



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

THE HANSARD

Thursday, 13th November 2025

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

Hon. Deputy Speaker: Serjeant-at-Arms, I direct that you ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Serjeant-at-Arms, you may now stop the Quorum Bell. First Order.

(Several Members walked into the Chamber)

Let me allow Members who are walking in to take their seats. Hon. Murugara and Hon. Mwenje, sit down.

COMMUNICATION FROM THE CHAIR

DEMISE OF HON. BIDU MOHAMED TUBI

Hon. Deputy Speaker: Hon. Members, it is with profound sorrow and deep sense of loss that I notify the House and the entire Parliamentary fraternity of the untimely demise of the Member for Isiolo South Constituency, the late Hon. Bidu Mohamed Tubi, who passed away yesterday Wednesday, 12th November 2025, while undergoing treatment at the Nairobi Hospital.

Hon. Members, the late Hon. Bidu Mohamed was born in 1958 and attended Isiolo Secondary School from 1971 to 1975. He later pursued higher education at the College of Africa Wildlife Management in Moshi, Tanzania, earning a Diploma in Wildlife Management in 2001. In 2018, he obtained an Arts Degree in Community Development from Greta University.

He began his professional career in 1993, where he served as an Acting Warden in charge of Isiolo County Council, a role he held until 1996. Through hard work and integrity, he steadily rose through the ranks, serving as a Game Warden, Senior Warden and eventually, Chief Game Warden at the Maasai Mara National Reserve in Narok County, where he distinguished himself as a capable, honest and dependable public servant.

In 2013, he was elected as the inaugural Speaker of the Isiolo County Assembly, where he steered the institution with fairness, calm authority and a genuine desire to strengthen devolution at its roots. After completing his term in 2017, he briefly ventured into private life, before returning to serve once again; this time, as the elected Member of Parliament for Isiolo South Constituency on a Jubilee Party ticket in 2022.

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Until his untimely demise, the late Hon. Tubi Bidu served this House with unwavering diligence and commitment as a Member of the Public Petitions Committee and the Departmental Committee on Environment, Forestry and Mining. In these roles, he proved himself as a dedicated, passionate and selfless leader, ever striving to better the lives of Kenyans and his constituents through his thoughtful contributions. He would be remembered for his deep concern for the security and welfare of the people of Isiolo County. He spoke often and passionately about the struggles of his people, especially those living in areas affected by conflict and marginalisation. In his words and actions, he carried the hopes of Isiolo South on his shoulders; always seeking justice, security and peace. This was evident in his deep concern and active advocacy on security, including his recent request for a statement on insecurity in the county on 1st July 2025, which was responded to on 14th August 2025.

We mourn today; not because he is our colleague; but because he was a good man. The late Hon. Tubi Bidu was known for his warmth, sincerity and gentle spirit. He was a leader who never sought the spotlight, but whose quiet deeds spoke volumes. In his humility, he earned the respect of all who served alongside him. In his faithfulness to his people, he earned a place in their hearts. His passing leaves a void in this House, his constituency and in the nation at large. The corridors of Parliament will miss his calm greetings and thoughtful conversations. The people of Isiolo South have lost a true son, and Kenya has lost a servant leader whose example reminds us that greatness often wears a humble face.

Hon. Members, our hearts are with his family, friends, and the people of Isiolo South Constituency, who must now bear the pain of this loss. We share in their grief. We honour his memory.

As the National Assembly, we assure them of our prayers, solidarity and unwavering support during this difficult time. Today, Thursday, 13th November 2025, the Rt. Hon. Speaker would be leading a delegation of more than 20 Members of the House who would be attending the interment of the late Hon. Tubi in Isiolo County.

On behalf of the National Assembly, the Parliamentary Service Commission and the Rt. Hon. Speaker, I convey our deepest condolences to the family of the late Hon. Tubi Bidu Mohamed, MP; his relatives, friends, and all those who knew and loved him.

Hon. Members, in honour of the memory of the late Hon. Tubi Bidu Mohamed, I now request that we all rise and observe a moment of silence, for a life lived with dignity, for service rendered with humility, and for a leader whose legacy will endure quietly, but powerfully in the hearts of those he served.

(The House observed a moment of silence)

May his soul rest in eternal peace.

Hon. Members, we shall go to two very brief Orders and then come back to your eulogies. Thank you.

PAPERS

Hon. Deputy Speaker: Who is laying Papers on behalf of the Leader of the Majority Party? Hon. Karemba.

Hon. Muchangi Karemba (Runyenjes, UDA): Hon. Deputy Speaker, I beg to lay the following Papers on the Table:

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1. Reports of the Auditor-General and the Financial Statements for the Year ended 30th June 2025 and certificates therein with respect to:
 - (a) National Youth Opportunities Towards Advancement Project (Credit Number:7355-KE Grant Number E210-KE) – State Department for Micro, Small and Medium Enterprises Development.
 - (b) Global Fund HIV/AIDS Project Grant Number KEN-H-TNT-2065 – National Syndemic Diseases Control Council.
 - (c) National Youth Opportunities Towards Advancement (NYOTA) Project Credit Numbers 7355-KE and 7356-KE and Grant Number TFC 1509 KE – National Social Security Fund.
 - (d) Africa Centre for Excellence in Sustainable Use of Insects as Food and Feeds Project (IDA PROJECT No.5798-KE) – Jaramogi Oginga Odinga University of Science and Technology.
 - (e) Malindi Integrated Social Health Development Programme Phase II (MISHDP-II)-Project Grant /Credit Number F.ROT /AID 18/005/00 – Coast Development Authority.
 - (f) Increased Enjoyment of Human Rights and Fundamental Freedoms by all in Kenya Project Grant/Credit Number: KEN 2062, KEN19-0011 – Kenya National Commission on Human Rights.
2. Reports of the Auditor-General and Financial Statements for the Year ended 30th June 2025, and the certificates therein in respect of the following constituencies–
 - (a) Awendo.
 - (b) Dadaab.
 - (c) Embakasi East.
 - (d) Kinango.
 - (e) Kitutu Chache South.
 - (f) Makadara.
 - (g) Rongo.
 - (h) Thika Town.
 - (i) Webuye East.
 - (j) Webuye West.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Karemba, I think you would make a very good Leader of the Majority Party.

Who is laying the Paper on behalf of the Chairman of the Departmental Committee on Administration and Internal Security? Proceed, Hon. Didmus.

Hon. Didmus Barasa (Kimilili, UDA): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

Joint Report of the Departmental Committee on Administration and Internal Security, Departmental Committee on Defence, Intelligence and Foreign Relations and the Committee on National Cohesion and Equal Opportunity on the fact-finding mission to Basuba Ward (Boni Forest), Lamu County.

Hon. Deputy Speaker: Thank you. Next is the Chairperson of the Departmental Committee on Trade, Industry and Co-operatives. I am informed that the report is not yet ready. So, we shall proceed.

I will now re-order the Order Paper as follows:

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We shall skip Orders 6 and 7 and move to Orders 8, 9 and 10. Thereafter, we shall go back to Orders 6 and 7. We will also go to Order 5 to allow the Paper from the Departmental Committee on Trade, Industry and Co-operatives to be tabled. Therefore, the next Order is 8.

MOTION

ADOPTION OF ADDENDUM REPORT ON THE INQUIRY INTO REDUCTION OF ELECTRICITY COSTS IN THE COUNTRY

THAT, this House adopts the Addendum Report of the Departmental Committee on Energy on the inquiry into the matter of the reduction of electricity costs in the country, laid on the Table of the House on Tuesday, 11th November 2025.

(Moved by Hon. David Gikaria on 12.11.2025 - Afternoon Sitting)

(Debate concluded on 12.11.2025 – Afternoon Sitting)

(Question put and agreed to)

Hon. Deputy Speaker: Next Order.

BILL

First Reading

THE FOREST CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (National Assembly Bill No. 38 of 2025)

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

Hon. Robert Mbui (Kathiani, WDM): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Next Order. Yes, what is your point of order, Hon. Mbui?

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Deputy Speaker.

Before we go to the Committee of the whole House, I want to raise a concern as a Member of the House Business Committee. The Order Paper is quite loaded today. We have a Supplementary Order Paper that has brought in a very important Bill that we discussed two days ago, the Government Owned Enterprises Bill. For us to do justice to these Bills in the Committee of the whole House, it is important that we do it when all our Members are in the House.

I want to point out that two things affect why we should do this business today. One of them is that we lost our colleague yesterday. The Speaker and a big delegation of Members of this House have excused themselves to attend the funeral. If we go ahead and transact this business, then we would not give them an opportunity to participate.

Secondly, you are aware that the Orange Democratic Movement (ODM), which is a parliamentary party, also has celebrations at the Coast. Therefore, its Members are not in the House.

But more importantly, Standing Order 131 recognises that Members should be given an opportunity to propose amendments to any Bill before it comes to the Committee of the whole House. It also allows Hon. Speaker to ask the relevant committee to put together all those amendments, harmonise them and present a report to the House before we go to the Committee of the whole House.

Even if the timelines are not listed in our Standing Orders, the rules of natural justice must prevail. These are things that we passed yesterday. For us to go to the Committee of the whole House today, when I have some amendments that I have proposed, yet I have not even been listened to or seen, would be an injustice. I kindly request that even if we have to proceed with the Committee of the whole House, let us do so with the Bills that were there initially, but step down the Government-owned Enterprises Bill so that we can, at least, do justice to it. It is not a matter of life and death. We can do it next week on Tuesday, Wednesday or Thursday. I am just asking for your indulgence, considering the situation we are in as a House.

Hon. Deputy Speaker: Hon. Mbui, you are speaking for yourself. You were here yesterday. You had the opportunity to bring the amendments.

(Hon. Robert Mbui spoke off the record)

You had two hours to bring in the amendments.

(Hon. Robert Mbui spoke off the record)

There is no hurry. According to our Standing Orders, the Members can bring amendments two hours before the Bill comes on the Order Paper. Nobody has been prevented from bringing any amendments.

(Hon. Robert Mbui spoke off the record)

*(The Deputy Speaker (Hon. Gladys Boss) consulted
with the Clerks-at-the-Table)*

Hon. Mbui, I have listened to you, but I do not think there is any hurry. We cannot read any sinister motive. This is a Supplementary Order Paper. It was published. You are a Member of the House Business Committee. If there is a Member who wants to bring in any amendment, let he or she raise them when we get to the Committee of the whole House stage. You are talking about the Government Owned Enterprises Bill. You can ventilate over that issue at the Committee of the whole House. Let us just proceed with the first two Bills.

Clerk-at-the-Table, read out the next Order.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

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

IN THE COMMITTEE

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

THE CAPITAL MARKETS (AMENDMENT) BILL
(National Assembly Bill No.30 of 2025)

The Temporary Chairman (Hon. Omboko Milemba): Very well, Hon. Members. We may take our seats. We are in the Committee of the whole House to consider the Capital Markets (Amendment) Bill, (National Assembly Bill No. 30 of 2025). We are ready. We may proceed.

(Clause 2 agreed to)

New Clause

THAT, the Bill be amended by inserting the following new clause immediately after Clause 2—

Insertion of new
section into
Cap.485A.

3. The Capital Markets Act is amended by inserting the following new section immediately after section 39-

Transitional
provisions.

40. (1) Any licence granted, and the shareholding and governance structures approved under such licence shall be valid until the coming into operation of regulations made under section 29 (3A).

(2) Without prejudice to the generality of subsection (1), the Authority shall issue licences in accordance with the limits set in the regulation under section 29(3A).

(The new clause was read a First Time)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members, I call upon the Mover to move the Second Reading of the new clause 3.

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move that the new clause 3 be now read a Second Time.

The proposed amendment seeks to provide for a transition mechanism for existing licences granted under the current shareholding and governance structures in the Capital Markets Act. With the repeal of provisions providing for the shareholding limits and voting rights for licensed stock brokers, investment banks and managers, and derivatives brokers, there is need to ensure that the existing market intermediaries retain a valid licence and approve the ownership structures until regulations are met. This will ensure that there is market stability during the transition period.

Thank you.

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

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

(Question, that the new clause be

added to the Bill, put and agreed to)

(Title agreed to)

(Clause 1 agreed to)

Very well. It was a very short one. So, we proceed to the next one. Hon. Members, we are still in the Committee of the whole House.

THE PROVISIONAL COLLECTION OF TAXES AND DUTIES (REPEAL) BILL
(National Assembly Bill No.18 of 2025)

(Clause 2 agreed to)

(Title agreed to)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members if you check it out, there are no amendments on this one.

