

PARLIAMENT OF KENYA**THE NATIONAL ASSEMBLY****THE HANSARD****Wednesday, 9th February 2022**

The House met at 2.30 p.m.

*[The Speaker (Hon. Justin Muturi) in the Chair]***PRAYERS****Hon. Speaker:** Ring the Quorum Bell.*(Quorum Bell was rung)*

We now have quorum.

PETITION**PROPOSED AMENDMENT TO THE UNIVERSITIES ACT**

Hon. Speaker: Hon. Members, as you know, the provisions of Standing Order 225(2)(b) require that I report to the House any Petition other than those presented by a Member. Further, Article 119 of the Constitution provides for the right of any person to petition Parliament to consider any matter within its authority, including petitioning the House to enact, amend and/or repeal any legislation. In this regard, therefore, I wish to report to the House that my office has received a petition from a Mr. Patrick Kaberia of ID Card No.22319488 calling for “amendment to the Universities Act, 2012 in order to provide for the engagement of alumni associations and other stakeholders resuscitating, rejuvenating and supporting public universities in Kenya”.

The petitioner, who introduces himself as the executive director of Power Africa, a civil society organisation (CSO) specialising in socioeconomic development and governance, bemoans what he terms as a sad state of public universities in the country. He highlights poor leadership, mismanagement, deteriorating debt levels, lack of inclusivity, lack of accountability, failure to comply with gender and regional balance and inadequate public participation as some of the ills facing institutions of higher learning. In particular, he feels the exclusion of alumni associations and other stakeholders in decision-making as a root cause of what has led to some universities to face near collapse, auction of property, as well as public ridicule. He is thus convinced that involvement of alumni associations will go a long way in addressing the aforementioned challenges as well as in securing support, national pride, prosperity and global competitiveness of universities through the resultant improvement in quality standards and management.

The petitioner seeks the intervention of this House in amending the Universities Act, 2012 in order to among other things:

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1. Replace the word “may” in Section 42 of the Act with the word, “shall” in order to compel universities to establish alumni associations.

2. Empower university alumni associations to nominate representatives to the respective university councils, university senates, management boards, committees and other organs in addition to managing an endowment fund.

Hon. Member having determined that the matters raised by the petitioner are well within the authority of this House, I direct that pursuant to the provision of Standing Order No.227(1) the Petition be committed to the Departmental Committee on Education and Research. The Committee is required to consider the Petition bearing in mind that the House is already seized of the Universities (Amendment) Bill (National Assembly Bill No.35 of 2021) and report its findings to the House and the petitioner in accordance to the provisions of Standing Order No.227(2).

Thank you.

I see a few Members want to comment on this. It is very interesting that on the normal speaking list the first person is Hon. ole Sankok and on the column for interventions the first person is none other than the same Hon. ole Sankok: the early bird that catches the worm.

Hon. David ole Sankok (Nominated, JP): Yes, exactly, Hon. Speaker. You know I come here before you and I leave after you because I have to earn from my sweat after working here.

Hon. Speaker, you have taught me a lot as our leader and you are a presidential candidate. That is why we really support you.

I support the petitioner because our universities have really deteriorated in terms of education. It was just the other day when many degrees were declared null and void and that they are not marketable. This, even after students have used their time and resources in studying. What the petitioner is requesting that alumni be involved in management and decision- making of universities, I concur with. I support.

Hon. Speaker, allow me one more minute. There is an artist by the name Eric Omondi who is caged outside Parliament. He wants us to start a discussion on the issue of playing 75 per cent local content on our audio-visual media. He has a point because Tanzania and Uganda have done the same thing. Because he is caged outside and I have the key to the cage here, I will only go and open it now that you have given the permission to start the conversation. He told me that once the conversation has started, I should go and open for him.

I support the Petition, Hon. Speaker.

Hon. Speaker: Hon. Maanzo, Member for Makueni.

Hon. Daniel Maanzo (Makueni, WDM-K): Thank you, Hon. Speaker. The alumni of any university are very important and ordinarily people are proud of the university they went to. I am very sure people who went to the University of Nairobi are very proud and have very good memories of their old university.

