed to accelerating attainment of Universal Health Coverage (UHC) to ensure all Kenyans have access and receive essential quality health services; cognisant of the fact that in 2020, the Ministry of Health adopted the Kenya Universal Healthcare Coverage Policy 2020-2030 with the theme: Accelerating Attainment of Universal Health Coverage which is currently being implemented through the introduction of Social Health Insurance Fund; noting that there is need to increase the quality of care and services provided in the public health sector; concerned that the public health care services lack adequate funds to guarantee quality health care services; further noting that civil servants, public officers and State officers

are accorded a comprehensive medical cover by the respective Government agencies; appreciating that the use of the comprehensive medical cover by public officers and State officers in public hospitals would guarantee sufficient funding for public hospitals; this House therefore resolves that, the Government through the Ministry of Health implements the Kenya Universal Healthcare Coverage Policy 2020-2030 and introduce a policy on mandatory use of public health care facilities by all civil servants, public officers and State officers in the country who are using medical cover catered for by the Government of Kenya.

*(Moved by Hon. Sabina Chege on 23.7.2025 – Morning Sitting)*

*(Resumption of debate interrupted on 23.7.2025 – Morning Sitting)*

It is good to see Hon. Sabina Chege in the House. Hon. Janet Sitienei had a balance of eight minutes, but since she is not in the House, debate on this Motion is open for any other Member who may wish to contribute. I see several Members on the screen who are interested in this Motion on Universal Health Coverage (UHC). You may press the intervention button.

Member for Kitui Central, Hon. (Dr) Makali Mulu, and Member for Mwingi West, Hon. Charles Ngusya Nguna, CNN, do you want to contribute to the Motion? Not on this matter. Nominated Member, Hon. Dorothy Ikiara, do you want to contribute on the matter of the UHC?

**Hon. Dorothy Muthoni** (Nominated, UDA): Thank you, Hon. Temporary Speaker. I want to weigh in on this important Motion by my sister, Hon. Sabina Chege. Hon. Temporary Speaker, when we talk about health coverage and more so Universal Health Coverage (UHC) in this country, we have very pertinent questions that we should be asking ourselves. What comes to my mind is, where did we go wrong as a country? This Motion is tracing us years back to the 60s, 70s and 80s when we never had many private hospitals that we have today.

It is important to note that in the 70s we had Government maintained hospitals which were doing very well. As we went down the line thinking that we are becoming more advanced, we started ruining these institutions by ourselves as leaders. Such that slowly by slowly, those of us who felt that we were a little endowed financially withdrew and started visiting private entities. Because of that, the public institutions were left at no one's mercy. That is the question that we must be asking ourselves today as leaders. I want to strongly say that it is good that Hon. Sabina Chege, is proposing mandatory use of Government institutions. However, the first step that we must undertake should start from us. We should have a strong undertaking of what we can do to make these institutions the most favourable ones and destinations of choice for all of us when we are sick.

It is pathetic that today when you go to public institutions you find long queues and people in the hospitals but you realise that they are not getting the services that they deserve. It is up to us leaders to make deliberate moves that will ensure that these public institutions that we are talking about are properly maintained. I want to place a bet by saying that most of the public institutions have the best doctors. However, these doctors are in hospitals that do not have the necessary equipment and machines to treat their patients. Most of us cannot go to an institution where you know you cannot get the intended services.

Therefore, I want to challenge us leaders to brace ourselves and become very intentional with how we want these public institutions to be run. I want to go on record as I am speaking here today by saying that these public institutions are improving tremendously. If I get sick today, I go to Meru Teaching and Referral Hospital (MTRH). The hospital is now a public hospital which is being run professionally. It has the best doctors and you do not lack any medical equipment when you go there. This is what will draw all of us into using these public

institutions. We also must ask ourselves as legislators, do we have these public institutions across the country? Do we have Level 5 Hospitals in all our counties? Do we have properly maintained Level 4 Hospitals in all our sub-counties? Are they properly equipped and are the doctors in those hospitals well motivated so that when we go there, we will meet a motivated work force? Hon. Temporary Speaker, if we can garner all these, I do not see the reason why we should not be attracted to those institutions.

As I support this Motion, let us make it a reality. If we public servants and more so the people's representatives start using public hospitals, citizens will believe that what we are using as leaders is the best. We must be very deliberate and make the first move in ensuring that these institutions are attractive, have the best professions and can provide us with the treatment that we require. If people in the village know that my children and I get treated at MTRH, there is no reason why the public will not also go there.

Therefore, I support the Motion. I want us to move it from a Motion and make it a reality. Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much.

Let us have Hon. Ruweida Obo, Member for Lamu East Constituency

**Hon. Ruweida Mohamed** (Lamu East, JP): Ahsante, Bi. Spika wa Muda. Nachukua nafasi hii kumpongeza Mhe. Sabina Chege, kwa kuleta Hoja hii. Ni jambo la maana sana linalotuamsha ambalo lilipaswa kufanywa kitambo zaidi ilhali sasa hivi linatuamsha. Insha Allah, Kamati ya Kujikita katika Wajibu italicuafatilia jambo hili ili litimizwe.

Kusema ukweli, Rais wetu mpendwa ana nia nzuri kwa nchi. Hili jambo la bima ya afya ni zuri. Kila mkenya akipata hii bima sote tutakuwa matajiri kwa kuwa michango ilikuwa inatumiza sana. Hivi sasa, yeye amefanya mipangilio; siyo kwamba waliyo na kazi pekee wanapata hii huduma bali hata wale mama mboga na watu wa bodaboda ambao hawajaajiriwa wanaweza kupata hii bima bora tu wajiandikishe. Pia ni vizuri tuangalie mbele ili hili jambo lifanikiwe. Kuna maisha baada ya siasa. Hatutakuwa hapa Bunge siku zote lakini tutakuwa tumeweka miundo misingi kwa vizazi vijavyo.

Tunafaa kulifanya bidii swala hili bali siyo kulipinga. Je, tutalifanya bidii vipi? Kwa mfano, Hoja kama hii iliyoletwa na Mhe. Sabina Chege itaboresha huduma za afya. Hivyo basi tuanze kuunga mkono kwa vitendo. Ambapo kabla ya kukamilika au Kamati ya Kujikita katika Wajibu kufanya chochote, sisi Wabunge tuwe mfano kwa wengine. Tuanze Kwenda kwa zile hospitali tukiwa wagonjwa ili ziboreshw. Kwa mfano, nikiwa mgonjwa, niende King Fahd Lamu County Referral Hospital (KFLCRH) ama Hospitali ya Faza ambapo nishawahi kwenda. Mambo mazuri yanafanyika, lililobaki ni kuboresha yaye mazuri zaidi.

Juzi, nilikuwa na mzigo mkubwa pale Coast General Teaching and Referral Hospital (CGTRH). Wiki jana, nilikuwa na wagonjwa wawili kwenye sadaruki. Nimedhibitisha kuwa SHA (Social Health Authority) imelipia kila kitu. Alivyosema Mhe. Sabina, ukitaka kunufaika pahali serikali inaweka mkono wake ili upate hii bima, basi uende kwa hospitali za serikali. Kuna haja ya kuziboresha na kuhimiza watu wote waende kule. Hii Hoja itatusadia sisi watu wa Lamu sana. Kuna wakati mtoto wa mtu flani anayejulikana sana Kenya alikuja Lamu kujivinjari akaenda kule Shela na kwa bahati mbaya akaanguka, alipoanguka, ilibidi apelekwe Hospitali ya King Fahad. Wakati huo, ile Hospitali haikuwa na *Oxygen*. Iliwabidi watafute namna usiku kuja kumchukua ule mgonjwa. Na mahali kama Lamu ikifika saa kumi na mbili, hakuna usafiri wa aina yoyote. Jua likitua, ndege hazina ruhusa kutua pale Manda Airport. Barabarani kuna curfew, huwezi enda. Baada ya saa kumi na mbili Lamu hufungwa. Hakuna njia yoyote ya kutoka ama kuingia Lamu. Sasa jambo la dharura likitokea, huwa ni shida. Kama hio iliyotokea, ilibidi tung'ang'anekupata clearances abebwe na kwa hio harakati, ikachelewa akafariki. Mengi yametokea hivo.

Imekuwa sisi mpaka twende Kilifi au Coast General. Kwa sasa, na mipangilio aliyoko, mambo yameanza kuboreshw. Nashukuru Gavana wetu na serikali kuu kwa kushirikiana na

kuhakikisha kuwa pale King Fahad kuna *Oxygen Plant*. Na sasa ningetaka ifike kule Faza kwa sababu ya changamoto zetu pale ni tofaouti kwa sababu ya visiwa na *Oxygen Plant* ifike mpaka Kiunga. Hakuna sababu ya kukosa kufanya hayo. Kwa sababu ya nini...

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Mhe. Ruweida, wajua kuwa Bunge hili linakutegemea sana ikija kwa lugha ya Kiswahili. Sasa hii ‘*Oxygen Plant*’, ningependa uiseme kwa Kiswahili.

(*Laughter*)

Nimeskia pia ukisema ‘*hospitali ya public*’, angalau hiyo najua ni ya ‘umma’. Ningependa uzungumze Kiswahili sanifu kwani tunakutegemea. Endelea kuchangia Hoja hii. Umebakisha dakika chache, lakini usituchanganye na Kizungu.

**Hon. Ruweida Mohamed** (Lamu East, JP): Lugha ya Kiswahili inakubali utohozi, kwa hivyo, ‘*Oxygen*’ tunaweza sema ‘Oksijeni’, unaweza kutohoza na kusema ‘Kiwanda cha Oksijeni’. Nilikuwa nafanya *Google* iwe rafiki yangu lakini kwa bahati mbaya, sina *time* sahi na hukuna mtu wangu karibu ili aweze kuniangalilia.

Sahizi, Social Health Authority (SHA) inatoa pesa zinaenda kwa zile hospitali zetu za umma, haziendi kwa zile hospitali za kaunti tu. Pesa inafikia kila hospitali. Zahanati zozote zilioko, pesa za SHA zinafika. Kwa mfano, kama pale kwangu Kiunga, kwa mara ya kwanza SHA imelipa Ksh4 millioni. Hapo awali ilikuwa kaunti inapeleka Ksh250,000 ambazo hazikuwa zinakidhi mahitaji. Sasa kwa sababu wamepata Ksh4 millioni, wajitahidi wanunue vitu ile hospitali iboreshwe.