(Clause 1 agreed to)

Very well. Hon. Members, the two Bills were very short. Let me call upon the Mover to move. We begin with The Capital Markets (Amendment) Bill, (National Assembly Bill No. 30 of 2025). Mover

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the Committee do report to the House its consideration of the Capital Markets (Amendment) Bill, (National Assembly Bill No.30 of 2025) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members, I proceed to call upon the Mover to move the Provisional Collection of Taxes and Duties (Repeal) Bill, (National Assembly Bill No. 18 of 2025). Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the Committee do report to the House its considerations of the Provisional Collection of Taxes and Duties (Repeal) Bill, (National Assembly Bill, No.18 of 2025) and its approval thereof without amendments.

(Question proposed)

(Question put and agreed to)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members, we have one more Bill. So, let us deal with it. Is that Hon. Mbui? Talk to the Hon. Leader of Majority of Party as the Leadership of the House and have a consensus. Meanwhile, we proceed.

THE GOVERNMENT OWNED ENTERPRISES BILL
(National Assembly Bill, No.40 of 2025)

Clause 3

The Temporary Chairman (Hon. Omboko Milemba): Do we have an amendment there? Hon. Chairperson.

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 3 of the Bill be amended—

(a) by deleting paragraph (d);

(b) in paragraph (e) by deleting the words “public service obligations”;

(c) in paragraph (g) by deleting the words “in which the National Treasury is the one-stop reference”.

The justification is that the amendment is to clean up clause 3 by deleting unnecessary words in the objects. Thank you.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Here we expect any debates or interest. There is no interest.

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

(Clause 3 as amended agreed to)

Clause 4

The Temporary Chairman (Hon. Omboko Milemba): Mover

Hon. Julius Rutto (Kesse, UDA): Thank you. Hon. Temporary Chairman, I beg to move:

THAT, Clause 4 of the Bill be amended in sub-clause (1)—

(a) by deleting the words “Government Owned Enterprises” appearing in paragraph (a) and substituting therefor the words “a Government Owned Enterprise”;

(b) in paragraph (c) by inserting the word “as” immediately after the words “this Act.”

The justification is that the amendment is to clean up the grammar. Thank you.

(Question of the amendment proposed)

Hon. Temporary Chairman (Hon. Omboko Milemba): Hon. Members, there is no interest.

(Question, that the words to be left out

be left out, put and agreed to)

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

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

(Clause 4 as amended agreed to)

Clause 5

The Temporary Chairman (Hon. Omboko Milemba): Hon. Chairperson and your team, please concentrate. This is the Committee of the whole House. Hon. Chairperson.

Hon. Julius Rutto (Kesse, UDA): Thank you. Hon. Temporary Chairman, I beg to move: THAT, Clause 5 of the Bill be amended—

(a) in subclause (1)—

(i) by deleting the words “exercise ownership over the Government Owned Enterprise by” appearing in the introductory statement and substituting therefor the words “be responsible for”;

(ii) in paragraph (a) by deleting the words “or not” appearing immediately after the word “whether”;

(iii) in paragraph (b) by deleting the words “on behalf of” and substituting therefor the word “for”

(iv) in paragraph (c) by deleting the words “as non-executive directors” appearing immediately after the words “to be appointed” and substituting therefor the words “as independent directors”;

(b) by deleting subclause (2) and substituting therefor the following new subclause—

(2) The Cabinet Secretary shall, from time to time, and not less than once a year, publish in the *Kenya Gazette* and on the National Treasury website a list of Government Owned Enterprises.

The justification is that the amendment is to clean up grammatical errors. Further, it proposes the reference from non-executive directors to independent directors. Additionally, the amendment requires publication of the list of Government Owned Enterprises in the National Treasury website. Thank you.

(Question of the amendment proposed)

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

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

(Clause 5 as amended agreed to)

Clause 6

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 6 of the Bill be amended—

- (a) in paragraph (a) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”;
- (b) in paragraph (b) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”;
- (c) in paragraph (c) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”.

The amendment is to clean up the reference of the Cabinet Secretary as defined in Clause

2.

(Question of the amendment proposed)

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

(Clause 6 as amended agreed to)

Clause 7

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 7 of the Bill be amended in paragraph (d) by deleting the words “within the national government” appearing immediately after the words “a Government Owned Enterprise”.

The amendment is to remove the reference to the national government.

(Question of the amendment proposed)

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

(Clause 7 as amended agreed to)

Clause 8

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 8 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “for the National Treasury” appearing immediately after the words “shall submit to the Cabinet Secretary”.
- (b) in sub-clause (2) by deleting the word “prior” appearing immediately after the words “established only with the”;
- (c) by deleting sub-clause (3) and substituting therefor the following new sub-clauses—

“(3) A request under subsection (1) shall be accompanied by a written business case, with a detailed justification for establishing the Government Owned Enterprise.

(3A) The business case shall include a feasibility assessment report which shall state—

- (i) the financial and economic viability of establishing the proposed Government Owned Enterprise;
 - (ii) whether the proposed activity can be achieved through an existing Government Owned Enterprise or through the private sector;
 - (iii) whether there is a need to establish a new Government Owned Enterprise;
 - (iv) the proposed functions and objective that the Government Owned Enterprise;
 - (v) how the activities of the proposed Government Owned Enterprise will fit in the relevant Ministry’s mandate;
 - (vi) the medium-term strategy;
 - (vii) how the establishment of the Government Owned Enterprise shall impact the fiscal position of the Government; and
 - (viii) the proposed Government share.
- (d) in sub-clause (4)—
- (i) by deleting the words “for the National Treasury” appearing immediately after the words “assessment of the Cabinet Secretary”;
 - (ii) by deleting the words “subsection (3)” appearing immediately after the words “criteria set in” and substituting therefor the words “subsections (3) and (3A)”;
 - (iii) by deleting the words “for the National Treasury” appearing immediately after the words “subsection (3), the Cabinet Secretary”;
- (e) in sub-clause (5) by deleting the words “for the National Treasury” appearing at the end of the sub-clause;
- (f) in sub-clause (6)—
- (i) by deleting the words “for the National Treasury” appearing immediately after the words “assessment of the Cabinet Secretary”;
 - (ii) by deleting the words “subsection (3)” appearing immediately after the words “criteria set in” and substituting therefor the words “subsections (3) and (3A)”;
 - (iii) by deleting the words “for the National Treasury” appearing immediately after the words “subsection (3), the Cabinet Secretary”.

The justification for the amendment is to clarify the reference to the Cabinet Secretary as defined under Clause 2. In addition, the amendment seeks to introduce a new sub-section (3A), which outlines the specific contents of the feasibility assessment report that should accompany the business case.

(Question of the amendment proposed)

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

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

(Clause 8 as amended agreed to)

Clause 9

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 9 of the Bill be amended by deleting sub-clause (5).

The justification for the deletion is that the Cabinet Secretary is already mandated to publish the list under Clause 5.

(Question of the amendment proposed)

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

(Clause 9 as amended agreed to)

Clause 10

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 10 of the Bill be amended—

(a) in sub-clause (1)—

(i) by deleting the words “who is” appearing in paragraph (a) and substituting therefor the words “who shall be”;

(ii) by deleting the words “who are” appearing in paragraph (b) and substituting therefor the words “who shall be”;

(iii) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) one person who shall be a public officer in the National Treasury nominated by the Cabinet Secretary;”

(iv) by deleting the words “who is” appearing in paragraph (d) and substituting therefor the words “who shall be”;

(b) in sub-clause (3) by deleting the words “for the National Treasury” appearing immediately after the words “The Cabinet Secretary”.

The amendment seeks to correct grammatical errors and to align the reference to the Cabinet Secretary as defined under Clause 2.

(Question of the amendment proposed)

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

(Question, that the words to be inserted in

place thereof be inserted, put and agreed to)

(Clause 10 as amended agreed to)

Clause 11

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 11 and substituting therefor the following new clause—

Qualifications for
appointment as a
chairperson or
member of a
Board.

11. A person shall be eligible for appointment as a chairperson or member of the Board of a Government Owned Enterprise, if the person—

- (a) has demonstrable expertise and experience in finance, accounting, auditing, risk management, economics, law, engineering, or corporate governance;
- (b) has not less than ten years' professional experience, five of which shall be in senior management level;
- (c) is a member in good standing of a recognised professional body, where applicable;
- (d) has not served in the same Government Owned Enterprise as an employee in the preceding five years; and
- (e) meets the requirements of Chapter Six of the Constitution.

his is because the amendment is to provide specific qualifications for appointment as a chairperson and a member.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Yes, there is an interest there. Hon. Kwenya.

Hon. Kwenya Thuku (Kinangop, JP): Yes, Hon. Temporary Chairman. I am just curious as to why someone would be deemed unsuitable to serve as chairperson of a Government-Owned Entity simply because one has previously served as an employee of that organisation. Even looking at our Constitution, this would be discriminatory. This is something that we need to re-examine. Perhaps, the Chairman can explain to us why this requirement exists, that is, part (d) of Clause 11.

The Temporary Chairman (Hon. Omboko Milemba): Let me hear from the Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, maybe, just for the benefit of Hon. Kwenya, we all participated in the passage of the Conflict of Interest Bill. This provision is particularly premised on addressing conflict of interest issues, so that there is no conflict where one has been working in an organisation and later goes on to chair its board. There might even be disciplinary or accountability matters relating to that individual while they were an employee and yet, they would now preside as the board chair. There will definitely be conflicts of interest in such a situation.

The Temporary Chairman (Hon. Omboko Milemba): Chairman, do you have anything to add?

Hon. Julius Rutto (Kesses, UDA): The Leader of the Majority Party has put it well. I would say to my colleague, Hon. Kwenya, that it is also a matter of best practice. The principle of best practices in good governance dictates that one should not place oneself in a position of conflict. It is advisable to take some time outside the system to eliminate any sense of familiarity.

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

Hon. Robert Mbui (Kathiani, WDM): Hon. Temporary Chairman, I am looking at the qualifications that have been proposed here, which include demonstrable expertise and experience in finance, accounting, auditing, risk management, economics, law, engineering or corporate governance. Yet your own profession, Chair, has been over-looked: Those who teach all those people how to do all those things. They should have included teachers here.

(Laughter)

But my concern, which I would like the Chairperson to explain...

The Temporary Chairman (Hon. Omboko Milemba): Proceed to move, now that you have the opportunity.

Hon. Robert Mbui (Kathiani, WDM): My main concern is with paragraph (b), where it states that a person shall have not less than ten years of professional experience, five of which shall be at a senior management level. I do not know. I would like him to define what exactly constitutes a senior management level. It is because these are the kinds of provisions we pass into law that remain open-ended, and there will be arguments as to whether someone is senior because they are a clerk or not. So, you need to explain it. Is it possible to confirm who is senior and who is not senior? Chair, that is a good question.

The Temporary Chairman (Hon. Omboko Milemba): Chairman of the Committee, that is a good question. Also, explain why you have not included other professionals, including those in the teaching profession and others within that sector, so that the country may understand.

Hon. Julius Rutto (Kesses, UDA): On the issue of governance, of course, you will appreciate that most of the disciplines around it are closely related to financial matters, economic planning, and strategic planning. It is, therefore, naturally understood why attention is given to that level of management. Second, senior management, I think, does not require extensive explanation. It refers to a person who has served in a position responsible for making decisions or formulating policies that provide direction to the organisation. At that level of management, the key role is to guide the organisation. Anyone else who has been serving under supervision does not have the capacity to formulate policy or make critical decisions. Therefore, the opportunity should be given to someone who has served at the top management level and has participated in developing strategic plans for an organisation.

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

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

(Clause 11 as amended agreed to)

Clause 12

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 12 of the Bill be amended—

- (a) in sub-clause (1) (h) by deleting the words “immediately preceding five years has been” and substituting therefor the words “preceding five years been;
- (b) in sub-clause (2) by deleting paragraph (a) and substituting therefor the following new paragraph—
“(a) “immediate family member” means a spouse, a parent, a child or a sibling; and”.

The amendment is to expand the definition of immediate family member to include a spouse.