Today, it is appalling that students cook in the hostels. They no longer enjoy the privileges we once enjoyed. They do not have the good life once upon a time university students lived. I believe that if the alumni are involved in one way or another like seconding somebody to the senate or whatever level of management of the university, it will help much more. Even some of the former students could come back and teach at the same university or lead it.

The Petition is valid. We need to support it so that we can revive our universities and make sure that students from other countries come to study in our universities.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Sossion.

Hon. Wilson Sossion (Nominated, ODM): Thank you, Hon. Speaker. This Petition is extremely legitimate. The role of alumni in having a say in the running of universities is, indeed, essential considering the provisions of good governance in our Constitution stated under Article 10 on public participation. This group of stakeholders must be involved in the day-to-day running of institutions and should have a greater say.

The Departmental Committee on Education and Research should look at the legal framework so that the role of alumni is entrenched and cut in law. It should not be a mere wish or pronouncement particularly at this time when universities are collapsing. We know universities are collapsing out of poor funding. There is need to have universities funded at 2 per cent of the Gross Domestic Product to achieve their mission in research and to be funded substantially so that they can achieve their mission of teaching and community development.

The Petition is valid and the Committee should dispose of it at a shorter time in the best interest of our education system.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Rangwe.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you very much, Hon. Speaker. I rise up on two matters. One, I saw Hon. Sankok speak without his mask on. I have also made this observation with several Members of the National Assembly. I do not know if we are now officially allowed not to wear masks. There is no social distancing. I do not know whether we are now allowed not to follow the COVID-19 protocols.

Having said that, I think this Petition is very valid. At Egerton University, there is a cohort of medical students who have been in that university for close to eight years to earn a basic degree. Generally, there are many issues with our public universities now. There are perennial strikes. There are perennial pending closures of these universities. I think more needs to be done other than including the alumni in the running and management of these universities. I think more needs to be done even to salvage our universities from complete extinction. So, I should think that this Petition is valid and needs to be looked at.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Marakwet West.

Hon. William Kisang (Marakwet West, JP): Thank you, Hon. Speaker. I also wish to make some comments on this Petition. If the alumni are involved in the management of universities, the universities will change for the better because those who have gone to those universities have a lot of interest. They will have a lot of pride in the universities. But, it looks like current managements of universities do not have interest in their institutions and that is why most of them are run down. The pride we had of universities like the University of Nairobi and Kenyatta University has gone down. I think it is proper that we involve those who studied there, even for high schools, so that they regain the lost glory.

Thank you, Hon. Speaker. I support.

Hon. Speaker: Hon. Dennitah Ghati.

Hon. (Ms.) Dennitah Ghati (Nominated, ODM): Hon. Speaker, thank you for the opportunity to support this Petition.

I do not know why we have not thought of it in this House. I know the role that alumni associations play in enhancing education. For example, locally, I am a graduate of Kenyatta University. Any time I feel like I want to give back to my university, I have to go and request the Vice-Chancellor to give me a chance to do something. This is something that we can put up. With a structure in place, it can help. I also happen to be a graduate of Columbia University in New

York City. Columbia University has its offices in Nairobi here. I am its alumnus together with the former Chief Justice Dr. Willy Mutunga, Judge Smokin Wanjala and so many other Kenyans. We give back to Columbia University in so many ways, including encouraging students who want to go abroad to study.

For me, the whole thing of establishing alumni associations is rightly before this House. Once we have that in place many of us seated in this House will be able to give back in terms of mentoring students and helping to tackle issues that affect education in this country. Even as Questions are raised before the Departmental Committee on Education and Research, the alumni should be able to give their input and ensure that education in this country is taken seriously. We should take them on board. So, allow me to support the Petition and thank the petitioner for bringing it before this humble House.

Hon. Speaker: Member for Kamukunji. Did you not know what you wanted? You placed an intervention.

Hon. Yusuf Hassan (Kamukunji, JP): Even yesterday I had a request.

Hon. Speaker: Not yesterday.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Speaker. I want to also add my voice to support this important issue on university and alumni.

I can also tell you that my university, although it has been many years since I left it, continues to follow me. It is my university in the United States of America. I am a graduate of Tufts University Fletcher School of Law and Diplomacy. They seek my support. I contribute to support their well-being. I sponsor some students. Here in Kenya none of the universities put a lot of emphasis on seeking the support of their alumni. I think it is important to emphasise the critical role of these people who have been educated in those institutions and are presently holding senior positions. For example, the University of Nairobi could make millions because the entire crème de la crème of the Kenyan leadership is from that university. It can even be funded sufficiently by the support of its alumni.