Tuweke hizi sheria ziwe ngumu. Sheria iwe kuwa mtu yoyote anayelipwa na serikali aende hospitali za umma. Tukiweka hivo, punde si punde hizi hospitali zitabadilika na kuwa mzuri. Mtu wa Kiunga akiambiwa lazima aende Hospitali ya Kiunga, itambidi hata daktari wa Kiunga atibiwe pale pale. Pia *administrator's* wote ikiwemo Officers Commanding Police Division (OCPDs) watibiwe pale. Ikiwa hivyo, kila mtu atahakikisha kuwa ile hospitali imekuwa mzuri. Hospitali zitaboreka kwa haraka.

Mimi naunga Hoja hii mkono. Twataka hospitali zetu ziwe nzuri. Na sisi tuanze kwenda kwenye hizi hospitali ile tuwe kielelezo kwa watu. Waone si kusema tu, ila ni kusema na kutenda. Hii itabadilisha Kenya. Nia ya Rais wetu nzuri itawezekana. Kusema ukweli, kupitia hii SHA, tunaona kweli mambo yanafanya. Yaani hospitali iliyo kule ndani kama ile ya Kiunga imepata Ksh 4 millioni kwa mara ya kwanza? Ilikuwa ni *history*. Na *history* zimekuwa nyingi. Rais wetu amejenga barabara kwetu. Leo mimi nimeingia nikidunda dunda hivi, leo najiona mkenya. Nimepata barabara ya *tarmac* ya kwanza kwangu. Nashukuru. Rais huyu anatutendea kazi, sisi nao tumuunge mkono ili tufanye kazi vizuri. Tutibiwe kwenye hospitali za umma...

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Ruweida...

**Hon. Ruweida Mohamed** (Lamu East, JP): Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Members, you may have noticed that we have several schools, and I would not want them to leave before we recognise them. This morning, in the Speaker’s Gallery, we have Gacatha Secondary School from Kirinyaga East Constituency, Kirinyaga County. Let us welcome them in our usual way.

(*Applause*)

We also have Chebirbelek Secondary School, Sotik Constituency, Bomet County, and Kairi St. Mary's School, Gatundu North, Kiambu County. Seated in the Public Gallery this morning is Ikuuni Junior School, Mwingi Central Constituency, Kitui County. You are all welcome to the National Assembly to continue observing the proceedings of the House.

Thank you.

(Applause)

You have two minutes, no, you actually have one minute and twelve seconds, Hon. Ruweida. Please conclude.

**Hon. Ruweida Mohamed** (Lamu East, JP): Asante. Nikimalizia, tunasema kuwa zahanati zetu ziboreshw. Kila hospitali, iwe kiwango cha 3 ama 4, zote ziwekwe viwanda vya Oksijeni, ili dharura ikitokea mtu aweze kusaidika na watu wawe na moyo zaidi ya kwenda kwenye zile hospitali. Nao madaktari wote wawe pale. Kama sisi Lamu Mashariki, hospitali yetu ya karibu ambayo ni Level 6, ni hapa Kenyatta Hospital. SHA ikindelea hivi, itatusaidia sisi zaidi. Tutasaidika manake hapo Lamu, kuna hospitali sita za Level 4 ambazo ziko kwenye maeneo ya karibu. Sisi wa mbali ndio tunajua umuhimu wa SHA. Hospitali zetu zikiwekwa vifaa vizuri na ziwe na huduma nzuri, tutafaidika zaidi kwani haitatulazimu kusafiri kutoka Kiunga hadi Kenyatta Hospital.

Region yote ya Pwani, tunaenda Coast General kama Referral....

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Kangogo, Member for Marakwet East.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Thank you very much, Hon. Temporary Speaker. Allow me to congratulate my colleague, Hon. Sabina Chege, for this important Motion. This is also a constitutional matter. Article 43 (1) of the Constitution provides that every person has a right to the highest attainable standard of health, which includes the right to healthcare services. Even as we debate and probably approve this Motion, there is also a need to go further and amend the health laws to ensure we operationalise this Motion.

If you look at the Kenyatta National Hospital (KNH), which was built many years ago by the Government of Kenya, using millions of money, as we speak today...

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Members, the time allocated for this Motion has lapsed. Hon. Kangogo, I give you one minute to conclude.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Temporary Speaker, maybe two minutes. I had planned my presentation for more than two minutes. I was saying...

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): And I can see several cards. If the Mover feels magnanimous, she can also share her 10 minutes for reply to a few of you. Hon. Kangogo, you have one minute to conclude.

**Hon. Kangogo Bowen** (Marakwet East, UDA): The two minutes will come after I conclude. I was saying that KNH, which was built a long time ago, has not even opened a branch anywhere. Yet, hospitals like the Nairobi Hospital and the Aga Khan, which came later on, have branches almost everywhere across the country, as a result of public resources. Members of Parliament cannot even go to KNH using the Parliamentary Service Commission medical cards that we have. Firstly, we need to improve the facilities in our public hospitals. The doctors at the Nairobi Hospital, Aga Khan Hospital, Nairobi West Hospital and all other private hospitals are the same public doctors you will find at Kenyatta National Hospital.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Kangogo, Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation. I now give a chance to Hon. Sabina Chege, the mover of the Motion, to reply. Proceed.

**Hon. Sabina Chege** (Nominated, JP): Hon. Temporary Speaker, allow me to donate one minute each to Hon. Emaase, Hon. Mulanya and Hon. Jalas, who had shown some interest, and then I will conclude.

Thank you.

**Hon. Mary Emaase** (Teso South, UDA): Thank you, Hon. Sabina. I appreciate you bringing forth this Motion. There is need to increase the quality of care and services as proposed in the Motion. I want to touch on two areas. The issue is not about infrastructure because most public institutions already have it. One, what we lack the most is staff, including enough doctors and nurses to offer services. Two, we lack medication in these hospitals. Kenyans have embraced the Social Health Authority (SHA). Many are registering, but I expect that when a person visits a local dispensary like Lukolis Hospital or Alupe in my constituency, they should be able to get basic care and medication. However, you find that not even a painkiller is available. We need to improve on that.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Mary Emaase. Hon. Mulanya.

**Hon. Geoffrey Mulanya** (Nambale, Independent): Thank you, Hon. Temporary Speaker. Allow me to congratulate Hon. Sabina Chege for bringing this Motion. We have a policy allowing civil servants and public officers to be treated in private hospitals using the insurance schemes. However, what we may not know is that some of the best doctors are employed by the Government, including those at Kenyatta National Hospital. These best doctors are also hired by private hospitals like Nairobi Hospital. The public officer ends up in Nairobi Hospital and is treated by doctors employed in public hospitals like Kenyatta. We end up sending money to private entities at the expense of Government institutions.

I support the Motion.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Jalang'o aka Jalas.

**Hon. Phelix Odiwuor** (Langata, ODM): Thank you so much, Hon. Temporary Speaker. From the outset, I thank Hon. Sabina Chege for this Motion. You cannot fully fight for something when you do not benefit from it. For us to start allocating more money to our public institutions and hospitals, as leaders, we must start using public hospitals. For example, Kenyatta National Hospital provides some of the best services. However, if you have a chance to use your insurance at a private hospital, you will always go there. Let it be mandatory for public servants use public hospitals. Insurance companies that provide our covers must also be told not to cover leaders in private hospitals. If you want private treatment, you should use your own money. If you want to use the Government cover, then you must go to public hospitals.

Thank you, Hon. Temporary Speaker.

(*Hon. (Prof) Guyo Jaldesa raised his hand*)

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): I see your hand is up and I would like to hear you. Please give him the microphone. What is out of order, Hon. Guyo Jaldesa?

**Hon. (Prof) Guyo Jaldesa** (Moyale, UPIA): There is nothing out of order. I just wanted to make a small contribution to the debate.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): You may take your seat. I know you are a gynaecologist and you would have done very well in addressing this matter. However, those currently speaking were lucky to have been donated a minute by the Mover. Therefore, you will not contribute on this one. You will have another opportunity at a later time.

Hon. Sabina, you may conclude.

**Hon. Sabina Chege** (Nominated, JP): Thank you, Hon. Temporary Speaker. I thank all my colleagues, Members of this House, for supporting this Motion. As a former Chairperson of the Departmental Committee on Health and from my personal experience with a father who has been sick for a very long time, I have had access to both private and public institutions. I

wish to state that we have very good and qualified doctors in our public institutions. However, we need to finance these public institutions adequately. They need to know that a Member of Parliament, a police officer, a senior teacher or the Head of Public Service can walk in at any minute. That way, we will have these hospitals well prepared.

The money spent on insurance covers through the Government, funded by taxpayers' money, is enough. We may not even need the Government to add more money. The money from our insurance covers can be ploughed back to ensure we have enough doctors, nurses and other staff. We will also be able to have clean facilities. As one of the Members said, Universal Health Coverage (UHC) is about affordability and accessibility. We are already giving money through the SHA.

Hon. Temporary Speaker, even as we say we have devolved health, our people who have paid for SHA are still told there is no medication. So, they have to buy medicine from private pharmacies. This is a kind of cartel because some of the equipment in our public facilities may be working but are sabotaged so that you can be sent to the nearest private facility for a CT scan or an X-ray. This is sad. Hon. Nyikal, I have two requests. I would like your Committee to investigate the amount of money being paid out by SHA to public facilities and private facilities. We already have around 42 per cent allocated to public facilities. Why would we pay around Ksh100 million to a very small private hospital that provides cancer treatment, compared to what we pay the entire Kenyatta University Referral Hospital, Moi Teaching and Referral Hospital, Kisii Level 5 Hospital, Jaramogi Oginga Odinga Teaching and Referral Hospital or Kenyatta National Hospital? Why would a small facility that only offers one service, and is publicly known in Kenya, be paid millions of shillings from SHA?

Hon. Temporary Speaker, allow me to address Hon. Nyikal. Last night, as a mother, I was very disturbed by a case I saw in Machakos. I wish and hope the Women Representative for Machakos and leaders from there can follow up on the matter. Hon. Nyikal, through your Committee, kindly help that mother whose child was operated on in a facility in Machakos. I watched this on the 9 p.m. news yesterday at around 9:35 p.m. You can check on YouTube and watch the story. First, she was forced to pay Ksh5,000, and then the doctors messed up with the child. The child needed emergency attention and she borrowed Ksh50,000 to get an ambulance. When they left the hospital in the ambulance, they were meant to be referred to Kenyatta National Hospital, but they ended up in a small facility in Eastleigh, where the baby has since been held. To date, the mother has not had access to see the condition of her child, who is in the Intensive Care Unit (ICU) because she has been asked to pay Ksh3 million. That lady was crying. Where can she get Ksh3 million? Her child is being held in a funny facility in Eastleigh. Hon. Nyikal, why should our citizens suffer when you have been forced to use a private facility because they need money?