(Question of the amendment proposed)

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

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

(Clause 12 as amended agreed to)

Clause 13

Hon. Julius Rutto (Kesses, UDA): I beg to move:

THAT, Clause 13 of the Bill be amended—

- (a) by inserting the following new sub-clause immediately after sub-clause (1)—
“(1A) In appointing a person as an independent director, the respective Government Owned Enterprise shall take into account gender, the ethnic and regional diversity of the people of Kenya, persons with disabilities and youth.”
- (b) In sub-clause (3), by deleting the words “for the National Treasury” appearing immediately after the words “the Cabinet Secretary”.
- (c) in sub-clause (5)—
 - (i) in paragraph (a) by deleting the words “for the” appearing immediately after the words “Cabinet Secretary”;
 - (ii) by deleting paragraph (b) and substituting therefor the following new paragraph—
 - (iii) “(b) one person who is a public officer in the National Treasury appointed by the Cabinet Secretary; and”;
- (d) in sub-clause (8)—
 - (i) by deleting the words “for the National Treasury” appearing immediately after the words “selection panel, the Cabinet Secretary”;
 - (ii) by deleting the word “criteria” appearing immediately after the words “criteria, which”;

- (iii) by deleting the words “for the National Treasury” appearing immediately after the words “requirements that the Cabinet Secretary”;
- (e) in sub-clause (10)—
 - (i) by deleting the word “criteria” appearing immediately after the words “selection of persons, which”;
 - (ii) by deleting the words “for the National Treasury” appearing immediately after the words “requirements that the Cabinet Secretary”;
- (f) in sub-clause (11)—
 - (i) by deleting the words “for the National Treasury” appearing immediately after the words “The Cabinet Secretary”;
 - (ii) by inserting the words “search and” immediately after the words “operations of the”.

The amendment is to entrench the constitutional principles of gender, regional balancing, and the appointment of persons with disabilities in the selection panel.

(Question of the amendment proposed)

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

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

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

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

(Clause 13 as amended agreed to)

Clause 14

Hon. Julius Rutto (Kesses, UDA): I beg to move:

THAT, Clause 14 of the Bill be amended—

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause—
 - “(1) A person shall qualify for appointment as a member of the search and selection panel, if that person—
 - (a) holds a degree in law, finance, economics, accounting, or governance from a university recognised in Kenya;
 - (b) has at least fifteen years’ professional experience, ten of which shall be in senior management;
 - (c) is a member in good standing of a recognised professional body, where applicable; and,

(d) meets the requirements of Chapter Six of the Constitution.”

(b) In sub-clause (2) in the introductory statement by inserting the words “search and” immediately after the words “as a member of the”.

The amendment is to provide for the specific qualification of a member of the selection panel. The proposed amendment seeks to maintain consistency in the use of the phrase, the such, and the selection panel. Thank you.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Is there interest? Yes. Let us hear you. You can be louder so that we notice. Give him the microphone, please. You can use the microphone that is close to you on the left.

Hon. Yusuf Hassan (Kamukunji, JP): I am just wondering. As far as sub-section (a) is concerned, the person should hold a degree in law, finance, economics, accounting, or governance. I do not know many people hold a governance degree. What does that mean? Why are the social sciences not included in this?

The Temporary Chairman (Hon. Omboko Milemba): Hon. Chairman of the Committee, the same issue of narrowing down on particular professions is coming up. Let me allow the Vice-Chairperson of the Departmental Committee on Trade, Industry and Co-operatives to also raise her point on the same before you speak on it.

Hon. Marianne Kitany (Aldai, UDA): Thank you, Hon. Temporary Chair.

I am looking at the 15 years of experience put here for the persons who shall be in the selection panel. In my view, it is putting professionalism in the sector for whomever will be appointed. Those in the selection panel will have the competence to look for the people who are being selected. It would then give us the credibility and the credence that we require for people who will sit in the board.

The Temporary Chairman (Hon. Omboko Milemba): Yes, Deputy Whip of the Minority Party.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Temporary Chair.

I stand to disagree with the 15 years' professional experience. In all honesty, it will be 25 to 28 years by the time you even finish your degree. Then you work for 15 years. Surely, you do not need those many years of experience! Even for appointment to be judge, you only need 10 years' experience. Why this requirement of 15 years?

The Temporary Chairman (Hon. Omboko Milemba): This is very good, Hon. Members. We have to make a very good law. Let us hear Hon. Mboni there first and then we shall come to the Chairman of the Committee. Give him the microphone. Proceed.

Hon. David Mwalika (Kitui Rural, WDM): Thank you very much, Hon. Temporary Chairman.

We need to understand the essence of this Bill. It is made for the sole purpose of turning around Government-Owned Enterprises (GOEs). We require experienced people and professionals to turn around these enterprises and sell them at a profit at one point. That is why those requirements are important.

The Temporary Chairman (Hon. Omboko Milemba): Hon. Mboni, you are now starting to speak to this. Yes, Leader of the Majority Party. What do you have to say on this issue?

Hon. Kimani Ichung’wah (Kikuyu, UDA): I have nothing more important to add to what Hon. Mwalika has said.

The Temporary Chairman (Hon. Omboko Milemba): The House has to be convinced. Hon. Chairman of the Committee.

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

The fact is that this is an election panel, not management. It is to get people who are seasoned enough to be able to detect the required personalities to take over the positions of running GOEs. This allows people who have been in the system for a long time, have gone through all dimensions of business oscillations, and are able to detect and get the right person.

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

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

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

(Clause 14 as amended agreed to)

Clause 15

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

Hon. Julius Rutto (Kesses, UDA): I beg to move:

THAT, Clause 15 of the Bill be amended—

- (a) In the introductory statement, by deleting the word “only,” appearing immediately after the words “search and selection panel”;
- (b) in paragraph (c) by deleting the words “the search and selection members” and substituting therefor the words “the chairperson and members of the search and selection panel”;
- (c) In paragraph (d), by deleting the words “the other members of the panel and to the Cabinet Secretary for the National Treasury” and substituting therefor the words “the Cabinet Secretary”.

The proposed amendment seeks to maintain consistency in the use of the phrase ‘search and selection panel’.

(Question of the amendment proposed)

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

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

(Clause 15 as amended agreed to)

Clause 16

Hon. Julius Rutto (Kesses, UDA): I beg to move:

THAT, Clause 16 of the Bill be amended—

(a) in sub-clause (1) —

(i) by inserting the words “search and” immediately after the word “The” appearing at the beginning of the sub-clause;

(ii) by inserting the word “under” immediately after the words “Boards of directors”;

(b) In sub-clause (2), by inserting the words “search and” immediately after the word “The” appearing at the beginning of the sub-clause.

The amendment is a clean-up of grammatical errors. Thank you.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members, this is a clean-up of grammar.

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

(Clause 16 as amended agreed to)

Clause 17

Hon. Julius Rutto (Kesses, UDA): I beg to move:

THAT, Clause 17 of the Bill be amended—

(a) in sub-clause (1) by deleting the words “once appointed” appearing immediately after the words “an independent director”;

(b) in sub-clause (2) by deleting the words “once appointed” appearing immediately after the words “an independent director”;

(c) In sub-clause (4), by deleting the word “only” appearing in the introductory statement immediately after the words “an independent director”.

The amendment is a clean-up of grammatical errors.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): It is another clean-up.

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

(Clause 17 as amended agreed to)

Clause 18

Hon. Julius Rutto (Kesses, UDA): I beg to move:

THAT, Clause 18 of the Bill be amended—

- (a) in paragraph (b) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”;
- (b) in paragraph (e) by inserting the words “and top-level management” immediately after the words “Chief Executive Officer”;
- (c) in paragraph (k) (i) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”.

2. The amendment is to clean up the reference to the Cabinet Secretary as defined in Clause

(Question of the amendment proposed)

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

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

(Clause 18 as amended agreed to)

(Clause 19 agreed to)

Clause 20

The Temporary Chairman (Hon. Omboko Milemba): There is an amendment on this one.
Mover.

Hon. Julius Rutto (Kesses, UDA): I beg to move:

THAT, Clause 20 of the Bill be amended in sub-clause (2)—

(a) in paragraph (a)—

- (i) by deleting the words “for the National Treasury” appearing immediately after the words “concurrence of the Cabinet Secretary”;
- (ii) by deleting the words “for the National Treasury” appearing immediately after the words “approved by the Cabinet Secretary”;
- (b) in paragraph (b) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”;
- (c) in paragraph (c), by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”.

The amendment is to clean up reference to the Cabinet Secretary as defined in Clause 2.
Thank you.

(Question of the amendment proposed)

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

(Clause 20 as amended agreed to)

Clause 21

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The Temporary Chairman (Hon. Omboko Milemba): Mover, there is an amendment.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Temporary Chairman, I beg to move:
THAT, Clause 21 of the Bill be amended:

- (a) in sub-clause (1) by deleting the word “them” appearing immediately after the words “majority of” and substituting therefor the words “its members”;
- (b) in sub-clause (2)(c) by deleting the words “Enterprise’s assets” appearing immediately after the words “a Government Owned” and substituting therefor the word “Enterprise”.

The amendment is a cleanup of grammatical errors. Thank you.

(Question of the amendment proposed)

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

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

(Clause 21 as amended agreed to)

(Clauses 22 and 23 agreed to)

Clause 24

The Temporary Chairman (Hon. Omboko Milemba): Mover, there is an amendment.

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 24 of the Bill be amended by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”.

The amendment is to clean up the reference to the Cabinet Secretary as defined in Clause 2.

(Question of the amendment proposed)

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

(Clause 24 as amended agreed to)

(Clause 25 agreed to)

Clause 26

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 26 of the Bill be amended in sub-clause (3) by deleting the words “for the” appearing immediately after the words “Cabinet Secretary”.

The amendment is a cleanup of the grammatical errors.

(Question of the amendment proposed)

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

(Clause 26 as amended agreed to)

Clause 27

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 27 of the Bill be amended in sub-clause (2) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”. The amendment is to clean up the reference to the Cabinet Secretary as defined in Clause 2.

(Question of the amendment proposed)

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

(Clause 27 as amended agreed to)

Clause 28

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 28 of the Bill be amended in sub-clause (2) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”. The amendment is to clean up the reference to the Cabinet Secretary as defined in Clause 2.

The Temporary Chairman (Hon. Omboko Milemba): Again, this is a clean-up.

(Question of the amendment proposed)

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

(Clause 28 as amended agreed to)

Chairman, you and your team must participate because this is a law-making process. Proceed.

Clause 29

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 29 of the Bill be amended by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”.

The amendment is to clean up the reference to the Cabinet Secretary as defined in clause 2.

Thank you.

(Question of the amendment proposed)

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

(Clause 29 as amended agreed to)

Clause 30

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 30 of the Bill be amended;

(a) in sub-clause (1)—

(i) by deleting the words “to be assigned to a Government Owned Enterprise” appearing immediately after the words “Public Service Obligations”;

(ii) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”.

(b) in sub-clause (2) by deleting the words “to be assigned to a Government Owned Enterprise” appearing immediately after the words “public service obligations”.

The amendment is to clean up the reference to the Cabinet Secretary as defined in Clause

2.

(Question of the amendment proposed)

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

(Clause 30 as amended agreed to)

(Clause 31 agreed to)

Clause 32

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 32 of the Bill be amended in sub-clause (1) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”.

The amendment is to clean up the reference to the Cabinet Secretary as defined in Clause 2.

(Question of the amendment proposed)

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

(Clause 32 as amended agreed to)

(Clauses 33, 34 and 35 agreed to)

Clause 36

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 36 of the Bill be amended in sub-clause (5) by deleting the words “for the National Treasury” appearing immediately after the words “Cabinet Secretary”. The amendment is to clean up the reference to the cabinet secretary as defined in clause 2. Thank you.

(Question of the amendment proposed)

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

(Clause 36 as amended agreed to)

(Clauses 37, 38 and 39 agreed to)

Clause 40

Hon. Julius Rutto (Kesses, UDA): I beg to move:

THAT, the Bill be amended by deleting Clause 40 and substituting thereof the following new clause—

Repeals and consequential amendments. 40. The Acts and provisions of Acts specified in the Third Schedule are repealed and amended as indicated in the Schedule.

The justification is that the proposed amendment seeks to bring clarity on the repeals and consequential amendments of the Acts specified in the Third Schedule of the Bill.

Thank you.

(Question of the amendment proposed)

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

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

(Clause 40 as amended agreed to)

(First, Second and Third Schedules agreed to)

Fourth Schedule

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

Hon. Julius Rutto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Fourth Schedule to the Bill be amended—

Audit and publication prior to transition. 11. (1) Before the transfer of any assets, liabilities, contracts, or transition of Board members and staff of a Government Owned Enterprise under this Schedule, the Auditor-General or an independent auditor approved by the Auditor-General shall audit and report the Government Owned Enterprise on –

- (a) its accounts;
 - (b) value and condition of assets;
 - (c) all liabilities, including loans, guarantees, and contingent obligations;
 - (d) pending litigation and associated risks; and
 - (e) governance weaknesses that may affect continuity.
- (2) The Auditor-General shall publish and publicize the audit report and submit it to the National Assembly.

The proposed amendment seeks to address the risk of hidden debts, unresolved litigations, and governance weaknesses from the old entities to the proposed new entities.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Chairperson, Departmental Committee on Trade, Industry and Co-operatives.

Hon. Marianne Kitany (Aldai, UDA): Thank you, Temporary Chairman. This Schedule is very important because many government-owned assets have never been valued. Before they are transferred, this Schedule requires that valuation and accounts are done.