Therefore, I consider alumni an important part of educational institutions. Let them also learn from other experiences like of the United States of America where they hold their old students as part of the university establishment. Involve them in the decisions of the university. For example, recently, my college changed its colours. The alumni community made such an outcry. They reversed that decision and retained the old colours. They are now consulting all the students, all around the world, on how they can go forward in rebranding the institution for the future. So, I support.

Hon. Speaker: Member for Dagoretti South.

Hon. John Kiarie (Dagoretti South, JP): Thank you very much, Hon. Speaker. I think the Petition is making a good case. When you think about it, the alumni of any university hold the institutional memory of the institution. Whatever ideas they have for the universities are actually great ideas that can be put to use, especially at a time like this when public universities are under a big attack from cartels that want to run education and make it a private enterprise.

I am an alumnus of Kenyatta University. While I was at Kenyatta University, the best thing I was known for was comedy. Comedy is an art that can pay hustlers. I could have some ideas that could help Kenyatta University to institute good ideas on how creative economy can be brought up within the universities. Talking of the creative economy, as we speak now, Members, there is a hustler outside Parliament who is locked in a cage and is championing for 75 per cent airtime for local content on our stations—our radio stations, our television stations and any other platform. So, Members, kindly, let us support this drive to have local content on our television and radio

stations. Hon. Sankok and I will report to this hustler who is locked in a cage outside Parliament that Parliament is ready to support 75 per cent of our population which comprises the youth involved in visual and performing arts in this country. Let us do what is right for the artists. Let us do what is right for the country. Let us do what is right for the youth.

I support the petitioner on the issue of involving alumni. I can see Hon. Sankok is in possession of the key to the cage that Eric Omondi is locked in. Soon after this we shall report to the creative economy sector that we are actually unlocking our artists because this House is ready to pass 75 per cent content of airtime for our artists.

Hon. Speaker: Member for Kilifi North.

Hon. Owen Baya (Kilifi North, ODM): Hon. Speaker, I would like to say that this Petition actually makes some sense. It would help grow universities by leaps and bounds if we allowed the alumni to actively participate in universities.

I am an alumna of Kenyatta University for both my bachelor's degree and master's degree. They know I am an MP but they have never tried to consult me or even invite me. I once tried to enter the gates there and said I wanted to pay a courtesy call to the Vice-Chancellor, but they stopped me at the gate. They did not know how important an alumna is, not just an alumna but an alumna who is an MP. When Kenyatta University had issues with their Kenyatta University Referral Hospital and matters were brought before our Committee, I was there trying to help my university. I told the Vice-Chancellor that I was an alumna, but these Vice-Chancellors do not seem to understand the importance of alumni associations. They do not know that alumni of universities could help raise funds for them.

I am also an alumna of the Pennsylvania State University. I make a contribution to that university each month because they recognise me. They send me emails. They inform me of their events. I make a one Dollar or two Dollars contribution there. So, countries out there know the value of alumni, but most of our Vice-Chancellors, even those who studied outside this country, cannot bring best practices from those universities. I do not know who or what they serve. We need to change the culture of managing universities so that we can strengthen the alumni association. The association should also partner with companies and big organisations to help in education. It is sad when a student who is studying medicine drops out from a university because he does not have school fees. An alumni association would have helped such a student to pursue his degree and be of help to the country. I want to pass a message to the Vice-Chancellors that they need to up their game so that we can make our universities better.

Thank you.

Hon. Speaker: Member for Kitui West.

Hon. (Ms.) Edith Nyenze (Kitui West, WDM-K): Thank you, Hon. Speaker for giving me this opportunity. I support this petition on involvement of alumni in the management of universities. There are many advantages of alumna being involved in the running of universities. They can serve as role models and mentor our students because they went through the same education system in the universities. That means that the many strikes that we witness most of the time in universities will reduce. The alumni will give counsel to the students and act as role models because they have made it in life. They will also help in coming up with the best curriculum. Because they are exposed to the market, the alumni will know which subjects should be taught in universities instead of just training graduates who are not required in the market.