Some of the services offered when paying through private health insurance cover or Social Health Insurance Fund (SHIF) are higher than when paying cash. If paying through SHIF you will find the cost of the service is Ksh28,000 but when paying cash its Ksh14,000. What is this? We need to investigate. The only solution is to ensure we equip our public facilities, we make sure we have enough doctors, medicines and support staff, so that we can choose to go to Kenyatta National Hospital (KNH) instead. It even has a private wing. We need to start leading by example. We urge the Ministry to quickly come up with a policy on this. Sometimes policy can take as long as somebody wants. It can be formed within one month, six months, or somebody can decide to sit on it forever. I hope the Committee on Implementation will follow up on this.

I urge Members of this House to visit Kenyatta University Teaching, Referral and Research Hospital (KUTRRH) for your yearly health check-ups. It has a state-of-art facility. We do not have any other facility in Kenya, East Africa and Africa at large that matches that

facility. Not even the private hospitals that we have around. They even have a presidential suite. Go and see. Start referring your people there. Let us use KUTRRH.

I challenged the management of KNH the last time I took my father there. A Level 6 hospital cannot be giving patients water basins to use upon admission at this day and age. When one gets admitted they are given a water basin and a tissue paper. At this day and age? How can we have bathtubs in a hospital? This is a supplier who just wants to cash in and supply because a bathtub is more expensive than a shower.

Hon. Temporary Speaker, we need to be serious about our health care. Health is a right in this Republic of Kenya. It is in our Constitution. Thank you, honourable Members for the support you have given me. I know with this, we will have better services being given in our public facilities. Our doctors will be smiling. They will not go on strike because we will have enough money to pay them from our insurance. Our nurses will be happy. Our support staff will have clean facilities. I thank you once again for the support.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Sabina Chege.

Next Order.

## MOTION

### LAND USE POLICY ON ZONING OF LAND FOR AGRICULTURE AND BUILT DEVELOPMENT

THAT aware that land is a critical but limited factor of production that supports human habitation and food production; noting that, agriculture is Kenya's main economic mainstay; appreciating that, that the Central Bank of Kenya (CBK) Monetary Policy Committee Agriculture Sector Survey 2022 estimated the contribution of the agriculture sector to the country's Gross Domestic Product (GDP) to be 22% directly and 27% indirectly, through its linkages with other sectors; further appreciating that, the Survey showed that the sector employs over 40% of the Kenya's total population; concerned that, in the Land Reform, Vol. 3 publication, the Kenya Land Alliance Land estimated that only 17% of the country's land mass is classified as suitable for rain-fed agriculture land while the remainder is either semi-arid or arid; further concerned that, the country's agricultural productivity has been decreasing over the years; cognizant of the fact that, the decline in agricultural productivity is partly attributable to the shrinking agricultural land due to unplanned settlements that encroach on agricultural lands; further concerned that, agricultural lands in rural areas are continually being subdivided into small portions for built development, thereby diminishing the size of land available for agriculture; noting that, there is need to put in place measures for effective land use in the country in order to guarantee optimal use of agriculture; now therefore, this House resolves that, the Government, through the Ministry of Lands, Public Works, Housing and Urban Development puts in place a policy framework for effective land use in rural areas by consolidating and designating zones for built development for commercial and residential developments with shared public utilities and separate zones for agricultural use in order to arrest further diminishing of agricultural land and steady the country's agricultural productivity.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Timothy Wanyonyi, Member of Parliament. I can see that Hon. Wanyonyi is not in the House, so that matter is deferred to a time when it will be next scheduled by the House Business Committee.

(*Motion deferred*)

Next Order.

## BILL

### *Second Reading*

#### THE BREASTFEEDING MOTHERS BILL (National Assembly Bill No.8 of 2024)

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Sabina Chege, you may proceed.

**Hon. Sabina Chege** (Nominated, Jubilee): Hon. Temporary Speaker, I beg to move that the Breastfeeding Mothers Bill (National Assembly Bill No. 8 of 2024)...

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Sabina, let me interrupt you before you finish moving the Motion.

Hon. Members, I would like to recognise students seated in the Public Gallery this morning. We have students from Emali Sunshine Academy, Kajiado East Constituency, Kajiado County; Mutini School, Mbooni Constituency, Makueni County; Kithathaini School, Makueni Constituency, Makueni County; St Mary's Kibabii Boys Junior School, Kanduyi Constituency, Bungoma County. Also seated in the Speaker's Gallery this morning, are students from Makuyu School, Murang'a South, Murang'a County and Bavuni Secondary School, Bahati Constituency, Nakuru County.

I would like to request the Hon. Sabina Chege to welcome the students and then continue. The school from Murang'a, is called Makuyu School. Welcome them for us and then proceed to move the Motion.

**Hon. Sabina Chege** (Nominated, JP): Thank you, Hon. Temporary Speaker for giving me this opportunity.

I wish to welcome all the schools that are present in the House today. I am privileged to welcome a school from my county, Makuyu School, *Karibuni sana*. I am very happy to see them here. I encourage all the students and remind them that we were once their age and at school but we are here today. They can as well easily find themselves here too. We wish them all the best in their studies. I welcome you once again into this House.

Hon. Temporary Speaker I beg to move that the Breastfeeding Mothers Bill (National Assembly Bill No. 8 of 2024) be now read a Second Time.

The principal object of this Bill is to provide a legal framework for mothers who may wish to breastfeed their children at their workplaces. The Bill provides for the right of a mother to breastfeed freely or express milk for her infant. The Bill further requires employers to provide breastfeeding employees lactation rooms to either breastfeed or express their milk for their children.

Hon. Temporary Speaker, breastfeeding is the first preventive health measure that can be given to a child at birth and it also enhances mother-infant relationship. It is nature's first immunisation, enabling the infant to fight potential serious infection. It contains growth factors that enhance maturity of an infant's organ system. This also contributes to the whole being of the child.

Kenya is a signatory to treaties that provide for the right of an infant to exclusive breastfeeding for the first six months. The Government should, therefore, promote and encourage breastfeeding and provide the specific measures that would present opportunities for working mothers to continue expressing their milk and breastfeeding their infants or young children. Furthermore, the practise of breastfeeding may save the country's valuable foreign exchange that may otherwise be used for milk importation. Presently, female employees exit the workforce or stop breastfeeding in order to secure their job security, which is very unfair. No woman should be forced to compromise the health of her child in order to make a living.

We are aware that maternity leave, maybe this is something that we need to look into the labour laws, currently is for only three months while paternity leave is for a month. The recommendation for exclusive breastfeeding, where a child should not be given anything, including water, is six months. Whereas here is a mother who needs to report to work after three months. This means the option left for this mother is to either start substitute breastmilk with infant formula, I will not mention the brand names. We have categories of various imported milk that we have in this country, or you have to breastfeed.

Hon. Temporary Speaker, I want to give my personal experience. I got my baby 10 years ago when I was still serving in this House and it was torture for me when I came back. I could not find a place to express my milk. I am a mother who believes in breastfeeding a child for two years, not six months. After my three months maternity leave, I had to look for a place where I would be expressing my milk. It is a shame that in this House, even now as I speak, the only crèche that we have, is very far. It is somewhere near Red Cross building, for the people who know where Red Cross is. It is not an environment that you feel comfortable. As a result, I ended up chasing my driver from the car so that I could sit down and express my milk. I had to get a special bag to carry that milk home so that the milk does not spoil. This milk would be taken by the child when I am away.

Therefore Hon. Temporary Speaker, Part 1, Clauses 1 and 2 of the Bill provide the preliminary matters, including the Title of the Bill and implementation terms used in the proposed Act.

In Part 2, we have Clauses 3 to 10, where the Bill provides for the fundamental principles and rights at work for a breastfeeding mother. It provides for the right to freely breastfeed or express one's milk for the baby. It also places an obligation on employers to provide breastfeeding working mothers with rooms to either breastfeed or express their milk. It also provides for standards of such rooms.

Hon. Temporary Speaker, major airports like Dubai or Heathrow and the rest, have specific rooms for mothers to breastfeed or even change their children but come home, and I do not know if it is only in Africa, is the only place you can find a small baby changing table in the toilet. These children pick up infections very fast. We need to move the mothers with small babies from toilets to a room in any building. It should be clean, have a comfortable seat and it is not expensive to do this. It is just a room. We have many high-rise buildings in this country. Even in this House, we can get one room near the Chamber. It can be where the leadership offices are situated. The room can be equipped with a seat and a small fridge so that I can store my well labelled breast milk and pick it up when going home. This way, a breastfeeding mother will not miss to attend plenary sessions.

The Bill further provides for baby changing tables. This is important because the greater majority of the public find it unsanitary to change a baby in public settings such as restaurants. We have seen women being chased out of restaurants because they are told they are showing their breasts when breastfeeding their children.

Hon. Temporary Speaker, I congratulate the government, especially for the new markets they are building. They have a decent place where a *mama mboga* or a mother who has carried her child to go and sell tomatoes or *mboga* can change a nappy of her child. So, we

are not only talking about working mothers in formal employment but also those working in the informal sector. We can have rooms in our markets for those mothers where they can change their babies, breastfeed in privacy and with decency and a child can take a nap.

This provision also caters for persons travelling long distances with babies by ensuring that in each public restroom, a baby changing facility is provided. This part also provides for a general offence under the Act. Whether we are at public bus stations or long-distance buses, there should be a specific room on the side, but not inside the restroom, where mothers can change and breastfeed their babies.

Under Part III of the Bill, there is Clause 11 that provides for the powers of the Cabinet Secretary to make regulations for better implementation of this proposed Act.

I will request Hon. Wanyonyi to second because I need men who stand for women. We appreciate that bringing life into this world or having a child is very important. Many women today are opting not to have children but we need to have our babies. Those who choose to do so, especially the young girls, must not be disadvantaged. I understand that we did not have a breastfeeding room in this House because then the ladies who were nominated or elected were past their childbearing age. However, we now have Hon. Members who are less than 30 years old. Some are getting married while serving in this House. They will not stop giving birth because they are Members of Parliament. They are human beings. They need to have their children. We should not limit any one of them. Let us lead by example from this House to any public facility.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Order, Hon. Sabina Chege. Hon. Charles Ngusya Nguna, Member for Mwingi West, what is out of order?

**Hon. Charles Nguna** (Mwingi West, WDM): Thank you, Hon. Temporary Speaker. There is nothing out of order. I am just enjoying the motherly character of Hon. Sabina Chege, while moving the debate on this Bill with a lot of emotions. I fully support it. I look forward to contributing because I am a new father in town.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): I will take that to be part of canter and banter for the House. I will allow Hon. Sabina Chege to proceed.

**Hon. Sabina Chege** (Nominated, JP): Allow me to congratulate the Hon. Member for being a new father in town. Well, done.