More importantly is pending litigation and associated risks. That is a very important part that has been captured in the Bill. It will ensure that anything that is being transferred from these government-owned enterprises in terms of value, any litigations or any possible loss that Government may incur is known. This will ensure that whoever is going to run those Government-Owned Enterprises knows about their value and any pending litigations. That is a very important clause.

I support. Thank you.

The Temporary Chairman (Hon. Omboko Milemba): Hon. Ndindi Nyoro.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much. As we talk about valuation, it cannot just be the summation of the assets alone. Whatever we are doing here is towards privatisation. One of the ways to privatisation is through Initial Public Offer (IPO). Looking at the experience of what is already there, let me give an example of two entities. The Kenya Electricity Generating Company (KenGen) assets are valued close to Ksh500 billion, but its market valuation is less than Ksh65 billion. Kenya Reinsurance Corporation (Kenya-Re), which has already gone through the whole road or path and is already listed, its net assets minus liabilities is actually Ksh51 billion. However, if we look at the valuation of the company in terms of market capitalisation, it is less than Ksh17.5 billion as of today. Another example is Kenya Power, which has assets of over Ksh350 billion. The valuation of the company, as of today, is below Ksh25 billion. That calls us to re-look at what we call assets.

What is an asset when we consider Kenya Pipeline Company? The company's assets are the pipeline and the land above the pipeline. What other use can we actually have in terms of that asset? If we were to strip the asset, what value would it be? If we were to strip the assets of KenGen, for example, and de-commission some of the sites, what actual value would it have?

When we talk about valuations of those companies, a submission of assets alone cannot account as their real value. I want to support the fact that we need to keep on updating valuations of companies in all perspectives so that as we transition them, we transition the real value. Ultimately, when they are out there for people to participate in buying them, there is not just the real value, but there is also the intrinsic value. The real value is the revenue one gets out of the assets. I am sorry for almost giving a speech on this. The companies I have mentioned, investors are not interested in their assets but, rather, they are more interested in how much revenue the assets derive.

I submit, Hon. Temporary Chairman.

The Temporary Chairman (Hon. Omboko Milemba): That is a good contribution. Be coming also during the Second Reading. We miss such contributions.

Okay. Let me hear Leader of the Majority Party. When the Leader raises his voice, he comes first.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Chairman. It is good you have pointed out to my brother, Hon. Ndindi Nyoro, that we are in the Committee of the whole House and not in the Second Reading and that it is important to hear some of those contributions during the Second Reading.

I would like to point out that this is the Government Owned Enterprises Bill and not the Privatisation one, which we finished with some time back. As the Vice-Chairperson of the Departmental Committee on Trade, Industry and Co-operatives, Hon. Marianne, has said, and for purposes of business this afternoon, many of the things that are said when we deal with government-owned enterprises are usually shrouded in mystery, a lot of suspicion and mistrust. People imagine that if we are transitioning a State corporation, that was registered through a legal notice into a limited liability company, that there is something we are hiding. This amendment on Schedule 4, and actually the whole of Schedule 4, is designed to give guarantee or create trust with the public, and even members of staff of those organisations.

The Schedule speaks to issues that touch on staff, those serving as directors and as chairpersons of boards in those particular State corporations. They will not be negatively affected by the transition to limited liability companies when and if this Bill is approved.

Therefore, this further buttresses the fact that any assets and liabilities will be valued by an auditor appointed by the Auditor-General. They will audit the State corporations or government-owned enterprises to ensure that the values being transitioned into the company are as accurate as they could ever be.

Therefore, this is just to persuade those, probably, who view everything that is done with mistrust or with suspicion, that openness has been added by the Departmental Committee on Finance and Planning. I must congratulate the Committee for adding this particular amendment because Schedule 4 spoke broadly about governance issues that will be transitioned around the governance of the corporations. They have now brought in issues of the real assets and liabilities that even if there are loans that have been guaranteed to those corporations, they must come out at the time we are transitioning.

I beg to support.

The Temporary Chairman (Hon. Omboko Milemba): We have two more interests there. Let us make them brief. Hon. Muhia.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Temporary Chairman. I consider this amendment informative and accurate, but I am concerned about the time frame. At what time would those audits and all liabilities, including loans guarantees, be done? That is for the purpose of accuracy. It may be done and then the transition could happen in the following year. I thought the time frame would have been considered.

The Temporary Chairman (Hon. Omboko Milemba): Great. Finally, Hon. Mwenje.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Temporary Chairman. My concern is on the wording. Before the transfer of any assets, I thought valuation, as the Leader of the Majority Party has rightly pointed out, would be conditional that the transfer would be based on the reports of the Auditor-General.

Hon. Temporary Chairman, you can do the audit as provided for and still proceed with the transfer. It does not contain a conditional or decision-making provision based on the information that the Auditor-General will provide. However, if we say “before”, then after conducting the audit and establishing certain issues, including heavy liabilities, what follows? That is what I feel is missing here.

(Hon. Kimani Ichung’wah spoke off the record)

The Temporary Chairman (Hon. Omboko Milemba): Leader of the Majority Party, please, let Hon. Mwenje be heard in silence. We shall give you a chance.

Hon. Mark Mwenje (Embakasi West, JP): It says the Auditor-General shall publish and publicise the audit report. However, I thought that, that transfer would be subject to the report of the Auditor-General. But we are saying here, “before the transfer”. I want to be informed.

The Temporary Chairman (Hon. Omboko Milemba): Thank you, Hon. Mwenje. Hon. Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): Hon. Temporary Chairman, I am debating how to contribute to this. We are trying to commercialise State corporations that are not incorporated under the Companies Act by establishing them under it. Under the company law, there are specific rules on managing the transfer of assets and liabilities. Under the Statute Law, there are also specific processes. I want to highlight this so that the Leader of the Majority Party could educate us on whether there will be a vesting order, especially for those statutory bodies that have not operated under the Companies Act. Will there be a list of liabilities and assets being vested into the new company, as they will be seen as two separate entities in law? Will we have a vesting order published in a gazette notice for members of the public and the rest of the country to scrutinise?

Leader of the Majority Party, also educate us on...

The Temporary Chairman (Hon. Omboko Milemba): Very well. We have heard you. Let us have Hon. Jessica Mbalu before I come to the Leader of the Majority Party.

Hon. Jessica Mbalu (Kibwezi East, WDM): Thank you, Hon. Temporary Chairman. Looking at the First Schedule, I must appreciate the Member for bringing these amendments.

I support the transfer of assets and liabilities to the Auditor-General for a full report. I want to cite an example concerning the people of Kibwezi East and the issue of oil spillage by the Kenya Pipeline. As much as we are talking about those transfers, we do not want it to be sold because people have not been compensated. We must look at compensation issues and pending bills.

The Temporary Chairman (Hon. Omboko Milemba): Order, Hon. Jessica. You are a former special person here. You are out of order. Leader of the Majority Party.

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

The Temporary Chairman (Hon. Omboko Milemba): Before you proceed, I urge Members to be coming for Second Reading because I can see great contributions which should have come earlier. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): I would like to persuade Hon. Jessica Mbalu. Sub-section 11(1)(d) speaks about pending litigation and associated risks. Therefore, if there are any contingent liabilities from Kenya Pipeline, for instance, if it were to be transitioned under this Act, then they would be captured very well by the Auditor-General.

I would like to respond to what Hon. Mwenje was asking. A careful reading of the proposed amendment says “before”, which means prior or ahead of, and that is the first word in that clause. So, it reads: “before the transfer of any assets, liabilities, contracts or transition of board members and staff.” Another key word in legislation-making is “shall”. It states that the Auditor-General shall - meaning it is compulsory - audit and report to the Government-owned enterprise on all those matters listed.

Clause 11(2) of the Bill also provides that the Auditor-General shall again – which is compulsory... I know you remember the gentleman during the Building Bridges Initiative who said “shall, mandatory shall”. The amendment proposes that the Auditor-General shall publish, publicise and report to the National Assembly. All of us who are sitting in the National Assembly today should be persuaded that, if not anybody else, we, on behalf of the people of Kenya, shall be informed and make decisions based on what is brought before the House. It is important for Members to be in the House so that they do not just speak on television stations, but speak here where it matters most.

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

Hon. Julius Ruto (Kesses, UDA): Hon. Temporary Chairman, allow me to refer the House to the concluded Privatisation Bill, which has just been signed into an Act, which gave a roadmap for the process of privatisation. It provides that this House shall have adequate time to interrogate and arrive at the right decision. The essence of this amendment is to curtail the transfer of hanging problems, whether coherent or inherent. It is at this point that every issue shall be brought on book so that when the prospectus is drawn, the public is informed about it.

It is in good faith that we do not transfer the challenges that were there before, so that the new management of the enterprise begins on a clean slate and run it upwards. The objective is to turn around, restructure and give the enterprise a new life.

Thank you.

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

(Fourth Schedule as amended agreed to)

Clause 2

Hon. Julius Ruto (Kesses, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 2 of the Bill be amended—

(a) by deleting the definition “commencement date”;

(b) in the definition “Government Owned Enterprise” by deleting the word

“corporation” appearing at the end of the paragraph (b) and substituting therefor the word “company”;

(c) by deleting the definition “public service obligations” and substituting therefor the following definition-

“public service obligation” means an obligation assigned to a Government Owned Enterprise to undertake activities that the Board of a Government Owned Enterprise establishes to the satisfaction of the Cabinet Secretary for the National Treasury—

(a) are not in the commercial interests of the Government Owned Enterprise to perform;

(b) arise because of a direction, notification or duty to the public by the Government Owned Enterprise;

(c) do not arise because of the application of the commercial principles; and,

(d) require a subsidy, or full funding, by means of budgetary resources to sustain them.”

This amendment seeks to delete the definition of the commencement date because it is already provided for in the Constitution. It also seeks to clean up the definition of public service obligation.

Thank you.

(Question of the amendment proposed)

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

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

(Clause 2 as amended agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members, we are done with that very long Bill. I now call upon the Mover to move reporting.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the Committee do report to the House its consideration of the Government Owned Enterprises Bill, (National Assembly Bill No.40 of 2025), and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

IN THE HOUSE

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

MOTION

CONSIDERATION OF REPORT ON THE CAPITAL MARKETS (AMENDMENT) BILL

Hon. Deputy Speaker: The Chairman.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, I beg to report that the Committee of the whole House has considered the Capital Markets (Amendment) Bill (National Assembly Bill No.30 of 25), and approved the same with amendments.

Hon. Deputy Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the House do agree with the Committee in the said report. I also request Hon. Kangogo Bowen to second the Motion for agreement with the Report of the Committee of the whole House.

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Deputy Speaker, I second.

Hon. Deputy Speaker: Chairperson. Okay, Hon. Members, allow me to finish with this. Hon. Siyoi, allow me to finish with this Bill.

(Question proposed)

(Question put and agreed to)

BILL

*Third Reading*THE CAPITAL MARKETS (AMENDMENT) BILL
(National Assembly Bill No.30 of 2025)

Hon. Deputy Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the Capital Markets (Amendment) Bill (National Assembly Bill No.30 of 2025) be now read a Third Time. I also request Hon. Marianne Kitany to second.

Hon. Marianne Kitany (Aldai, UDA): Hon. Deputy Speaker, I second.

(Question proposed)

(Question put and agreed to)

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

Hon. Robert Mbui (Kathiani, WDM): On a point of order, Hon. Deputy Speaker.

MOTION**CONSIDERATION OF REPORT ON THE PROVISIONAL COLLECTION
OF TAXES AND DUTIES (REPEAL) BILL**

(Hon. Robert Mbui persistently raised points of order)

Hon. Deputy Speaker: Where is the Chairman?

Hon. Robert Mbui (Kathiani, WDM): On a point of order, Hon. Deputy Speaker.

Hon. Omboko Milemba (Emuhaya, ANC): I am available. Which Bill are we considering now?

Hon. Robert Mbui (Kathiani, WDM): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: The Provisional Collection of Taxes and Duties (Repeal) Bill, (National Assembly Bill No.18 of 2025).

(Hon. Robert Mbui persistently raised points of order)

Hon. Wanjiku Muhia (Kipipiri, UDA): There is a point of order!

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, I beg to report that the Committee of the whole House has considered the Provisional Collection of Taxes and Duties (Repeal) Bill (National Assembly Bill No.18 of 2025) and approved the same with amendments.

(Hon. Robert Mbui persistently raised points of order)

(Loud consultations)

Hon. Deputy Speaker: Mover.

Hon. Robert Mbui (Kathiani, WDM): You cannot run the House like a market! On a point of order, Madam Deputy Speaker!

Hon. Julius Mawathe (Embakasi South, WDM): Madam Speaker, there is no quorum. There is no quorum.