Alumni will advise universities on the best subjects to be taught. They have business connections. They can organise for graduates to get jobs by directing them in studying courses that will help them to be absorbed in the job market. It will be an advantage for universities to have the

network and phone numbers of alumni. That will help them in doing business with them and it will help graduates to get jobs. The alumni will share good ideas with universities so that they are run in a better way. In doing so, the education system in the country will improve.

Thank you, I support the Petition.

Hon. Speaker: My own interpretation of the body language of Hon. Olago Aluoch is that he has been unable to press the intervention button.

(Hon. Olago Aluoch spoke off-record)

Now you have touched it.

Hon. Olago Aluoch (Kisumu West, FORD-K): Thank you, Hon. Speaker. An in-depth examination of this Petition by the Committee will disclose that it raises fundamental and pertinent issues that go beyond amending the law to include alumni in the composition of the senates and councils. I disagree with Hon. Sossion. The problem of universities is not underfunding but management. If the alumni can input management skills in our universities, the better. Hon. Gogo has just mentioned that Egerton University had students who took eight years for courses that take five and six years. It is worse at the Moi University School of Medicine where medical students on a six-year course are taking more than eight-and-a-half years in that university. These students from Moi University School of Medicine – some of them come from poor families – will they be able to compete with students from the University of Nairobi? Time has come for this House to take a hint from what this Kenyan has said in the Petition on issues to do with management. That way, issues like nepotism will be removed from the universities. If this Petition is dealt with, the way I am thinking it should be, by the Departmental Committee on Education and Research, then action should be taken to amend the law to include alumni. It will reduce both cases of mismanagement of finances and nepotism in our universities.

Thank you.

Hon. Speaker: Finally, Member for Tharaka.

Hon. George Gitonga (Tharaka, DP): Thank you, Hon. Speaker. Let me add my voice to this issue, especially due to the fact that in the western world alumni associations are important in the running of institutions from high schools to universities. I know, for sure, that some universities in Kenya, for example, the Catholic University of Eastern Africa (CUEA) and the University of Nairobi have tried to form alumni associations so that they are able to tap talent from the old students of the universities. These associations are important. They are ordinarily used in fundraising so that the needy students that join university are assisted. They are also important in the day-to-day running of those universities to ensure that there are no breaches of law, management and financial accounting.

As we amend the Universities Act to include the alumni, I also believe that we should be looking at the Education Act so that we can cascade this down to our high schools. Many high schools have very important persons as old boys and girls but no one makes use of them because they do not have these associations which are important for purposes of education. I am an alumni of Mangu High school and we do not have a strong old boys' association. I lost Kabarak High School which used to be a public school but now it is a private school. Again, we have difficulties with these. If we had a law in place, we would be able to circumvent problems associated with alumni, old boys and old girls of schools. I, therefore, support this Petition.

Hon. Speaker: Very well. The Petition is referred to the Departmental Committee on Education. Hon. Members I have been informed that several committees are simultaneously having sittings. I also confirm that I approved sittings for Committees during plenary. So, I will re-arrange the Order Paper so that we go straight to Order No. 8 then we shall come back to Order No.5.

BILLS

THE COPYRIGHT (AMENDMENT) BILL

(Hon. (Ms.) Gladys Wanga on 3.2.2022)

(Debate concluded on 3.2.2022)

Hon. Speaker: Hon. Members, debate on this Motion was concluded yesterday and what remained was for the Question to be put.

(Question put and agreed to)

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

SPECIAL MOTION

APPROVAL OF NOMINEE FOR APPOINTMENT AS MEMBER OF SALARIES AND REMUNERATION COMMISSION

THAT, taking into consideration the findings of the Departmental Committee on Finance and National Planning in its Report on the vetting of the nominee for appointment as a member of the Salaries and Remuneration Commission representing the National Police Service Commission, laid on the Table of the House on Thursday, 3rd February 2022 and pursuant to the provisions of Article 250(2)(b) of the Constitution, Section 7 of the Salaries and Remuneration Commission Act 2010 and Sections 3 and 8 of the Public Appointment (Parliamentary Approval) Act, 2011, this House approves the appointment of Ms. Elizabeth Wangui Muchiri as a member of the Salaries and Remuneration Commission to represent the National Police Service Commission in accordance with provisions of Article 230 (2) (b) (v) of the Constitution.