I will speak to our girls and tell them that breastfeeding is fashionable. Let them not think that when they give birth, they will give formula milk to their babies and not breastfeed. Breast milk is 100 per cent nutritious and has all the nutrients a child needs, including the growth of a brain of a child. I am very sure Hon. (Dr) Nyikal will speak about the importance of exclusive breastfeeding for six months.

To our girls in Kenya, do not be lied to by anyone that when you do not breastfeed, your breasts will remain firm forever. It comes with age. It is better for the breasts to fall for a reason, instead of denying your child natural immunity and nutrition which are needed there. I strongly believe that no woman should be forced to compromise her child's health in order to make a living. I want to give a warning to a lot of institutions which say that when you become pregnant, go home, report at specific time or you cannot work with a baby. I urge employers to offer reasonable working hours for breastfeeding mothers. You have been a mother like me, and you know that when your breasts are full of milk, you cannot concentrate. When it starts coming out, it becomes very uncomfortable for a mother. Employers should allow breastfeeding mothers to report slightly late – may be at 10 a.m. – and leave slightly early. It is only for six months. They will already have had three months of maternity leave. That means this arrangement will last for only three more months. That mother will be more productive and happier. Her child will be healthier.

Once this Bill is enacted into law, it will go a long way in protecting the rights of breastfeeding mothers and preserving their dignity both at work and public places. It will ensure

that women are not discriminated against in employment, based on childbirth or the conditions that come with it.

I thank the Departmental Committee on Social Protection that considered this Bill. Hon. Members, you can have a copy of the Report. As Committee Members, we went through a lot. I also thank many institutions that submitted their views. We had Kenya Association for Breastfeeding, Kenya Bankers Association, DUNA International, Kenya Demographic and Health Survey, Kenya Private Sector Alliance, Uhuru Community Development Project, Lactation Education Consultants, the University of Nairobi and many other individuals. There was a lady who came named Kimani. I want to mention all of them and thank them for contributing. If any further amendments are required, we are ready to consider them.

I urge Members to support the Bill. By the way, this is the third time that this Bill has come to this House. I do not know who normally kills it. It was passed in this House twice – during the 11<sup>th</sup> Parliament and 12<sup>th</sup> Parliament – but it was killed by the Senate. I thank God because it is now being dealt with in this House. I hope that once we pass it, it will become law and the mothers of this country will forever be grateful.

With those remarks, I beg to move and call upon Hon. Wanyonyi to second the Bill.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Please, proceed, Member for Kwanza.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Thank you very much, Hon. Temporary Speaker, for giving me an opportunity to second the Bill by a dear lady.

**Hon. Tim Wanyonyi** (Westlands, ODM): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): What is out of order, Member for Westlands?

**Hon. Tim Wanyonyi** (Westlands, ODM): Hon. Temporary Speaker, I thought Hon. Sabina Chege called me, and not Hon. Ferdinand, to second the Bill. She just said Hon. Wanyonyi and then Hon. Ferdinand shot up. I thought it was me.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): You are Hon. Tim Wanyonyi. I will add Wetang'ula to your name. Hon. Sabina Chege was very clear. She called upon Hon. Ferdinand Wanyonyi. However, I will give you the first opportunity purposively to speak after this and at the request of the Mover.

You may proceed, Member for Kwanza.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Thank you, Hon. Temporary Speaker. I hope I have not taken over your chance. I hope you will be given a chance to talk.

I second this Bill by Hon. Sabina Chege. I have just listened to what she has said. The legal framework is clear. We all know that some mothers give birth while employed. The objective here is to ensure that children are given a chance to be fed by their mothers. Hon. Chege, you are very right in coming up with this Bill because breastfeeding children is very important.

I am a parent and almost a grandfather now. I am telling you if you do not know. I understand the importance. Employers are normally very particular. A breastfeeding mother may be performing a critical role in an organisation. It is only fair that she is given the opportunity to breastfeed the child. Some may even have twins or triplets. They need even more support. If I am not mistaken, Kenya is a signatory to a treaty that provides infants the right to be exclusively breastfed for at least six months. Therefore, the government must support, promote and encourage working mothers to breastfeed.

Out of love for their children and lack of support, some mothers are forced to quit their jobs. Some employers do not care. The mother feels humiliated and quits when a child cries at home. There are cases where mothers are forced to come with vehicles to breastfeed in or do so in toilets. As Hon. Chege mentioned, toilets may not be very conducive for the child.

Breastfeeding fosters a strong bond between mother and child. It is not ideal if a mother must sneak away for three minutes to breastfeed in unsuitable conditions. Mothers run back to work after two or three minutes to maintain their jobs. That is why this Motion is important. Once passed, it should be implemented so that all workplaces have dedicated spaces where mothers can breastfeed.

Some mothers feel that their breasts could collapse if they breastfeed their children. I do not know. That is what I am told. They should carry milk to give their children in very exclusive places. The objective of the Bill is to get places where children can be fed properly. Children should be breastfed in good hygienic places, and not in cars. The inside of a car could be very hot.

Let employers create rooms for mothers to feed their children because this country is a signatory to a treaty that gives mothers six months of exclusive breastfeeding. It may be via working vacations for six months so that the child can be fed properly to enhance the good relationship between child and mother.

With those remarks, and as a soon-to-be grandfather, I fully support the Bill. Let us go ahead to implement it so that it becomes law. It does not matter who the employers are. They must have areas where children can be breastfed. I thank Hon. Chege for coming up with such Bill. It was there some time back, in 2014 or 2015, but it was not finalised.

**The Temporary Speaker** (Hon. Rachael Nyamai): Thank you very much.

(*Question proposed*)

I will give the first chance to Hon. Timothy Wanyonyi, the Member for Westlands, as I had promised.

**Hon. Tim Wanyonyi** (Westlands, ODM): Thank you, Hon. Temporary Speaker.

First, I thank and appreciate Hon. Sabina Chege for coming up with this Bill. I believe it would be a natural thing that breastfeeding would not require legislation. It should come naturally. I feel that a mother should never be ashamed of breastfeeding a child at any place, be it public or anywhere.

I remember Hon. Zulekha sneaked into the Chamber with a baby tucked in her during the last Parliament. Somebody said there was a stranger in the House. I think she was just minding her business. She just wanted the child to be there with the mother.

Setting aside breastfeeding places for mothers is very good. I echo Safaricom on this. I think it was the first company to come up with the idea of places for breastfeeding mothers and their children. Mothers take time off work to breastfeed and sit with their children. That makes the child not miss the mother.

Mother's milk is very good because it is the first line of immunisation that a human being will develop. The first six months of the mother's milk is what makes a child develop the immune system and become a healthy person. Therefore, mothers anywhere should never be ashamed when they want to breastfeed. There should never be any prevention.

I once read of a mother who tried to breastfeed a child in a restaurant. The restaurant quickly ejected her saying she was doing something that was not allowed. That should never happen. It should just be a natural thing. It happens. The mother to child connection should always remain very close. The Bill provides for a friendly breastfeeding legal framework.

**The Temporary Speaker** (Hon. Rachael Nyamai): Order, Hon. Wanyonyi. I am interrupting you because we have many guests and students today. We would not like them to leave before we recognise them in the house.

Hon. Members, seated in the Public Gallery this morning are students from Nairobi Road Primary School from Nakuru Town, Nakuru County. We can welcome them in our usual

way. We also have students of Dammar Spring School from Kikuyu Constituency, Kiambu County; and Githaji Primary School from Maragua Constituency, Murang'a County.

You are all welcome to observe proceedings of the House.

(Applause)

You may continue, Member of Westlands.

**Hon. Tim Wanyonyi** (Westlands, ODM): Thank you, Hon. Temporary Speaker. I would also like to welcome the students to enjoy the proceedings of the National Assembly. I am sure that many of them will want to come and sit where we are seated in future. I want to encourage them that being here just requires you to take your studies seriously, and to also be disciplined in everything you do.

According to this Bill, breastfeeding is the first protective health measure that a child receives at birth. It also enhances the mother-infant relationship, which we know starts at birth.

*[The Temporary Speaker (Hon. Rachael Nyamai) left the Chair]*

*[The Temporary Speaker (Hon. Peter Kaluma) took the Chair]*

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Tim Wanyonyi, let me interrupt your contribution for a minute to welcome students from a number of schools, who are on a visit to the National Assembly. In the Speaker's Gallery this morning, we have students from Chemichemi ya Tumaini School from Kibra Constituency in Nairobi County and Kwanza Primary School from Kwanza Constituency in Trans Nzoia County. Both schools are welcome to observe the proceedings of the National Assembly. Hon. Ferdinand Wanyonyi will be permitted to welcome learners from the two institutions to Parliament.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Thank you very much, Hon. Temporary Speaker. I want to take this opportunity to welcome Kwanza Primary School to this House. I would like to tell them that this is where we make laws. This is where we oversee all the functions of the government and budget for the country. Feel free and enjoy your stay here. I know one of you may one day come to this House as a Member of Parliament to continue making laws for this country. Therefore, enjoy yourselves. This is where your Member of Parliament sits to make laws for you. *Karibuni. Ahsante sana.*

**Hon. Tim Wanyonyi** (Westlands, ODM): Hon. Temporary Speaker, may I proceed?

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Tim, before you proceed, somebody has said that Hon Ferdinand Wanyonyi is out of order. He is certainly not out of order when the name of the school is in Kiswahili. The school is called 'Kwanza' to mean the number one girls' school in the country. It is a name. Kwanza School is the number one school. The Deputy Leader of the Majority Party, who is a Fulbright Scholar, will explain that point better.

**Hon. Owen Baya** (Kilifi North, UDA): The word 'Kwanza', in this case, is a noun. It could be any language. It cannot be translated to mean 'Kwanza' as in 'first' in Kiswahili. It cannot.

(Laughter)

It is just a noun. Therefore, for him to mix the English and Kiswahili languages and say that they are the same is not right. It does not work like that. For example, the name 'Wanyonyi' is just a noun. It does not represent any language. The fact that he is called 'Wanyonyi' does not permit him to speak Luhya in this House. It does not. Therefore, he needs to withdraw his

statement and speak in English because the Standing Orders of the House stipulate that you cannot mix two languages. You should start your contribution either in English or Kiswahili and finish in the same language. So, he needs to withdraw his statement and say what he wanted to say in English. If he chooses to start his contribution in Kiswahili, he should end it in Kiswahili. If he wants to speak in Luhya, he can do so from the beginning of his contribution to the end. He should not speak in other languages in between.

**The Temporary Speaker** (Hon. Peter Kaluma): Give Hon. Ferdinand Wanyonyi the microphone.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): It is good that Hon. Baya has commented so that people can know that we either speak in Kiswahili or English in the House. I never spoke in Luhya. He does not even know what Luhya is. He is completely out of order to ask me to speak in Luhya. I cannot speak in Luhya in the House. I am a Member of Parliament. Therefore, *karibuni sana*.