Hon. Robert Mbui (Kathiani, WDM): I rise under Standing Order 35. On a point of order, Madam Deputy Speaker!

(Loud consultations)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the House do agree with the Committee in the said Report.

Hon. Julius Mawathe (Embakasi South, WDM): Madam Speaker, there is no quorum! There is no quorum! There is no quorum!

(Hon. Robert Mbui removed the Mace from its place)

(Loud consultations)

(The Mace was restored)

BILL*Third Reading***THE PROVISIONAL COLLECTION OF TAXES AND DUTIES (REPEAL) BILL**
(National Assembly Bill No.18 of 2025)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the Provisional Collection of Taxes and Duties (Repeal) Bill (National Assembly Bill No. 18 of 2025), be now read a Third Time. I also request Hon. Kangogo Bowen to second.

(Hon. Robert Mbui and Hon. Julius Mawathe persistently raised points of order)

Hon. Robert Mbui (Kathiani, WDM): Give me the mic!

Hon. Julius Mawathe (Embakasi South, WDM): Shame on you! There is no quorum!

Hon. Deputy Speaker: Order! Hon. Mbui, Hon. Mawathe, the reason why I am not paying attention to you is because you are grossly out of order. That is gross misconduct under Standing Order 107. In any case, you have attempted to remove the Mace from its place. In which case, I will expel you from the House.

Hon. Robert Mbui (Kathiani, WDM): It is not the first time!

(Loud consultations)

Hon. Deputy Speaker: Order, Hon. Members! Order, Hon. Mbui! Hon. Mbui, if you want to raise a point of order, you have to do it with respect. You cannot do it in a disrespectful manner!

Hon. Julius Mawathe (Embakasi South, WDM): That we refuse! That we refuse! That we refuse!

Hon. Deputy Speaker: You cannot attempt to remove the Mace from its place. For that reason, you have committed an act of gross disorderly conduct, contrary to Standing Order 107(a).

Hon. Robert Mbui (Kathiani, WDM): You are the one who is disorderly!

Hon. Julius Mawathe (Embakasi South, WDM): There is no quorum!

Hon. Deputy Speaker: You have attempted to remove the Mace from its place in the Chamber. Therefore, you have given the Deputy Speaker the right to call you out, and immediately ask for you to be removed out of the precincts of Parliament. I am asking the Serjeant-at-Arms to remove you from the precincts of Parliament for five days.

(Loud consultations)

Serjeant-at-Arms, proceed to remove Hon. Mbui from the Chamber.

Hon. Robert Mbui (Kathiani, WDM): There is no quorum! You are putting questions when there is no quorum. This is becoming a joke!

Hon. Wanjiku Muhia (Kipipiri, UDA): There is no quorum. We cannot continue without any quorum. Justice has to be done here!

Hon. Julius Mawathe (Embakasi South, WDM): There is no quorum!

(Loud consultations)

Hon. Deputy Speaker: Hon. Members, even when you want to make a point, you have to do it in an orderly fashion in the Committee.

(Serjeant-at-Arms escorted Hon. Robert Mbui out of the Chamber)

Hon. Mawathe, you are also grossly out of order.

Hon. Julius Mawathe (Embakasi South, WDM): On a point of order, please, Hon. Deputy Speaker!

Hon. Deputy Speaker: Hon. Mawathe, you are part of the group that was trying to remove the Mace from its place. You have offended Standing Order 107. You will be removed and expelled from the precincts of Parliament for five days. Serjeant-at-Arms, proceed to remove him from the Chamber.

Hon. Julius Mawathe (Embakasi South, WDM): On a point of order, Hon. Deputy Speaker.

Hon. Wanjiku Muhia (Kipipiri, UDA): What has he done! What has he done!

Hon. Julius Mawathe (Embakasi South, WDM): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Mawathe, you are already expelled from the House and the precincts of Parliament. Therefore, you cannot even raise a point of order. Please leave!

Serjeant-at-Arms, proceed to remove Hon. Mawathe from the Chamber.

Hon. Wanjiku Muhia (Kipipiri, UDA): On a point of order, Hon. Deputy Speaker!

Hon. Julius Mawathe (Embakasi South, WDM): Shame on you! Shame on you two!

Hon. Wanjiku Muhia (Kipipiri, UDA): On a point of order, Hon. Deputy Speaker!

(Loud consultations)

(Serjeant-at-Arms escorted Hon. Julius Mawathe out of the Chamber)

Hon. Deputy Speaker: Hon. Omboko, please proceed.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, I beg to report that the Committee of the whole House has considered the Provisional Collection of Taxes and Duties (Repeal) Bill, (National Assembly Bill No.18 of 2025) and approved the same with amendments.

Hon. Deputy Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the House agrees with the Committee in the said report. I request Hon. Kangogo Bowen to second the Motion.

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Deputy Speaker, I second.

(Question proposed)

(Question put and agreed to)

BILL

*Third Reading*THE PROVISIONAL COLLECTION OF TAXES AND DUTIES (REPEAL) BILL
(National Assembly Bill No.18 of 2025)

Hon. Deputy Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the Provisional Collection of Taxes and Duties (Repeal) Bill (National Assembly Bill No.18 of 2025) be now read a Third Time.

I would like to request Hon. Marianne Kitany to second.

Hon. Marianne Kitany (Aldai, UDA): Hon. Deputy Speaker, I second.

(Question proposed)

Hon. Members: Put the question.

(Question put and agreed to)

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

MOTIONCONSIDERATION OF REPORT ON THE GOVERNMENT OWNED ENTERPRISES BILL
(National Assembly Bill No.40 of 2025)

Hon. Deputy Speaker: Chairperson.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, I beg to report that the Committee of the whole House has considered the Government Owned Enterprises Bill (National Assembly Bill No.40 of 2025) and approved the same with amendments.

Hon. Deputy Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the House agrees with the Committee in the said report.

I request Hon. Jematiah, the Member for Baringo County, to second the Motion.

Hon. Jematiah Sergon (Baringo County, UDA): Hon. Deputy Speaker, I second.

(Question proposed)

(Question put and agreed to)

BILL*Third Reading*THE GOVERNMENT OWNED ENTERPRISES BILL
(National Assembly Bill No.40 of 2025)

Hon. Deputy Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the Government Owned Enterprises Bill, (National Assembly Bill No. 40 of 2025), be now read a Third Time.

As I request the Hon. Member for Bomet East to second, allow me to address something that I forgot while at the Committee of the whole House. Hon. Caroli Omondi had asked a question on the vesting of assets and liabilities of State corporations.

Clause 40 of the Bill addresses all those issues in terms of transition and the consequential amendments that would emanate from the passage of this particular Bill. I had forgotten to respond to that which Hon. Caroli had raised.

I also thank Members who have actively participated, since the Second Reading of this Bill and now in the Committee of the whole House. Thank you also to all the Members who are present, and being a Thursday afternoon. Having 60 Members in the House is, indeed, commendable. This is considering that some of our colleagues in the Orange Democratic Movement (ODM) - as I had pointed out earlier - are in Mombasa celebrating *ODM@20* and saying *tuko tayari!* And *tuko tayari* for sure.

Allow me to also admonish the acts that we have just witnessed by the Member for Kathiani of attempting to grab the Mace to attract the attention of people outside the precincts of Parliament and this Chamber.

There is a way we conduct ourselves with decorum in this House and you have done well to send the Member out. I encourage all Members in this House to call for the naming of that Member.

More profoundly, the Member for Embakasi South, Hon. Mawathe, who clearly looks intoxicated. I know it is a Thursday afternoon but no one has the right to appear drunk in the House. Hon. Mawathe cannot come to spew epithets in the House when he is clearly intoxicated.

I shall be moving to name the Member of Parliament for Embakasi South for appearing in the House intoxicated, seemingly looking very drunk and trying to disrupt the House.

I, therefore, request the Member for Bomet East, my good friend Hon. Yegon, to second.

Hon. Deputy Speaker: Hon. Leader of the Majority Party, allow me to correct you before Hon. Yegon seconds.

Hon. Mbui actually grabbed the Mace. He did not attempt to grab it. He grabbed and moved it for, at least, three metres away. That is why I took that action.

Proceed.

Hon. Richard Yegon (Bomet East, UDA): Thank you, Hon. Deputy Speaker.
I second.

(Question proposed)

Hon. Members: Put the Question.

(Question put and agreed to)

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

Hon. Deputy Speaker: You can now move back to Order No.5. Chairperson of Departmental Committee on Trade, Industry and Co-operatives, you had not presented your Paper. You can now do so.

PAPER

Hon. Marriane Kitany (Aldai, UDA): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Trade, Industry and Co-operatives on its consideration of the Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates.

Thank you.

Hon. Deputy Speaker: Next Order.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT

Hon. Deputy Speaker: Leader of the Majority Party, kindly, allow Hon. Omboko to give his statement as he has a flight to catch. I think he is going to join ODM. He is supporting them.

STATUS OF INTERN TEACHERS ENGAGED BY TEACHERS SERVICE COMMISSION

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, I am the Deputy Secretary General of the UDA Party – the largest party in this country. Thank you for your indulgence. I am not joining ODM. I have another matter to handle.

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 Education regarding the status of the 20,000 teachers that the Teachers Service Commission (TSC) engaged on internship in January 2021.

The said teachers were engaged on a one-year internship contracts that are set to expire in December 2025. The teachers, each of whom currently earn a gross monthly stipend of Ksh17, 000, do not enjoy comprehensive medical cover or any other employment benefit that is necessary for effective service delivery and decent living. This has left them demoralised and financially strained and yet, they continue to serve diligently under the prevailing difficult circumstances.

The acute shortage of teachers across the country, particularly in junior secondary schools, has compounded the situation further. The impending expiry of those internship contracts risks aggravating the shortage and disrupting learning in many institutions. It is against this background that I request for a statement from the Chairperson of the Departmental Committee on Education on the following:

1. Measures being put in place to ensure that the 20,000 intern teachers are transitioned to permanent and pensionable terms given that their current contracts are non-renewable and are set to expire in December 2025.
2. Details on the budgetary allocations that have been made to facilitate the absorption of the teachers into permanent and pensionable employment by the Teachers Service Commission (TSC).
3. The rationale behind the continued engagement of teachers on internships.

Thank you, Hon. Deputy Speaker.

These intern teachers have suffered. Their contracts are ending in December. There is a shortage of teachers in junior secondary schools and yet, there is no hope of them getting into permanent and pensionable employment. The plight of those teachers needs to be addressed.

Hon. Deputy Speaker: Where is the Chairman of the Departmental Committee on Education? I had seen him. He was here. Leader of Majority Party, you can respond on his behalf.

Hon. Kimani Ichung'wah (Kikuyu, UDA): The Chairman of the Departmental Committee on Education has just walked out. Let me raise it with him to probably have an answer ready for Hon. Omboko Milemba, a seasoned trade unionist who has worked very hard for teachers. The Chairman will report to the House in the next week or so.

With your indulgence, Hon. Deputy Speaker, I request Hon. Omboko, who is a Member of the Committee that, it is high time we developed a policy on internship. be it for teachers, doctors or whatever profession in the Public Service. When you are hired as an intern, do you work with the intention of being transitioned to permanent and pensionable employment at the institution or do you work as an intern so that you get experience and seek opportunities for permanent employment elsewhere? For what period can one intern serve at a public institution? To be able to guide, we need to think through those things seriously.

Thank you, Hon. Deputy Speaker.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM KENYA'S CONSUL IN NEPAL

Hon. Deputy Speaker: Hon. Members, allow me to introduce to you a delegation from the Office of the Honorary Consul of the Republic of Kenya to Nepal, who are seated in the Speaker's Gallery. They are Mr Chandra Tandon, who is the Honorary Consul and leader of the delegation and Mr Sarjan Sharma.

The delegation is on a visit to the National Assembly to learn more on the processes of strengthening the cordial relations between the Republic of Kenya and the Republic of Nepal. On behalf of the House and on my own behalf, I warmly welcome them to the Parliament of Kenya and wish them fruitful engagements in Kenya.

Karibuni sana.

(Applause)

Let us proceed first, starting with Hon. Emaase, who has a Statement to make.

MEMBERS' GENERAL STATEMENT

DEMISE OF BISHOP PHILIP SULUMETI

Hon. Mary Emaase (Teso South, UDA): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 43, I rise to pay tribute to the late Bishop Philip Sulumeti, who passed away on 9th November 2025 at Nairobi Hospital at the age of 88 years.

The late Bishop Philip Sulumeti was born on 15th August 1937 in Kotur Village of Amukura East Ward in Teso South Constituency. He pursued his early education at St. Peter's Seminary in

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Uganda before advancing his studies to attain a Master and Doctorate degrees in Rome. His pursuit of knowledge reflected his strong belief in education as a cornerstone of community transformation. He began his clerical journey with distinction.