(*Laughter*)

When the students go back home, they will remember that I made them laugh. Thank you very much for that opportunity. Welcome to Nairobi and to this august House.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Ferdinand Wanyonyi, you only spoke about our beautiful girls from Kwanza Primary School in Kwanza Constituency, yet I had given you an opportunity to welcome both institutions. I would be remiss if I did not give Hon. Orero the chance to welcome the students from Chemichemi ya Tumaini Primary School, a beautiful school from Kibra Constituency. Do so in one minute, Hon. Orero.

**Hon. Peter Orero** (Kibra, ODM): Thank you, Hon. Temporary Speaker. Hon. Ferdinand is my friend. As a nationalist, I thought he would welcome all the students from all the constituencies. However, he missed the point and concentrated on Kwanza Primary School yet we also have students from other constituencies. First, I want to welcome all of them to this august House. Most importantly, we have the Chemichemi ya Tumaini Primary School from Kibra Constituency.

Today we have 'Kwanza' and 'Chemichemi', which are all nouns, as my brother said. They are not necessarily Kiswahili terms, but they describe those schools. I welcome them today to this great House. I am happy that people who live in informal settlements can also come to the National Assembly. It is not a preserve for those who live in prestigious places. Feel welcome in this House, my students from Kibra Constituency and other parts of the country. Make sure that you work hard to become Members of the National Assembly in future.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Tim Wanyonyi now has five minutes to conclude his contribution.

**Hon. Tim Wanyonyi** (Westlands, ODM): Thank you, Hon. Temporary Speaker. On a light note, there is no language called "Luhya". There are various dialects in the Luhya community. We have the Bukusu, the Wanga, the Maragoli, and so on. There is no Luhya language. We have many dialects. That is on a light note.

The Bill also provides for a place for mothers to change their children without feeling shame or fear. Such facilities should be provided in any place that is frequented by the public, whether it is a mall, a restaurant or any social building. The Bill provides a legal framework for the recognition of such facilities in law. Even Members of Parliament who will have children while serving in the House should have a place within the precincts of Parliament to breastfeed or change their children. They should not be ashamed to bring their child to work. Some mothers are forced to quit their jobs so that they can breastfeed their children and take care of them. Sometimes mothers are not sure whether or not the caregivers whom they leave

their children with will end up abusing them. However, a mother will ensure that their child is safe.

The first opportunity of a mother interacting with her child is at the early stages of breastfeeding. The science of carrying a child is always done on the left side of the mother's body because that is where her heart is located. The child always listens to the mother's heartbeat. When the foetus is in the womb, the mother's heartbeat is like music to it. If you were keen on how women carry their handbags, it is always on the left side of their bodies which shows that is where life is.

Being a mother is an honour. There was a Tanzanian musician who sang a song that says: "*Mama hana mfano.*" Many times, young mothers are afraid to breast feed in public. For example, when they are using public transport and their child wants to be breastfed, they will be scared of how they will expose their breasts in public to breastfeed. We want to encourage breastfeeding.

The first line of immunity is built after birth when a child gets breast milk. The first time a child interacts with the world and the environment they live in is through the mother when being breastfed and bathed.

I support the Bill. It has come at a time when we have so many cases of young ladies shying away from giving birth. At times they feel that if they get pregnant while working, they may lose their jobs. Maternity leave does not give enough time for mothers to interact with their children. This is an important Bill. I want to thank Hon. Sabina Chege for coming up it.

Thank you.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Caroli Omondi, do you want to speak on the Bill or you are waiting for the next business?

**Hon. Caroli Omondi** (Suba South, ODM): Actually, I was waiting for the Motion by Hon. Tim Wanyonyi on land use but he was not around when it was called out.

**The Temporary Speaker** (Hon. Peter Kaluma): Thank you. Hon (Dr) James Nyikal, do you want to speak to the Bill?

Hon. Sabina Chege, are you proposing that lactating Members of Parliament will also have space to breastfeed within the House? I believe that is what Clause 3 of your Bill means. The Speaker will be very pleased. Is that what you are proposing? Do you remember the battle we had before on that? You will have a chance to explain that when you reply to the debate.

Let the Chair of the Departmental Committee on Health, Dr Nyikal tell us the benefits of this Bill.

**Hon (Dr) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I rise to support the Bill. The object of the Bill is noble and natural. It is something that we should not even debate on. All human effort is for human survival and its core is the survival of babies. The object of the Bill is to make it easy for mothers to breastfeed. This is something that has been provided for by God. Babies should be breastfed. Breastfeeding is the most appropriate way of giving babies nutrition. Breast milk has all the elements that are required for growth, protection and psychological growth. It has proteins in the exact amounts that are required. There is no wastage. There is a lot of wastage with the other foods that we eat. With breast milk, everything that is consumed is utilised. It has protective value since it has all the elements that are protective of a baby's life.

Breast milk is alive. It has living components. It has cells that are derived from the mother that are protective. When a baby is breastfed, they are less likely to get sick even when they are exposed to microbes and things that cause illness. It has elements that kill some bacteria and viruses as its components. In cases of mothers who are vaccinated, it confers mother's protection to the baby against the diseases that the mother has been vaccinated against. That is all a baby need. The growth and development of a baby is depended on these nutrients that are important in the first two years of a baby's life. This is when the maximum

development of the brain happens. We may not be aware that after the first two years, if a baby missed out on the appropriate nutrients that are required for the development of the nervous system, particularly in the brain, you cannot help them even if you provide the nutrients afterwards. Therefore, that is an opportunity that a baby must not miss.

Within the first five years of a child, the actual growth of the brain literally stops. If you look at the head of a baby and compare it with the rest of the body parts, their ratio margin is very wide. However, as they get older, that gap is bridged because the brain now does not grow in the same degree of proportion like the other parts of the body.

The survival of babies is in the emotional and psychological development. The emotional development is not attained just from breastmilk alone. It is also attained from the interaction between the mother and the baby, which is important for the baby's psychological and emotional growth. We need to support this process as a society. The Bill supports the process. A baby and a mother will be denied all the advantages I have talked about if the mother will work after giving birth. That is not only a disadvantage but discrimination as well. To deny mothers to do what is naturally their God-given duty is a crime. Therefore, it is discriminating if working mothers will not be allowed to breastfeed their babies.

The ladies in the House will tell you that if they were asked to choose between survival of their babies and their jobs, many of them would rather leave their jobs if they have other means of livelihood. In this day and age where mothers are working to support their families, it will be a double loss if a lady stops working. If a lady is not working, the family will miss her income and if she works, she will lose the opportunity to breastfeed. A mother once told me that if she cannot take care of her baby because of work, she would rather leave her job. However, women now have to work because they need income. The Bill provides for breastfeeding and the infrastructure required. I have looked at the equipment that has been listed in the Bill.

I like that because it is not just providing an empty space, but looking at what will make it possible for a mother to breastfeed in the most hygienic way, including even availability of clean running water in the place. This Bill does that and recognises another fact, that sometimes even if the space is available, the mother may not have the time, but in that case, she can express the milk and keep it. This Bill provides even the equipment that will ensure that the milk is properly kept. So, a lot of mothers do express milk and keep it for later usage. Hon. Sabina Chege said she used to express milk. I am not sure where she was keeping it, but I have been in a position where sometimes even fathers are sent to take the milk that has been expressed to the baby if the mother cannot be with the baby. So, it is a family issue. This Bill actually does provide for that.

It also provides for flexibility in time. You not only need to provide space and equipment, but you also need to provide time for the mother. So, the Bill will place it upon the employers to make sure that working hours for mothers is flexible. We do not realise that children are not for parents. Children are for the society. Hon. Temporary Speaker, what proportion of your income now goes to your mother or anybody here? Most of the work you do is actually for the society. So, the society must make a lot of input in the development and growth of babies. Therefore, providing for flexible time, giving some time during working hours should not be considered as a loss to the company, it is actually an investment to the society at large.

Hon. Temporary Speaker, this Bill provides for enforcement, so that an employer who fails to provide the requirements of the law can be sanctioned. The Bill is complete because it provides the infrastructure as well as the equipment. It also calls for flexibility in terms of time for working mothers, so that they can achieve what is important not just for mothers but also for the society at large.

With those remarks, I support the Bill.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Mary Emase is recognised to make her contributions to the Bill but, first, let me welcome to the National Assembly, students and pupils from Kiamani Primary School, from Kitui West Constituency, the great Kitui County, which will be hosting Mashujaa Day celebrations this year. You are welcome to the National Assembly to observe the proceedings of the House of Parliament that engages in legislation, representation and oversight on behalf of Kenyans.

Proceed, Hon. Emaase.

**Hon. Mary Emaase** (Teso South, UDA): Thank you, Hon. Temporary Speaker, for the opportunity. Before I speak on the Bill, I need to remind Members on how we should welcome guests to this House. When you say let us welcome them in our normal way and then you do not hear any sound, it could mean that Members have forgotten that we need to thump our feet. That is how we welcome guests to this House.

(Applause)

Thank you, Hon. Temporary Speaker...

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Emaase, thank you for that reminder to fellow Members. Before you proceed, let me also, on behalf of the Hon. Speaker and the House, welcome the students who are seated in the Speaker's Gallery, from Arokyet Girls High School in Bureti Constituency, Kericho County.

(Applause)

You are also welcome to observe the proceedings of the House. Hon. Emaase, as you make your contributions, you can welcome all the visiting students on behalf of the Members.

**Hon. Mary Emaase** (Teso South, UDA): Thank you, Hon. Temporary Speaker. I take this opportunity to welcome all of you, all the schools present in this August House today, to observe the proceedings of the National Assembly. I want to inform you that at one time we were all seated where you are seated now. Probably, some of us never managed to get opportunity to visit Parliament, but know that you are on the right track. One day you may become a legislator. You can also be seated here. So, work hard, focus and you will become the leader that you would want to become.

Having said that, I want to contribute to this Bill and appreciate Hon. Sabina for it. The benefits of breastfeeding cannot be gainsaid. We know that breast milk is food for every child, with all the necessary nutrients, sufficient and uniquely designed to meet the requirements in terms of nutrients at every stage of a child's growth. I think that is why doctors advise that every child needs to be breastfed for at least six months.

Last week, I visited a friend and I found her pressing out her milk. I asked her why was doing so. She said, "It is like you have forgotten that tomorrow is Monday." In fact, she said she had been pressing out milk and storing it for the last one week because of travelling. This Bill is requiring each public institution to have at least a safe space. It should give any lactating mother dignity while breastfeeding by providing a decent place for that purpose. This is because most of the time, due to lack of convenient spaces for breastfeeding, many mothers have resorted to pressing out milk early and storing it, which may compromise the safety and lead to contamination. We leave our children to caregivers. We do not know how the milk is handled and stored. Carelessness in handling the milk may lead to infections of children.

Some mothers have also resorted to giving their children alternatives like formula milk and powder milk even before the expiry of the mandatory six months period. This has to be mixed with water. Appropriate spaces must be provided so that a mother can breastfeed

directly. The child must get the milk directly from the breasts. This guarantees safety, cleanness and the hygiene needed for the child.

Hon. Temporary Speaker, in fact, I want to say that it should not be limited to only public institutions or buildings. Some market centres do not even have washrooms. So, where are we going to put the table for lactating mothers to change or breastfeed their children? Where there are washrooms, you find that they do not have water. Therefore, this requirement should be extended to our markets, where we have washrooms. There should be an extra clean room with a table and a seat where any mother can walk in, wash their hands, remove her child from the back, change him, breastfeed and go back to sell her vegetables or tomatoes.

This is a very important Bill. I urge all Members to support it. It does not have any extra cost. In the National Assembly, we do not need to construct an extra room. It is just a matter of dedicating one of the existing rooms and equipping it with a table, a sink and running water. Any Member can have a health break, go and breastfeed her child and walk back to the Chamber. When a mother knows that her baby is safe, has been fed and is okay, she can concentrate and give more value to her employer.

With those few remarks, I support.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Emaase, before you conclude, knowing what the Constitution says in Article 53(2) regarding the best interest of a child, assuming that you are making your contribution as you are doing now and your child outside the Chamber is crying, wanting to be breastfed. What would you recommend the Bill should provide for such situation?

**Hon. Mary Emaase** (Teso South, UDA): Hon. Temporary Speaker, I have just mentioned that we need a room where my caregiver can bring the child, and I can take a break to breastfeed.

**The Temporary Speaker** (Hon. Peter Kaluma): In this case, you are in the middle of your contribution and the child...

**Hon. Mary Emaase** (Teso South, UDA): I would have breastfed before walking into the Chamber.

**The Temporary Speaker** (Hon. Peter Kaluma): I am talking of the child crying while you are contributing, like now. Do we allow the child into the Chamber to breastfeed as it happens in other jurisdictions?

**Hon. Mary Emaase** (Teso South, UDA): Yes. If it is an emergency, I can walk out of the Chamber to breastfeed.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): Thank you. Hon. Johana Ng'eno will clarify that point as he makes his contribution.

**Hon. Johana Kipyegon** (Emurua Dikirr, UDA): Of course, Hon. Temporary Speaker. Johana Ng'eno is the new father in the House. I would gladly support the Bill.

As the lastborn, I believe in totality that the smartness in me to date is attributed to the fact that I was breastfed up to when I was in class one. Upon returning from school, I would first rush to be breastfed. It is very important. This Bill will go a long way in ensuring that our mothers, sisters and wives can breastfeed with dignity while at their places of work without any fear or concern about emotional attachment to their kids. As much as we have traditions and beliefs as Africans, I agree that there are things we need to accept.

Hon. Temporary Speaker, you asked what should happen when a Member of this House is on the Floor contributing and is notified that the baby is crying and needs to be breastfed. It is the prerogative of the Speaker to allow that Member to rush to a nearby room. We need to have a room among the offices that we have here. We have the offices of the Leader of the Majority Party, the Whip of the Majority Party and others. We need to have another room among those offices that will be specially left for colleagues in this House whenever they want

to breastfeed. In case of an emergency of babies crying out there, they can easily manoeuvre their way and come back to continue with the proceedings.

I respect the fact that we, as Africans, sometimes stick to our traditions to the extent that we forget the fact that things have changed. Respect for our children is paramount. In the places where some of us went to school abroad, a child is given maximum respect. If a child below 13 years enters a bus when you are seated, however old you are, you must give way for the child to sit. Those are some of the traditions we need to adopt. We need to give respect to our kids and mothers. I fully support.

At every opportunity, whether in hospitals, places of work or Parliament, we need to have that special place. As we make every building and workplace accessible to persons living with disabilities, we must also make it possible for our breastfeeding mothers to access those places. In workplaces, mothers who wish to be accompanied by their babies must have a place that accommodates caregivers. It is not just about creating a place for breastfeeding, but also ensuring that it has all the facilities to accommodate the caregivers taking care of the babies while their mothers are at work.

Hon. Temporary Speaker, I fully support. I want to encourage Hon. Sabina Chege to work on more Bills that touch on mothers and children.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Basil will contribute after Hon. Agnes Pareyio from Narok North. This is on account of gender considerations. Before that, allow me to welcome visiting institutions to the House of Parliament.

Hon. Members, we have, in the Public Gallery, students and teachers from Mutus Mixed Secondary School, in Mbeere North Constituency, Embu County; Gakanga Secondary School from Kieni Constituency, Nyeri County; and, Oloikum Nasira Primary School, Kajiado West Constituency, Kajiado County. The pupils, students and their teachers are welcome to the House of Parliament to observe the proceedings.

Hon. Agnes Pareyio, you will welcome the students and proceed to make your contribution.

**Hon. Agnes Mantaine** (Narok North, JP): Thank you, Hon. Temporary Speaker, for the opportunity to welcome all the students from the various constituencies to this great House. I urge them to watch the proceedings and look at what we are doing and learn from it. I also encourage them to put more effort in their studies. They are going to be leaders of tomorrow. They will also be here. Thank you for the opportunity.

Hon. Temporary Speaker, thank you also for the opportunity to contribute to the Breastfeeding Mothers Bill by Hon. Sabina Chege. Breastfeeding is godly. It is natural and it is the only way a new-born communicates with the mother. When you enter a house where a mother is breastfeeding her child, you might think there is somebody else. The mother is always conversing. You will start looking and wondering who she is talking to, yet she is only talking to the baby, who is carefully looking at her. It is a way of communicating with a baby.

Mother's milk is nutritious. It is complete food that does not need anything else. You can breastfeed your child for six months and they will grow since that is all they need. A mother's milk helps to develop the child's brain. So, it is important to make sure that breastfeeding is given all the respect it deserves, including providing for good spaces for breastfeeding. This will ensure that a mother breastfeeds her child without fear or thought that she is not at the right place. We need to create spaces and also allow them time to breastfeed. A mother thinks about the child since there is that connection between them. So, she needs time.

I am hearing of other new terminologies such as 'expressing' milk. In my community, we do not know that. Soon we will also learn to do that. For us, it is direct from mother to the child. The mother needs time. Some women leave their jobs because they need time with the child. We should give breastfeeding mothers priority at work by creating a conducive place for

them. It should not just be any place, but a special place because what they are doing is special and the child has a right like any other person in the world. Once a child has come to this world, she/he has a right. The first right they have is for the mother to breastfeed them. I support this Bill because it is a very important one to our country. We must ensure that all places, including markets and offices are conducive for breastfeeding mothers. All employers must ensure that breastfeeding employees have time to breastfeed their children.

Hon. Temporary Speaker, for that reason, I support. Thank you.

**The Temporary Speaker** (Hon. Peter Kaluma): Thank you, Hon. Pareyio, for your contribution and the good community service that you have been doing around issues concerning the family.

Hon. Basil is now recognised to contribute.

**Hon. Robert Basil** (Yatta, WDM): Thank you, Hon. Temporary Speaker, for giving me the chance to contribute. Allow me to appreciate Hon. Sabina Chege for this very important Bill. I am a father of two, and I know you are also a father. My good friend here, Hon. Parashina, is a father of three. So, we all know what mothers go through.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Basil, in our African culture, especially with regard to men, we never count our children. I do not know whether the Akamba culture permits that, but the Luo culture does not.

**Hon. Robert Basil** (Yatta, WDM): Hon. Temporary Speaker, our culture does. As I was saying, as fathers, we know what our women go through when it comes to breastfeeding. There is something called time poverty whereby women try to balance between productive (community) roles and reproductive roles. This Bill is very timely as it seeks to support flexible working hours for lactating mothers. Some employers do not recognise the particular role women play when it comes to breastfeeding. These mothers experience time challenges as they have to report to work and at the same time ensure an exclusive six-month breastfeeding period. I support the Bill because it provides the legal framework to support breastfeeding employees to have time to breastfeed their children and at the same time report to work and contribute to the well-being of the economy.

Importantly, the first world countries have similar laws. So, once this Bill is passed by this House, it will put Kenya at the same level with advanced economies. This will help recognise the contribution women make to the economy and their role in reproductive activities within households. Overall, this Bill will help promote the immunity and the general well-being of infants because breast milk provides essential antibodies as well as nutrients that are important to boost the immunity of infants. As an output, when a child's immunity is boosted, you reduce the costs related to health treatment for infants. This will save money for many families. That is why we recommend an exclusive six-month breastfeeding period.

Another important point is that maternal health will be enhanced if we pass this Bill. There is the postpartum depression which is associated with taking care of infants. When we have such a Bill, it means we are seeking to promote the healthcare of mothers. If Dr Nyikal were here, he would agree with me that having rooms to support breastfeeding reduces risk of mothers getting some cancers, for example, ovarian and breast cancers. And that is why this Bill is so timely.

Additionally, the Bill promotes family-friendly environments because lactating mothers will have time to connect with their children and at the same time support other well-being activities within a family. That is why I have all reasons to support the Bill.

The Bill aligns with global best practices like the Sustainable Development Goal No. 3, which talks of good health and well-being. So, with this Bill, we seek to align ourselves with the requirements from the global stage and get to the list of countries that promote well-being of infants and mothers. In principle, the Bill will also eliminate discrimination. There are instances where breastfeeding mothers are not even allowed to board public vehicles or are

sometimes harassed in public vehicles. This Bill will provide the legal framework to protect these mothers and criminalise issues of discrimination around them.

Lastly, Hon. Temporary Speaker, as the Vice-Chairman of the Members' Services and Facilities Committee, I largely champion for spaces where breastfeeding mothers, including our staff, can breastfeed their infants.

I submit and support the Bill. Thank you.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Basil, there is an enquiry I keep making, which is not idle. You remember a similar suggestion was made by Hon. Zuleikha in the previous Parliament. I know the Mover of the Bill can still remember. We chased Hon. Zuleikha with her child from these Chambers then a week later, in the United Kingdom Parliament at Westminster, a Member was contributing with a child in her bosom. When she stopped breastfeeding, the Speaker of the House held the child. This is a flower of the future.