He was appointed Auxiliary Bishop in 1972, a position he held until 1976. He became the Ordinary Bishop of the Diocese of Kisumu in the same year, serving diligently until 28th February 1978, when he was appointed as the founding Bishop of the Diocese of Kakamega. He served faithfully in this role until his retirement on 5th December 2014.

He dedicated his life to the service of God and humanity with humility, compassion and unwavering commitment to faith and education.

Bishop Sulumeti championed transformative courses in education, health and social justice. He spearheaded the construction of 256 colleges and schools in the western region, including those in Mukumu and Eregi. Further, he led the establishment of 135 medical facilities, among them Mukumu Hospital. At the Constitution of Kenya drafting process, he was a vocal advocate for women's rights, under-privileged children and orphans. His leadership was marked by peace and humility.

In his final years, Bishop Sulumeti endured a long period of illness which limited his activities due to his advanced age. Despite this, he remained steadfast in faith and continued to inspire many through his spiritual guidance and wisdom.

I extend my deepest condolences to the family of the late Bishop Philip Sulumeti in Teso South, the clergy, the faithful of Kakamega Diocese, and the entire nation. May his legacy of faith, service and love for humanity continue to inspire generations to come? May his soul rest in eternal peace?

Hon. Deputy Speaker, in honour of the fallen bishop, may we rise for one minute...

Hon. Deputy Speaker: You are supposed to request me to request the House to do so.

Hon. Mary Emaase (Teso South, UDA): Hon. Deputy Speaker, I kindly request you to ask the House to rise for a minute of silence in honour of Bishop Sulumeti.

Thank you.

Hon. Deputy Speaker: We will do so obligingly.

(The House observed a minute of silence)

Hon. Deputy Speaker: May his soul rest in eternal peace. Next is a Request for Statement by Hon. K'Oyoo.

You may proceed.

REQUEST FOR STATEMENT

RESETTLEMENT OF KOGUTA COMMUNITY IN MUHORONI CONSTITUENCY

Hon. James K'Oyoo (Muhoroni, ODM): Thank you, Hon. Deputy 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 of Lands regarding the status of resettlement of Koguta Community in Muhoroni Constituency.

The Koguta Community migrated from the greater Nyakach and settled on land parcel currently known as L.R. No.3977 measuring approximately 2,399 acres, and L.R. No.3978 measuring approximately 1,960 acres, located within Muhoroni Constituency, Kisumu County.

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Shortly before Kenya attained independence, a firm known as Nyando Sugar Company Limited, currently known as Muhoroni Sugar Company, acquired land parcels L.R. No.11684 and L.R. No.11685, where the sugar factory rests. The acquisition of the parcels by the company did not affect the settlement arrangement of the Koguta Community on their parcels of land.

However, on 3rd December 1968, Nyando Sugar Company in conjunction with the Government of Kenya, allegedly passed a resolution to illegally evict the Koguta Community members from parcels L.R. No.3977 and L.R. No.3978, which they had occupied for more than seven decades. The Koguta Community was forcefully evicted in 1969 and relocated to arid parts of land parcel L.R. No.3977, where each family member was apportioned a meagre two acres of land, resulting in the community living as squatters.

In 2013, the Koguta Land Reclamation Committee petitioned the National Land Commission (NLC) over historical land injustices and sought to reclaim their parcels of land. Upon hearing the complaint, the National Land Commission via Gazette Notice of 1st March, 2019 Volume CXXI No.27, made a determination to the effect that the land parcels L.R. No.3977 and L.R. No.3978 should be given back to the rightful and original owners of the Koguta Community.

In addition, it recommended that the Privatisation Commission and the Ministry of Lands and Physical Planning should assist in planning, surveying and resettling the Koguta Community. Their failure to implement the recommendation of the NLC resulted in a court case known as Republic vs Ministry of Land and Physical Planning and another *Ex parte*, Tom Oriedo Owuor 2021 KEELC 3414 (KLR). In this case, the court ordered the Ministry of Lands to plan, survey and resettle the Koguta Community members on the said parcels of land. Despite the directives by the court and the NLC, members of the Koguta Community are yet to be resettled and are still living as squatters on their own land.

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

1. A report on the status of resettlement of the Koguta Community and the implementation of the court orders provided in the case of Republic vs Ministry of Lands and Physical Planning and another *Ex parte*, Tom Oriedo Owuor 2021 KEELC 3414 (KLR) by the Ministry of Lands and Public Works, Housing and Urban Development.
2. The steps that have been taken by the Ministry to restore ownership of the land to the regional owners – the Koguta Community – and ensure their resettlement to effectively honour the recommendations of the NLC and the court ruling.

Before I sit down, I need a very quick answer. I was away, having accompanied His Excellency the President to Qatar for a United Nations Conference, where he did us proud. He gave a speech that if you were to compare it with the speech of the United Nations Secretary General, given that the United Nations is bigger, you would have wished that he was the boss of the United Nations. It was very enthralling. Nevertheless, when I came back, I found that instead of the company that had leased Muhoroni Sugar Company sitting down to discuss with the community, it resorted to employing security personnel from the Rift Valley, who meted out problems to the locals. That will give us problems given that the two tribes that have been affected are members of the broad-based Government. We do not want anything that will ruffle the relationship. Therefore, I need an urgent answer and action that can bring peace and harmony immediately.

Thank you.

Hon. Deputy Speaker: Chairperson of Departmental Committee on Lands. He is not here. Leader of the Majority Party, do you want to give an undertaking on their behalf?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Yes, Hon. Deputy Speaker. Allow me to relay the Request for Statement to the Chairperson of the Departmental Committee of Lands, Hon. Nyamoko. Let us give him two weeks to respond.

Hon. Deputy Speaker: Next is Hon. Siyoi. You were supposed to request for a Statement yesterday but it was inadvertently omitted from the Order Paper. It is supposed to be on today's Order Paper.

You can proceed.

MANAGEMENT OF NATIONAL SPINAL INJURY REFERRAL HOSPITAL

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Deputy 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 the management of the National Spinal Injury Referral Hospital.

The National Spinal Injury Referral Hospital, established in 1944 in Nairobi, is a specialised Level 6 facility and the only provider of comprehensive spinal injury care in Kenya and the East, West and Central Africa regions. The facility offers acute care, trauma rehabilitation, reintegration and outpatient services with only 33 inpatient beds and 100-120 daily outpatients supported by 146 staff. In 2024, the National Spinal Injury Referral Hospital secured approval for a 2024/2028 Strategic Plan and a Ksh2 billion Master Plan for a 350-bed expansion, including a four-storey outpatient block under construction and a planned nine-storey twin tower with a helipad for emergency cases.

However, the hospital currently faces persistent challenges due to its administrative dependence on the Ministry of Health for funds management. This has resulted in misallocation and misappropriation of resources. Reliance on the Ministry has led to critical shortages of consumables, inadequate nurse-to-patient ratio, and stalled infrastructure projects such as the outpatient block, which remains incomplete on the second floor.

The absence of a sufficient process to enable direct expenditure by the National Spinal Injury Referral Hospital stems from delays in transitioning it to semi-autonomous government agency status, which is pending with the National Treasury. This is unlike newer facilities such as Jaramogi Oginga Odinga Teaching and Referral Hospital and Mwai Kibaki Hospital, which have already achieved autonomy for greater financial management independence.

The National Spinal Injury Referral Hospital still lacks a streamlined system, thus hindering efficient resource allocation. Implementing robust financial management frameworks such as decentralised budgeting and real-time expenditure tracking could empower the hospital to directly control its funds, enhance transparency and prevent mismanagement. This would ensure uninterrupted, high-quality service delivery and support critical infrastructure expansion, ultimately positioning the hospital as a regional centre of excellence.

It is against this background that I seek a statement from the Chairperson of the Departmental Committee on Health on the following:

1. Provide a comprehensive report on the financial management of the National Spinal Injury Referral Hospital.
2. Give reasons as to why robust systems have not been implemented to enable direct expenditure by the hospital and prevent fund misallocation by the Ministry.

3. Plans that are being put in place to transition the National Spinal Injury Referral Hospital to a semi-autonomous Government agency status.
4. Report on the status of the 2024–2028 National Spinal Injury Referral Hospital Strategic Plan, including the timeline for its implementation and the status of the Ksh2.8 billion funding for the expansion master plan.
5. Measures being put in place for the expansion of the facility and timelines for when the expansion will commence.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Who is standing in for the Chairperson? Yes, Hon. Adagala. Would you wish to undertake on behalf of the Departmental Committee on Health?

(Hon. Beatrice Adagala spoke off the record)

Okay. Hon. Lenguris is here. Kindly give her the microphone.

Hon. Pauline Lenguris (Samburu County, UDA): Thank you, Hon. Deputy Speaker. We will give the response after two weeks.

Hon. Deputy Speaker: Thank you, Member for Samburu. Next, we have a request for statement by the Member for Marakwet West, Hon. Toroitich.

ELECTRIFICATION OF NEWLY ESTABLISHED SCHOOLS ACROSS THE COUNTRY

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Deputy Speaker. I rise, pursuant to the provisions of Standing Order 44(2) (c), to request for a Statement from the Chairperson of the Departmental Committee on Energy regarding the electrification of newly established schools across the country.

In financial years 2014/2015, 2015/2016 and 2016/2017, a sum of Ksh35 billion was allocated towards the electrification of over 23,000 public schools to improve access to power and support the integration of technology in education. However, since 2017, many new schools that have been established and registered by the Ministry of Education remain unconnected to electricity, thus adversely affecting their ability to meet educational objectives.

The absence of electricity limits participation in the Government's Digital Learning Programme and the effective implementation of the Competency-Based Education (CBE). For example, in Marakwet West Constituency alone, over 26 public schools, including early childhood development centres, remain without power. As a result, learners in those institutions face unequal learning opportunities compared to their peers in electrified schools, thus widening the educational disparities.

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

1. A report on the number of newly established schools that have not been connected to electricity since 2017.
2. Clarification on whether the Ministry of Energy and Petroleum has a specific budget line that is dedicated to the electrification of public schools, particularly in support of the Government's Digital Learning Programme and CBE initiatives.

3. Measures, including a dedicated budget, to ensure that all newly established schools in Marakwet West Constituency and across the country are connected to electricity as well as timelines for completion.

I thank you.

Hon. Deputy Speaker: A Member of the Energy Committee may give an undertaking. Yes, Hon. Rutto, please proceed.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Deputy Speaker. Allow me to expand the scope beyond schools to include other public institutions such as health facilities and co-operatives, especially milk cooling plants. The Government has established a deliberate programme to support dairy farmers, with counties setting up storage facilities. But many of those sites remain unconnected to electricity. Even if milk coolers are delivered today, they cannot operate without power. I request that, as the Committee considers Marakwet West, it also includes Kesses and other areas that were excluded from the initial programme.

Thank you.

Hon. Deputy Speaker: A Member of the Departmental Committee on Energy or the Leader of the Majority Party may now give an undertaking on behalf of the Committee. Proceed.

Hon. Walter Owino (Awendo, ODM): Thank you, Hon. Deputy Speaker. This is Walter Owino, Member of Parliament for Awendo and a member of the Committee. We will respond within seven days.

Thank you.

Hon. Deputy Speaker: Next, we have a Request for Statement from the Member for Ndaragwa, Hon. Gachagua.

DELAYED PAYMENT TO M/S GUANGZHOU CONSTRUCTION COMPANY LIMITED

Hon. George Gachagua (Ndaragwa, UDA): Hon. Deputy Speaker, pursuant to Standing Order 44(2) (c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding the delayed contractual payments to M/s Guangzhou Construction Company Limited for the construction of the Ndaragwa Horticultural Project in Ndaragwa Constituency.

In 2016, the Ministry of Agriculture and Livestock awarded M/s Guangzhou Construction Company a tender for the project under the Small-holder Horticultural Marketing Programme through Tender No. MOALF/SCMD/SDA/2/2015-2016. The company commenced works on 9th May 2016 and successfully completed the project on 26th August 2016. Subsequent inspection meetings concluded on 18th October 2016 confirmed that the works met all contractual and technical standards.

However, despite the project's successful completion, the contractor has, to date, not been paid for works amounting to Ksh16,470,112.63. This prolonged delay in payment has caused severe financial hardship for the company and adversely affected the livelihoods of its employees. Additionally, the handover of the project is yet to be conducted and the market currently remains unused. Consequently, local traders continue to operate from the open spaces and makeshift stalls, notwithstanding the completion of the Ndaragwa Horticultural Market.

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

1. Reasons for the delay in payment of the outstanding contractual dues of Ksh16,470,112.63 to Guangzhou Construction Company Limited.