(Applause)

So is the case in the United States of America and the Scandinavian countries. Why are Hon. Members suggesting that we allow breastfeeding mothers to breastfeed at places of work, but somewhere behind their actual place of work? That this spaces should be somewhere very far; I do not know where they are now located within Parliament. Why can't we allow Hon. Sabina, if God were to use her to give Kenya another child, to breastfeed as she contributes? This is in the best interest of the child. Go to Hungary, that is how they do it. Why are we shying away from breastfeeding? What is this tradition that makes you think, in the context of breastfeeding, that the breast is anything other than food for the child?

Hon. Dorothy Ikiara, make your contribution.

**Hon. Dorothy Muthoni** (Nominated, UDA): Hon. Temporary Speaker, as I support this Bill I would like to say that we are lobbying for safe and secure breastfeeding stations. An open place is not one of them.

I will start by saying that the journey and terrain of working women has not been easy. I thank Hon. Sabina Chege for coming up with this Bill because I have lived in this world long enough and I can confirm that working women have had it all. There was a time when working women could lose their jobs once they got pregnant. Later, there was an improvement where women were allowed to give birth but there was no maternity leave. In the teaching profession where I have been all my life, they would get a monitor to replace the new mothers during the time they wanted to stay home, and it was barely one month because I do not know for how long one can stay without a salary. We went ahead and started lobbying for maternity leave.

Hon. Temporary Speaker, I do not want to go into those details. We secured maternity leave for our workers. Today, I want to take exception in the teaching fraternity, under the reign of Dr Nancy Macharia, where the women teachers were able to garner four months maternity leave, that is 120 days. That is the long they stay with their babies at home. On top of that, we went ahead and lobbied for the men too. If you give birth, a man gets paternity leave of two weeks because the emotional attachment of a newborn baby to both the mother and father is equally very critical.

Today, we are looking at a Bill that we all support. I got wind that it is not the first time that it is being brought before this House. It is my prayer that we will not debate this Bill and somewhere along the way, we just keep it in the shelves and it disappears in the periphery. I trust that today will be the turning point. We will actualise this Bill once it becomes a law. A lot has been said by the previous speakers. We know the World Health Organisation's recommendation is that every newborn child must be breastfed for six months exclusively without a break and taking any other food. Breast milk has all the nutrients that support the physical, mental, and emotional growth of a child. It is normally said that those children who

breastfeed exclusively very well live long to old age. Even the old age diseases come along because as a baby, one was not breastfed well exclusively for six months.

It is very unfortunate that some of the children do not make it because some mothers are not there to breastfeed them. We lose mothers during childbirth which is not a secret. We are not saying those children do not grow; they do. However, we are insisting today that those mothers who are able to see their children should breastfeed them for six months. I want to make a few proposals because this Bill recommends many things that must be done. As we wait for it to be assented to law, there are many things that we can make, even at our level.

What does it take to have breastfeeding stations, for example, in our schools? We know the National Government Constituencies Development Fund (NG-CDF) does a lot in our schools. It builds classrooms, laboratories, and administration blocks. Let us action even before anything else that when you are constructing the administration block, carve a small room and say it is a breastfeeding station. We are building markets everywhere across the country. I thank His Excellency the President of the Republic of Kenya because for the first time, our market women are going to live in dignity. Markets are being erected across the country.

It is high time we lobbied the relevant Ministry to ensure that construction plans include breastfeeding stations in every market. By the time the Bill sees the light of day, we should be sure and certain not to ask ourselves where to get these spaces. We should spare an area called a breastfeeding station in all the markets being done today. Only the accessories we are talking about could miss, say, small tables and benches where girls bringing the children will sit as they wait for and assist the lactating mothers.

It is equally important to note that we tend to think it is very difficult to implement some things. It is possible! We leaders sometimes fall short of following up on what we say. There is something I remember very passionately, as much as it is not related to this Bill: A Member in this House passed a Bill some years back. We used to call it the Musila Bill. It talked about pension and how pension should be paid to workers who leave teaching or any other service. The Musila Bill was passed in this House. To date, the Musila Bill died a slow death. Now we are talking about other ways of paying pensions.

As I support this Bill by Hon. Sabina Chege, I urge the House that it is high time we the women of this country thought of all issues that touch on women. Men, we are going to lobby you so that this Bill sees the light of day. It is a very progressive Bill. We need to pass it as early as today so that we give dignity to our lactating mothers.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): Thank you, Hon. Dorothy Ikiara, nominated Member of Parliament. Before further debate, let me welcome the institutions visiting the National Assembly to observe proceedings.

In the Public Gallery, we have students and teachers from the following institutions: Utithi Primary School in Kibwezi East Constituency of Makueni County; Chepkolon Green Highlands School from Ainamoi Constituency in Kericho County; St Vincent de Paul Boys from Kitutu Chache Constituency in Kisii County; Heroes of the Nation School from Kitutu Chache Constituency in Kisii County; St Benedict Kapkimolwo School from Bomet East Constituency in Bomet County; Mkungi Primary School from Kinangop Constituency in Nyandarua County; and, Nyangwa Girls from Mbeere South Constituency in the great Embu County.

All those students, pupils and teachers are welcome....

All the students, teachers, and pupils are welcome to observe the proceedings of the House. Hon. Ibrahim Saney is now recognised to contribute and share the perspectives of the north-eastern part of the country.

(Hon. Peter Ororo spoke off the record)

There can be no point of order. The Temporary Speaker has only recognised Hon. Saney. Pardon? What is out of order, Hon. Ororo? There is very little we can do. That Motion, Hon. Ororo, having not been moved at the beginning when the Bill was proposed for debate... What I would urge is Members to reduce the time so that as many of you as possible can contribute to the Bill. So, you do not have to use the entire ten minutes if you can spare some.

Hon. Saney.

**Hon. Ibrahim Saney** (Wajir North, UDA): Thank you, Hon. Temporary Speaker. Contrary to the assertions by Hon. Dorothy Muthoni, I was not breastfed myself; it is not because I did not have a mother or I lost her. Naturally, I refused to take breast milk, and so did my firstborn. He did not take breast milk and we are doing well. She made an assertion that those who do not breastfeed may not live long. I want to live as long as one hundred years.

As much as I support this Bill, I know breast milk is of great importance to both the child and the mother. Designating places to lactating mothers who are working gives them the flexibility and work arrangements that are friendly, so that they can bond and feed their infants. It is important to both the mother and the child in terms of guaranteeing the health of the child, optimising nutrition, and improving their overall well-being. It reduces absenteeism at work. Most female workers will be present if such designated places are available. It increases employee trust, loyalty, and productivity among female workers, meaning there will be lower staff turnover, especially among female employees.

It reduces health costs. If the converse were to happen, meaning if we did not breastfeed our children, there would be greater costs in trying to ensure that our children are healthy. There is also a positive public image that comes with bringing children and mothers closer at the workplace. It means we shall be a nation that cares for its women and their children. It reduces stress. Mothers are assured that their young ones are close by, allowing them to work in a much less stressful environment. There will be better work-life integration. When home and work are close, it allows for better integration and increases job satisfaction.

However, I believe there is maternity leave in our laws: a four-month maternity leave. Given the cost-benefit analysis, I hazard to recommend that we increase the maternity leave to six months because the most crucial part of breastfeeding is within those six months rather than constructing infrastructure, and creating designated breastfeeding spaces across the country. Imagine, from the National Assembly to the Assistant Chief and the teacher in rural villages, across all our locations and sub-locations! It is cumbersome, never cost-effective, and very expensive. I believe it would be easier if we legislated otherwise, that is, increasing the maternity leave to six months would add value to our economy and serve the purpose of convenience.

Malnutrition is my fear, even though I positively support this Bill. Hon. Temporary Speaker, you may not be listening. I wish to have your ear.

**The Temporary Speaker** (Hon. Peter Kaluma): On what you mentioned, did you say six months' paternity or did you mean six months' maternity leave? Or did you mean both?

**Hon. Ibrahim Saney** (Wajir North, UDA): I meant maternity leave, Hon. Temporary Speaker. It is so that mothers can have at least the requisite six months exclusively to breastfeed their infants than proposing construction of infrastructure and having designated areas all over in Nairobi, at the National Assembly, in the villages, and so on. We have so many female teachers, female chiefs, and others. You can imagine the cost implication. If we undertake a bit of cost-benefit analysis, I propose that we increase the maternity leave so that we reduce the cost. Our economy is not doing well. I know we may be trying to emulate Western models, but we may be a bit impracticable insofar as the implementation of this Bill is concerned.

I further believe that if this goes through, and I support breastfeeding, the next step will be bringing in nannies and nurses into the same designated places. So you can imagine, if we

are to think progressively, we will end up asking for more. This brings up the question: where is malnutrition most pronounced in this country? Is it in the National Assembly? Is it in Nairobi and the urban centres? Malnutrition is in the arid and semi-arid regions, where breastfeeding would have been most crucial.

We should think, at least innovatively, so that whatever we legislate has some sense, some practicability, some relevance, so that we do not just legislate in vain, but legislate from a practical perspective. I support this Bill. It is great. Its importance cannot be overstated. However, let us think twice. Must we put everything on paper in the name of legislation? Can we not do it in a simpler way, with fewer provisions but with more impact? I support, but with major variations.

Thank you.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Naisula Lesuuda will have the microphone before Hon. Charles Ngusya because of the subject matter and gender considerations.

**Hon. Naisula Lesuuda** (Samburu West, KANU): Thank you very much, Hon. Temporary Speaker, for this very important consideration....

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Naisula, I am reminded to welcome a number of institutions visiting the House. Let me, therefore, interrupt your contribution briefly to welcome, in the Public and Speakers' Gallery, students from Kabiangek Secondary School in Konoin Constituency, Bomet County, and pupils from St. Mary's Primary, Mogotio Constituency, Baringo County.

On my behalf and that of this House of Parliament, you are all welcome to the House to observe the proceedings. Hon. Naisula will now continue with her contribution. You may also have a sentence to welcome the visiting institutions.

**Hon. Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Temporary Speaker. I want to welcome all the students present in the Public and Speaker's Gallery. Welcome to the National Assembly. I hope this affords you an opportunity to learn and also to be inspired and motivated to work hard and excel in everything you do. Remember that the only limitation to what you truly want to achieve is yourself. I wish you the very best. As you travel back to your various counties, safe travel together with your teachers, and all the best.

Now, again, thank you very much for this opportunity to contribute to this very important Bill, the Breastfeeding Mothers Bill (National Assembly Bill No. 8 of 2024) by Hon. Sabina Chege. I must say I even like the title of the Bill; Breastfeeding Mothers. There is no attempt to make it anything else. It is just 'Breastfeeding Mothers'. So, I want to congratulate her. From the outset, I want to say that I have realised that most of us in Parliament, and even those who are movie scriptwriters and the like, draw from personal experiences. If you are passionate about something, it is most likely the experiences that you have gone through that shape your ideas and what you seek to advance.

That is why, when someone has a Bill or a Motion, they are very, very passionate about it, especially if it is born out of experience. That is what has pushed you towards it. I know that Hon. Sabina Chege had one of her children while she was a Member of this Parliament. I am sure that has influenced her thinking not just about herself, but other mothers.

I got my two children, Enzi and Zuri while in this Parliament. I must say that there are some things that have made it easier for me to come back to work. My second born is just turning two this month, and someone might think it is not true, but it is. I have managed this because in Parliament I have received the necessary support that I needed as a breastfeeding mother. As a Parliament, we have come from far. I am just sharing these experiences so that even as we think about other areas, we know how far we have come from as a Parliament.

Hon. Sarah Korere also got a child in this Parliament. The baby used to be brought to Parliament because we had nowhere for her to breastfeed her baby. She used to go to the car

park to breastfeed in the car. You know breastfeeding is a whole army thing. It is a whole business. It is not as easy as you think; that you just give the baby the breast and that is it. You need to cover the baby and do a lot of other things. You can therefore imagine in the car, how squeezed it is, and you have to chase the driver and the bodyguard away. You also have to park in a certain way so that there is enough privacy. It was really uncomfortable for her. I know of mothers in other institutions that have to do it in the toilet because that is the only place they have. Where else in an office setting can you breastfeed? They go to breastfeed in the toilet or the kitchenette if there is one at the workplace. Thank you, Hon. Temporary Speaker for the look on your face. That is what is happening in the workplaces of our mothers who have children at work.

The other thing is that for many of us, after the third month we come back to work. So we have to pump breast milk, take it home and store it in the freezer. Breast milk can stay in a freezer for over a year without going bad. You can therefore imagine a mother who has to pump milk so that she goes with it back home, yet she is pumping in a toilet or a kitchenette at the workplace. That even puts at risk the health of that child and the mother because their immunity is not yet fully in place.

I heard Hon. Saney from Wajir saying that this will be costly. There is nothing costly about dedicating one room in your workplace to be a place where mothers can breastfeed or comfortably pump milk. The final net cost, where you have a happy mother who is happy at work is that she will deliver more. There will be a cost benefit if the child is brought to work and the mom can breastfeed. We will also have a healthy nation when the child is breastfed. I, therefore, do not know why when we think about social issues we quickly think about the cost and the expenses, while not thinking of the net benefit of it for those mothers and children.

Parliament did a good thing because we now have a place where you can breastfeed your child. In the new building, I think there is also a creche. Initially, the men informally used to tell us women, "Please, stop bringing a creche to Parliament because our wives will be telling us to come with the children as they also do other errands." Men do not want to come with their children to Parliament. They want to be able to pass by somewhere else later and not have to drop the children at home. The Parliamentary Service Commission (PSC) ensured that now we have a creche. I visited the Safaricom creche. A creche is different from a breastfeeding room. I know why you are laughing. I do not know whether you were one of the men who did not want us to have a creche. Just in case your wives at home are watching, we now have a creche. Your husbands can come with their children to Parliament.

*(Laughter)*

*(The Temporary Speaker (Hon. Peter Kaluma) spoke off the record)*

Yes, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): Your Temporary Speaker is the greatest advocate for breastfeeding. In fact, if you remember in the last Parliament when Hon. Zuleikha was at the forefront in moving it, that day she sneaked into the House up to somewhere there. The Serjeant-at-Arms were chasing her away with her child. It was your Temporary Speaker who stood between the Serjeant-at-Arms, the House Rules and her, to say that the child must breastfeed. Therefore, do not worry about the spouse of the Temporary Speaker. She knows where the Temporary Speaker stands.

**Hon. Naisula Lesuuda** (Samburu West, KANU): Thank you, Temporary Speaker. I was going to talk about it. Hon. Zuleikha made a strong point. I remember some people saying that she was just struggling with Post-Partum Depression (PPD), that is why she was bringing her child and drama here. No. She wanted to communicate to us as Parliament and the rest of

the country, and I think she made her point. We commend her for that and Parliament now has a creche.

Parliament has also done a good thing that was introduced by Hon. Martha Wangari. She also has had two children while in Parliament. She pushed that women Members of Parliament who get their children while in Parliament, for the first one year they are allowed to travel locally during assignments, with a nanny and the child. It is unfair that the rest of the Members continue with their work, but just because you have a child you cannot. A child is not a sickness nor an ailment. It is just natural. It is the most beautiful thing to bring a child to this world. Parliament has done very well in supporting us. I have not missed most of committee work when we have to go out in the field. I have worked with my nanny and the child. It is also just a beautiful experience that as you work during the day, you can sneak in and be with your child and bond. The only thing that we might want to implore the Parliamentary Service Commission is to make the provision open to assignments out of the country. We can consider it for a year so that the mothers who are breastfeeding in Parliament do not miss out on their assignments outside the country. There can only be one or two ladies who are expectant or breastfeeding in Parliament at any given time.

I commend the Parliamentary Service Commission led by the Speaker and the Clerk, for facilitating and enabling the mothers in this House to have these opportunities. I also urge all other institutions from the top level up to even the chief level to implement such. That a mother who has a complaint and wants to go see the chief, they do not have to leave their child at home. They can go with a baby and as they are on the queue waiting to see the chief and they want to breastfeed, there should be a small room for that. Therefore, it is not a matter of the privileged. It is not supposed to just be in Parliament and all the top offices; it should be up to the lowest office. I see some churches that do very well, like National Presbyterian Church (NPC) and others. There is a soundproof room where they allow the children, so that even as the children cry one does not miss the service, and you can breastfeed comfortably in that room. This is something that should happen across board.

Thank you very much. I support and commend Hon. Sabina for this very important Bill.

**The Temporary Speaker** (Hon. Peter Kaluma): I know Hon. Charles Ngusya agrees that the Temporary Speaker decided right to allow you to speak before him, because those experiences are deep.

Before you give Hon. Charles Ngusya the microphone, let me welcome a number of institutions both in the Public Gallery and the Speaker's Gallery, who are visiting the House to observe proceedings.

*(Hon. GG Kagombe consulted loudly with other Members)*

What is happening in the mountain? Hon. Kagombe, the mountain is very loud in Parliament today. What is happening?

I welcome students, pupils and their teachers from Gatwe Primary School in Kirinyaga Central Constituency, the great Kirinyaga County, and those from Al-Huda Muslim Primary School from Kajiado Central Constituency, Kajiado County. Both institutions are welcome to the National Assembly to observe proceedings.

Hon. Charles Ngusya will now speak.

**Hon. Charles Nguna** (Mwingi West, WDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this Bill. The Bill is timely because I have observed that this is one of the busiest weeks in the House, with children from all over the country visiting Parliament. I would like to take this opportunity to welcome them to the National Assembly.

It has been scientifically proven that breastfeeding is very important because it strengthens the immune system of the baby and improves the mood of the lactating mother. This Bill seeks to provide the legal framework for mothers who wish to breastfeed to access lactation stations in their working institutions. I have had two children since I joined Parliament. I was just imagining how difficult it would be for me if I was at home and lactating. I salute women all over the world. Women, congratulations. We love, respect, adore, and cherish you forever because of what you do for our society.

(Applause)

This Bill describes some of the necessities or irreducible minimums for lactation stations. It specifies that lactation stations should be shielded and free from intrusion by colleagues or co-workers. That will ensure privacy for lactating mothers. We should not just create a lactation station, but we should also ensure that it is quiet, calm, clean, and conducive to both mother and child, so that they can enjoy a good time together. Some of the descriptions listed in the Bill are very good. The Bill mentions that a lactation station should have a lockable door, a wash basin for safety and cleanliness, and a fridge, so that when a mother expresses milk and does not have time to feed the baby, she can store the milk and feed the baby later.

We can even have lactation stations in aircrafts. Some mothers who travel struggle a lot. Where can they lactate in an aircraft when flying long distances like to Sydney, Australia or Japan? We can extend this initiative to the transport industry, so that lactating mothers can enjoy their time with their babies.

I would like to say a lot on the Bill, but my colleagues also want to contribute, so I will not repeat what they have said. This is a very good Bill, Hon. Sabina Chege. Make sure it is fully implemented. With those few remarks, I salute you for bringing this Bill. I fully support it.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Peter Ororo is now recognised to speak. He should contribute to the Bill in the context of education.

**Hon. Peter Ororo** (Kibra, ODM): Thank you, Hon. Temporary Speaker. I have waited until almost lunchtime to contribute to the Bill because it affects all of us. Looking at your chest, Hon. Temporary Speaker, you look like somebody who was breastfed for two years. In our culture, we believe that you can recognise a man who was breastfed well by the size of his chest and the level of his intelligence. Lactation also served as a family planning mechanism in our culture. Children were born after two years in our families because our mothers used to breastfeed for, at least, two years. I wish we could put a rider in that Bill to stipulate compulsory lactation for mothers not just for six months, but for, at least, one year, to ensure good mental development in our children. If Hon. (Dr) Nyikal were here he would tell you that lactation inhibits certain hormones which allow for pregnancies like oestrogen. So, we need to encourage lactation.

I can confess that from my experience during my tenure as a school principal, all mothers who gave birth were expected to go back to work after three months, but I used to allow them to resume work after one year. If they were in my department, I would redistribute their lessons and make sure that when they came back to school, they were ready to teach and impart knowledge to our children. I am looking for a time when the Teacher Service Commission (TSC) will give teachers who are lactating mothers in this country, not just three months. Imagine if you have had a caesarean delivery and you are expected back to class within three months, when you have not healed. Some of our people will even interdict our female teachers for not reporting, yet they know that they have small kids. We need, as a country, to respect mothers because all of us are products of mothers.

This Bill has come at the right time. We have daycare centres. I wish that the National Government Constituency Development Fund (NG-CDF) committees would build daycare centres for the young girls who have given birth and still want to go to college. All the Technical and Vocational Education and Training (TVET) centres should also have daycare centres so that we encourage young mothers to leave their children at daycare centres within the institution, go on with their education and later on breastfeed if they so wish. This should also be a rider in the Bill.

This Bill should be supported by all of us, but not necessarily to have these centres brought next to workplaces. Just like in other countries, I support that mothers who are legislators be respected and allowed to breastfeed within the chamber and where they work. Because of time, I thank you, Hon. Temporary Speaker, for allowing me to contribute to this very important Bill.

**The Temporary Speaker** (Hon. Peter Kaluma): For the convenience of the House, the House will now adjourn to go and prepare for the afternoon session. Be upstanding, Hon. Members.

#### ADJOURNMENT

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Members, the time being 12.59 p.m., this House stands adjourned until today Wednesday, 30<sup>th</sup> July 2025, at 2.30 p.m.

The House rose at 12.59 p.m.

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