2. The specific timelines within which the Ministry of Agriculture and Livestock intends to settle the outstanding amount and open the market for use by farmers.
3. Measures that are being put in place by the Government to ensure that contractors undertaking Government projects are fully and promptly compensated upon the completion of works in accordance with the contractual obligations.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: A Member of the Departmental Committee on Agriculture and Livestock to give an undertaking. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I commit to a response in two weeks. I will inform Hon. (Dr) Mutunga.

Hon. Deputy Speaker: Thank you. Leader of the Majority Party, you have a Statement. We will proceed with the Statement and, thereafter, responses.

STATEMENT

BUSINESS FOR THE WEEK OF 17TH – 21ST NOVEMBER 2025

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee, which met on Tuesday, 11th November 2025, to prioritise business for consideration during the week.

Hon. Deputy Speaker, we meet today under sombre circumstances following the passing on of our colleague, the Hon. Tubi Bidu Mohamed. As stated earlier in your Communication, the residents of Isiolo South Constituency and, indeed, the entire country are mourning that great leader of our nation. I wish to convey my deepest condolences to his family, the residents of Isiolo South and to all Kenyans who knew Hon. Tubi during this difficult time of mourning.

Having said that, I wish to inform Members that on Tuesday next week, the House is expected to consider the Government Owned Enterprises Bill, 2025, in the Committee of the Whole House, and the Judges' Retirement Benefits Bill, 2025, at Second Reading.

Additionally, debate will be undertaken on the following Motions, should they not be concluded today:

1. First Report on the Status of Implementation of the Constitution by three Commissions.
2. Consideration of the Sessional Paper No.5 of 2024 on the National Green Fiscal Incentives Policy Framework.
3. Consideration of the Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates.
4. Report on the Audited Accounts for the Judiciary Mortgage Scheme Fund for the Financial Years 2011/2012 to 2021/2022.
5. Consideration of Sessional Paper No.5 of 2023 on the National Policy on Labour Migration.
6. Report on the Audited Accounts for the Stores and Services Fund for the Financial Years 2020/2021 and 2021/2022, and the Occupational Safety and Health Fund for the financial years 2020/2021 and 2021/2022.

7. Report on the Audited Accounts for the Land Settlement Fund for the financial years 2020/2021 and 2021/2022, and the Railway Development Fund (Holding Account) for the financial years 2017/2018 to 2021/2022.
8. Consideration of a Petition regarding pollution of the River Athi.
9. Consideration of the Privileges and Immunities (Global Centre for Adaptation) Order, 2025.

Hon. Deputy Speaker, in accordance with the provisions of Standing Order 42A (5) and (6), I wish to convey that the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs and the Cabinet Secretary for Agriculture and Livestock Development are scheduled to appear before the House on the afternoon of Wednesday, 19th November 2025 to respond to Questions as follows:

1. The Prime Cabinet Secretary and the Cabinet Secretary for Foreign and Diaspora Affairs will respond to the following Question:
 - (a) Swali Nambari 87/2025 la Mbunge wa Laikipia Kaskazini, Mhe. Sarah Korere, kuhusu idadi ya raia wa Kenya waliosajiliwa na wasiosajiliwa wanaoishi na kufanya kazi katika Jamhuri ya Muungano wa Tanzania na kubainisha iwapo kuliripotiwa vifo vyovyote vya raia wa Kenya katika Jamhuri ya Muungano wa Tanzania katika kipindi cha uchaguzi uliofanyika tarehe 29 Oktoba 2025.
2. The Cabinet Secretary for Agriculture and Livestock Development to respond to the following Questions:
 - (a) Question No. 082/2025 by Nominated Member, Hon. Dorothy Ikiara, regarding the criteria used to determine the rates of annual bonuses paid to tea farmers across the different regions and factories in the country;
 - (b) Question No. 083/2025 by the Member for Muhoroni, Hon. James K'Oyoo, regarding terms and conditions of the lease agreements for the state-owned sugar firms, including how the Government intends to invest or utilise the lease proceeds for the benefit of the local communities; and,
 - (c) Question No. 084/2025 by the Member for Igembe Central, Hon. Daniel Karitho, regarding measures being taken by the Ministry to ensure accurate reporting of miraa export data, safeguard Government revenue and promoting equitable support for the miraa sector in terms of research, marketing, infrastructure and budgetary allocation.

In conclusion, the House Business Committee will reconvene on Tuesday, 18th November 2025, to schedule business for the rest of that week.

I also wish to inform the House that His Excellency the President is scheduled to appear before a Joint Sitting of the two Houses of Parliament - the National Assembly and the Senate - next Thursday, 20th November 2025, for the State of the Nation Address, 2025. I request Hon. Members to be present and punctual, as earlier communicated by the Speaker.

With that, I now wish to lay this Statement on the Table of the House.

Thank you.

Hon. Deputy Speaker: I will now proceed to responses. Thereafter, we will proceed to the pending Notice of Motion in Order No.6.

(Hon. Caroli Omondi spoke off the record)

Hold on a minute. Allow me to give instructions on how the House will proceed. Thereafter, I will come to you, Hon. Caroli. Hon. Members, we will now hear the responses. I think there is a response to the Member for Awendo, Hon. Walter Owino, which Hon. Marianne will give in a minute. Thereafter, we will revert to Order No.6, which is a notice of motion and then proceed to tributes to our fallen colleague.

Proceed, Hon. Marianne Kitany.

*(Hon. Bernard Shinali and Hon. Marianne Kitany
spoke off the record)*

Hon. Walter Owino, I thought you would want to hear the response first. Sorry, it is the Chairperson of the Departmental Committee on Trade, Industry and Co-operatives.

NON-PAYMENT OF RETIREES' DEPOSITS BY
NON-COMPLIANT SACCO SOCIETIES

Hon. Bernard Shinali (Ikolomani, ODM): Thank you, Hon. Deputy Speaker, for granting me this opportunity. I wish to give a response to a Request for Statement by Hon. Walter Owino regarding the non-payment of retirees' deposits by non-compliant Savings and Credit Co-operative Societies (SACCOs).

Hon. Deputy Speaker, the Ministry acknowledges that a number of SACCOs continue to face challenges in refunding deposits to members who have retired from active employment. Those challenges are primarily due to liquidity constraints arising from delayed or non-performing loan portfolios, regulatory and compliance gaps and deposit maturities. Additional factors include limited access to short-term financing and weak financing planning, which, in some cases, have resulted in the misapplication of members' funds. In response to the specific issues raised by Hon. Walter Owino, I wish to provide the following response:

Regarding the list of SACCOs that are yet to refund retirees' deposits and actions taken against them, the day-to-day oversight of co-operative societies is vested in the county governments, pursuant to their devolved functions under the Fourth Schedule of the Constitution. Consequently, the enforcement of compliance regarding the refund of members' deposits by SACCOs falls under the purview of the respective county governments. The Ministry has, however, received a petition from affected members from 20 SACCOs seeking intervention to access their deposits.

In response, the Ministry issued letters to the respective SACCOs directing them to effect refunds within 60 days. In cases where SACCOs fail to comply, the affected members have been advised to escalate their disputes to the Co-operative Tribunal for redress. A comprehensive list of non-compliant SACCOs, together with specific enforcement actions that have been taken against each, shall be submitted to the Committee upon receipt of formal reports from the respective county governments, which shall then be forwarded to the Member.

The Member wanted to know the Ministry's plans to develop a regulatory framework to safeguard deposits and to set clear timelines for refunding retirees' deposits through SASRA. The Ministry has incorporated provisions under Clause 76 of the Co-operative Bill No.7 of 2024, which impose a 5 per cent per month penalty on SACCOs that fail to refund members' deposits within the prescribed timelines. The clause further empowers the Commissioner for Co-operatives Development to recover outstanding amounts by issuing agency notices.

In addition, the Ministry is implementing broader reforms within the SACCOs' sub-sector, including the operationalisation of the Deposit Guarantee Fund and the strengthening of statutory interventions such as enquiries and inspections. Further, the Commission for Co-operative Development has instituted several administrative measures to enhance governance and liquidity, including the issuance of circulars on borrowing powers and the mandatory submission of annual returns.

The Hon. Member also wanted to know the measures that are being taken to hold SACCOs' officials who intentionally delay or deny payments to retired members. It is important to note that the most significant liquidity challenges in the SACCO sub-sector arise from systemic factors beyond the direct control of individual SACCO officials. Nevertheless, in the instance where enquiries have established that individual officers have misappropriated or misapplied members' funds, such officers have been duly surcharged in accordance with the provisions of the Co-operative SACCOs Act, Cap. 490. The Ministry continues to collaborate with the relevant enforcement agencies to ensure that culpable officials are held personally accountable for any financial improprieties.

The Hon. Member wanted to know the steps being taken to ensure ring-fenced funds timelines for retirees, including the penalties for delays and recognition of deposits under the Retirement Benefits Authority (RBA). The issue of penalties has been comprehensively addressed under Clause 76 of the Co-operatives Bill No.7 of 2025, which is currently under consideration before the House and is coming for mediation. Members' deposits in SACCOs are distinct from pension contributions that are managed under the RBA.

Whereas pension funds are ordinarily invested in low-risk instruments, such as government securities, SACCO deposits are largely reinvested in member loans. Notwithstanding the foregoing, the Ministry shall engage the Office of the Attorney-General and the Ministry of National Treasury and Economic Planning to explore appropriate legal and policy interventions to safeguard retirees' deposits and enhance accountability in the sub-sector.

In conclusion, I wish to reiterate the Ministry's commitment to protecting the rights and welfare of retirees by strengthening the regulatory and supervisory framework for co-operative societies, enhancing enforcement and compliance through county governments, and pursuing legislative and policy reforms to ensure the timely refund of deposits and accountability of SACCO officials.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Walter Owino, do you wish to respond?

Hon. Walter Owino (Awendo, ODM): Thank you, Hon. Deputy Speaker. I am satisfied with the response. I also request you to liaise with your counterpart in the Senate to fast-track the processing of the Co-operatives Bill No.7 of 2025, that is currently before their House. This will address most of the issues that have been raised by the pensioners.

Thank you.

Hon. Deputy Speaker: Thank you. The Chairperson of the Departmental Committee on Trade, Industry and Co-operatives, you were to respond to Hon. Sabina's request for a statement. She has requested that it be moved to a different date. She is not present in the House today, and we obliged to her request.

Hon. Bernard Shinali (Ikolomani, ODM): Hon. Deputy Speaker, I agree, and I will be ready to give that response when she is present.

(Response to Statement deferred)

Hon. Deputy Speaker: Thank you. Hon. Members, we shall briefly move back to Order No.6. The Clerk-at-the-Table, read the Order out for record purposes.

NOTICE OF MOTION

Hon. Deputy Speaker: Hon. Kitany, do you have your Notice of Motion?

ADOPTION OF REPORT ON THE COMPREHENSIVE
ECONOMIC PARTNERSHIP AGREEMENT BETWEEN THE
REPUBLIC OF KENYA AND THE UNITED ARAB EMIRATES

Hon. Marianne Kitany (Aldai, UDA): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT this House adopts the Report of the Departmental Committee on Trade, Industry and Co-operatives on its consideration of the Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates (UAE), laid on the table of the House on Thursday, 13th November 2025 and, pursuant to the provisions of Section 8 (4) of the Treaty-Making and Ratification Act, Cap 4D, approves the ratification of the Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates.

Thank you.

TRIBUTES TO THE LATE TUBI BIDU MOHAMED BIDU

Hon. Deputy Speaker: Hon. Members, we agreed to use this time to give tributes to our fallen colleague. We shall start with Hon. Mark Mwenje, Member for Embakasi West, since he is the leader of the Jubilee Party.

Hon. Mark Mwenje (Embakasi West, JP): Hon. Deputy Speaker, with your permission, I have a Message from the Jubilee Party. It reads as follows:

“It is with profound sadness that the Jubilee Party mourns the passing of Hon. Tubi Bidu Mohamed, Member of Parliament for Isiolo South constituency. He was a true servant of the people, a steadfast believer in justice, and a leader deeply rooted in the values of humility and service.

Within our Party, he stood out as a gallant soldier, unwavering in his commitment to the ideals of unity, equity and development for all. His dedication to his constituents and to Kenya at large will be remembered with deep respect and admiration. He embodied the true spirit of servant leadership.

His journey started from serving as the first Speaker of the Isiolo County Assembly to eventually being elected Member of Parliament for Isiolo South in 2022. It is a powerful story of humility, hard work and unwavering devotion to public service. Within the National Assembly, he served diligently in the Departmental Committee on Environment, Forestry and Mining, and the Public Petitions Committee. In those roles, he was a passionate advocate for environmental protection, equitable resource governance and the voices of marginalised communities, especially pastoralist populations who often struggled to be heard in national decision-making.

He will be remembered as a pragmatic, resolute, and principled leader, and a man who stood firmly for what he believed was right. He championed the legitimate concerns of his constituents without fear or favour, and remained steadfast, even when standing alone. During the contentious debate on the 2024 Finance Bill, he courageously voted no, choosing to honour the voices and aspirations of his people over political convenience.

His integrity and independence of thought were rare qualities that earned him admiration across the country. As a Party, we have lost not only a leader, but also a brother - a man who believed that leadership is about lifting others and giving hope where it seems lost. His legacy will live on through the lives he touched and the progress he championed for Isiolo South.

As a Party, we extend our heartfelt condolences to his family, friends and the great people of Isiolo South.”

This Statement is signed by our Secretary-General, Hon. Jeremiah Kioni.

The only thing I would add is that this has been a sad year. Firstly, we all know that this year we lost the Rt. Hon. Raila Amolo Odinga, and that was a loss to the entire country. The country is still mourning. Earlier this year, I remember we also lost the Member of Parliament for Malava, Hon. Malulu Injendi and now, we have lost the Member of Parliament for Isiolo South.

Those who knew him know that he was a gentle soul. His seat was just right there. Anybody who knew him knew exactly where he sat. Whenever we appeared in the Public Petitions Committee, he would ask questions and seek solutions in some of the land matters I have in Mowlem Ward. Even when petitioners appeared before the Committee, you could see that he really cared.

On a light note, even when we had a bit of a tussle here and there, some of us wanted to remain in Azimio la Umoja Coalition, some wanted to go independent and others wanted to join the Government side. He was one of the people who were caught in the middle. I was trying to pull him to remain on this side while Hon. Sabina was trying to pull him to the other side. He even said there are two Jubilees in this House: *‘Jubilee ya Mwenje’ na ‘Jubilee ya Sabina’*. That is what he would say.

He would even inquire about our Party Leader, asking how he was doing. Even regarding the Finance Bill, when most people in his community, including those in Isiolo, voted 'yes', he voted 'no'. It is noteworthy that in Isiolo, the Governor, the two Members of Parliament, the Women Representative and the Senator are all elected under the Jubilee Party. Standing alone against the Finance Bill, while everyone around him supported it, was a sign of courage.

I believe that, even then, he endured a lot for those who knew him. He was unwell, yet he continued to serve his constituents right until he passed away. Even during his time here, there were days we knew he would go to the hospital, but he would find time to return. He would explain to some of us that he was unwell, but he still made time to come here and participate in the business of the House, and also go to serve his people in the constituency.

I believe it is a terrible loss to this House. As Members of Parliament, we do look out for each other. I thank Hon. Speaker and all those Members who made it to the funeral in Isiolo today. I also thank Parliament for facilitating Members to travel. Based on their religion, it was on short notice. It required people to prepare and go, and quite a number made it. We are grateful to all of them. I thank the Hon. Speaker who, if I am not mistaken, led them.

All I can say is that may his soul rest in peace. For his family, may they be comforted that he died doing what he loved best, and that God will give them strength.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you for that. Anybody who wants to pay tribute, kindly press the intervention button. Hon. Joyce Kamene, I have just spotted you. By the time we called you to request for your statement, you were not in. We agreed that they will put it at the next Sitting, which will be on Tuesday.

Hon. Joyce Kamene (Machakos County, WDM): Okay.

Hon. Deputy Speaker: Hon. Ndindi Nyoro, I can see you pressed the intervention button.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Deputy Speaker. I also rise to give my sincere condolences to the people of Isiolo, particularly Isiolo South, following the passing of our colleague. Hon. Tubi was very amiable and humble. He was very personal in terms of conversations. I am sure he transferred the same in service to the people of Isiolo South.

It is rare to get a leader with the kind of experience he had. He would interact with everyone in a very humane and humble manner. His experience from when he served as the Speaker in the County Assembly of Isiolo, and his service to this country even after he was elected as a Member of Parliament in 2022, was a big contribution to the building of our country, Kenya, and especially building it on the front of leadership - leadership that is humble and connects with every person.

His contribution to education, especially in Isiolo, should encourage us to continue championing education in this country, even when we see signs that things are not very good. His legacy in support of education should enable us to believe that, even there was an earlier statement committing us to confirming the teachers who have been volunteering in Junior Secondary School (JSS) institutions as permanent and pensionable.

Again, the Ministry should take a cue from how he supported education and ensure they withdraw the circular that was sent to schools aimed at raising school fees. That cannot happen in Kenya. We cannot afford to go back on the gains that affordable basic education has made for this nation.

We even call upon the Government to back-track on the circular it sent to our institutions, stating that parents in day schools will be paying 22,000 per year. That is not a very good trajectory, especially as we put concerted effort into supporting education as Members of this House, and also as leaders in this Republic.

I send my condolences to the family of Hon. Tubi, especially his nuclear family. This must be a challenging moment. I urge every Member to send them messages to strengthen them during this time. We wish them peace that surpasses all human understanding as they grapple and come to terms with the loss of their patriarch.

Hon. Deputy Speaker, I submit.

Hon. Deputy Speaker: Thank you. Hon. Member for Busia.

Hon. Catherine Omany (Busia County, ODM): Thank you, Hon. Deputy Speaker. I also rise to send my condolences to the people of Isiolo South Constituency and Kenya as a whole. We have lost a very good leader. I remember, in the Azimio Coalition, where he used to be firm in his decisions. If he said no, nobody would pull his leg and if he said yes, the same remained.

Grief has become a disorder in this Parliament. We just pray that God covers us with his blood so that we do not hear of any other news of premature deaths.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Any other Member, press the intervention button. Hon. Adagala.

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Deputy Speaker. I also send my condolences to the family of our departed colleague, the Hon. Member for Isiolo South

Constituency. I condole with the family. On behalf of the people of Vihiga County, I sent my condolences to the family. It is very sad.

According to their religion, they buried him today. We would have mourned him for more days but, because of his religious beliefs, he has been buried today. I hope the Members who represented us gave our condolences. I call upon God to give the family strength at this trying moment. May God strengthen them and give them peace, especially the wife and children. May God be with that family.

Thank you, Hon. Deputy Speaker.

(Hon. Sabina Chege walked into the Chamber)

Hon. Deputy Speaker: I can see Hon. Sabina Chege walking in. She is one of the people who has just arrived from Isiolo. Would you like to give your tribute?

Hon. Sabina Chege (Nominated, JP): Yes.

Hon. Deputy Speaker: Proceed.

Hon. Sabina Chege (Nominated, JP): Thank you, Hon. Deputy Speaker. I would like to take this opportunity to pay my tribute to Hon. Tubi who was a good and ardent Jubilee Party Member from Isiolo. He was a very dedicated Member of Parliament and a person who was loved by his people. I have just come from Isiolo where we laid him to rest. We received a lot of love from his people. He has left behind a very good family, his daughters and son.

As the Jubilee Party fraternity, we have lost a very dedicated Member of Parliament. We were at his home and the people he served loved him. When he was elected, he was not feeling well. He had just lost his wife at that time, but his people voted for him because of his selflessness. He was a former mayor, a man of the people and served diligently. He did not value anything much. Even from his home, you could tell he was a man who gave his all to his community and the people who voted for him. They loved him and he served them well.

He was a peace advocate in this House. Many times, he brought to the attention of the Hon. Speaker issues about the peace of the people of Isiolo community and their neighbours. He was a peace ambassador. As we laid him to rest, I learnt very hard lessons. Sometimes, we take things very personal and sometimes we exchange very harsh words because of our political stands. But who knows! We plan, but God knows our destiny. As we take sides and sometimes exchange very harsh words, let us know that God has put us in these positions at a time like this to serve Kenyans. About 2027 and 2032 or the years to come, that belongs to God. You may hate someone because of the position you will hold in 2027, but you may not be there or the person you are fighting for might not be there.

It has been a very tough month for me. Last month, we lost Baba. Two days ago, I lost a very close friend, Betty Bayo, who was a renown female gospel musician. After this, I am going to her house to plan on how we will lay her to rest. They were very close people to me. It is good that we have a beautiful country. When God gives us a chance, we should take care of our families and children, value our friends and the people who care for us. Forgive enemies because we never know about tomorrow.

To the late Hon. Tubi, may his soul rest in peace. When we were leaving, it rained. In my community, when it rains, it shows a blessed man has rested. May he rest in eternal peace.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I can see the Hon. Member for Kamukunji.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you Hon. Deputy Speaker, for giving me an opportunity to speak about our colleague and my friend, the Member of Parliament for Isiolo South Constituency, Hon. Mohamed Tubi Bidu, who passed away yesterday.

I join all the others in mourning his death. He was a brilliant and perceptive politician and a Member of Parliament. He clearly understood the deep needs of his community as I had the opportunity to engage him as a fellow member of the Jubilee Political Party. I also found out that he really pushed the political aspirations and championed developing needs of the people of Isiolo.

The people of Isiolo have lost a good wonderful person. He was a person with a special character; a person who had a lot of dignity and respect and a character that is unusual for a public figure because he was upright and honest and had very strong principles and a person with strong conviction. Although he was dogged by ill health since he came to Parliament, he neither slowed down nor was he deterred in delivering his best to the people of Isiolo South Constituency whom he loved very dearly.

I send my condolences to the family of the late Hon. Mohamed Tubi, to his friends and to the people of Isiolo South Constituency. May Allah grant him *Jannatul Firdaus*, the highest level in Heaven and have mercy on him.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Pauline Lenguris, do you want to say something?

Hon. Pauline Lenguris (Samburu County, UDA): Thank you, Hon. Deputy Speaker. Let me join my friends in sending my condolences to the family of our colleague, Member for Isiolo South Constituency, who just left us yesterday. I wish to condole with the family and the people of Isiolo South Constituency.

Hon. Mohamed was a very close friend to us. He was a neighbour and most of the times, we have interacted with him to try and bring our communities to live together in peace. Sometimes, we get into fights because of pasture and pastoral traditions. He used to call us often when our people engaged in disagreements. I wish to send my condolences to the people of Isiolo, the Members of this House and the country at large. He was a very active Member despite his sickness. He struggled to come to the House as well as go to the constituency even when he was not feeling well. We wish the Lord to rest his soul in eternal peace.

Thank you.

Hon. Deputy Speaker: Nominated Member from Kiambu.

Hon. Wanjiru Teresia (Nominated, UDA): Thank you, Hon. Deputy Speaker. I wish to join my colleagues in bidding farewell to a remarkable colleague.

His contributions in this House will always be remembered and his absence will be deeply felt. May our good Lord comfort the people of Isiolo South Constituency and his nuclear family. May God give them comfort. Thank you.

Hon. Deputy Speaker: Member for Turbo.

Hon. Janet Sitienei (Turbo, UDA): Thank you, Hon. Deputy Speaker. I join my colleagues in condoling with the family of a great man known as Hon. Tubi Mohamed, who was one of the members of the Public Petitions Committee. He was a very straightforward man. He always believed, even if he stood alone, in saying the truth and standing by it. We respected him a lot. He contributed a lot during Committee meetings. He never missed a session unless he was in his constituency. We really condole with the family and may God give them sufficient grace.

Hon. Tubi participated actively in the Committee and he fought for the rights of the people. He ensured that the Committee was very vibrant. He was a sociable man and made the Committee very active. We pass our condolences to the people of Isiolo South. He was a great man of integrity.

He gave us his milestones and we saw that he was a great man. As the Vice-Chair of the Public Petitions Committee, on behalf of members of the Committee, we wish that God give the family grace. And may this great man, who was our colleague, rest in eternal peace.

Thank you, Hon. Deputy Speaker, for giving me the opportunity.

Hon. Deputy Speaker: Thank you very much. Let go to the next Order.

MOTION

ADOPTION OF REPORT ON IMPLEMENTATION OF THE CONSTITUTION BY THREE COMMISSIONS

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, 12th November 2024—

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

(Moved by Hon. Caroli Omondi on 12.11.2025 – Afternoon Sitting)

(Resumption of debate interrupted on 12.11.2025 – Afternoon Sitting)

Hon. Deputy Speaker: What is your point of order, Hon. Omanyo?

QUORUM

Hon. Catherine Omanyo (Busia County, ODM): I rise under Standing Order 35 to object to any business in the House because there is no quorum.

Hon. Deputy Speaker: Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Hon. Deputy Speaker: Hon. Members, we have not been able to raise quorum.

ADJOURNMENT

Hon. Deputy Speaker: Hon. Members, the time being 5.48 p.m., the House stands adjourned until Tuesday, 18th November 2025, at 2.30 p.m.

The House rose at 5.48 p.m.

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