(Hon. Isaac Ndirangu on 8.2.2022)

(Debate concluded on 8.2.2022)

Hon. Speaker: The Member for Dagoreti South wants to pick a quarrel with the Member for Kiambu Township.

Order, Members. This re-organisation affects the Order Paper up to Order No.14. Again, debate on this Motion was concluded and what remained was for the Question to be put.

(Question put and agreed to)

Hon. Speaker: Next Order.

CONSIDERATION OF REPORTS AND THIRD READING

THE INDUSTRIAL TRAINING (AMENDMENT) BILL

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Industrial Training (Amendment) Bill (National Assembly Bill No.4 of 2019).

(Question put and agreed to)

Hon. Jude Njomo (Kiambu, JP): Hon. Speaker, I beg to move that the Industrial Training (Amendment) Bill (National Assembly Bill No. 4 of 2019) be now read a Third Time. I request Hon. Wangwe to second.

Hon. Speaker: Sorry, Hon. Jude Njomo. You requested that the Bill be read a Third Time, is it not? Very well, let us proceed to read the Bill.

(The Speaker consulted with the Deputy Clerk)

Hon. Jude Njomo (Kiambu, JP): Hon. Speaker, I beg to move that the Industrial Training (Amendment) Bill (National Assembly Bill No. 4 of 2019) be now read a Third Time. I request Hon. Wangwe to second.

Hon. Speaker: Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, JP): Hon. Speaker, I do second.

(Question proposed)

Hon. Members: Put the Question.

Hon. Speaker: Is it the desire of the House that I put the Question?

Hon. Members: Yes.

(Question put and agreed to)

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

Hon. Speaker: Well, that concludes the process. Hon. Jude Njomo, you have a Bill to your credit in addition to the others that you have pushed through.

Next Order.

THE EMPLOYMENT (AMENDMENT) (NO. 2) BILL

Hon. Speaker: I am informed that the Question for agreement with the Report of the Committee of the whole House was proposed in the morning, so what remains is for me to put the Question.

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(Question put and agreed to)

Mover.

Hon. Gideon Keter (Nominated, JP): Hon. Speaker, I beg to move that the Employment (Amendment) (No. 2) Bill (National Assembly No. 79 of 2019) be now read a Third Time. I request Hon. Richard Tong'i to second.

Hon. Speaker: Hon. Tong'i.

Hon. Richard Tong'i (Nyaribari Chache, JP): Hon. Speaker, aware of the unemployment situation in the country and the challenges the youth face, especially when seeking employment, in terms of looking for many clearance certificates which consume money, this Bill will cure that. I second.

(Question proposed)

Hon. Members: Put the Question.

(Question put and agreed to)

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

Next Order.

MOTIONS

APPOINTMENT OF MEMBERS TO THE COMMITTEE ON MEMBERS' SERVICES AND FACILITIES

Hon. Speaker: Leader of the Majority, Chair of the Select Committees.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order No.175 and 212B (3), this House approves the appointment of the following Members to the Committee on Members' Services and Facilities:

- (i.) Hon. Ezekiel Machogu Ombaki, M.P.
- (ii) Hon. (Dr.) Swarup Manjan Mishra, M.P.
- (iii) Hon. Samwel Moroto Chumel, M.P.
- (iv) Hon. Rehema Hassan, M.P.
- (v) Hon. Rigathi Gachagua, M.P.
- (vi) Hon. Charity Kathambi Chepkwony, M.P.
- (vii) Hon. Elisha Odhiambo, M.P.
- (viii) Hon. Benard Otieno Okoth, M.P.
- (ix) Hon. (Eng.) Nzambia Thuddeus Kithua, M.P.
- (x) Hon. Christopher Wangaya Aseka, M.P.
- (xi) Hon. John Walter Owino, M.P.
- (xii) Hon. Elsie Muhanda, M.P.
- (xiii) Hon. Generali Nixon Kiprotich Korir, M.P.

(xiv) Hon. Beatrice Nkatha Nyaga, M.P.

(xv) Hon. Kimani Ichung'wah, M.P.

Hon. Speaker and Members, this Sessional Committee has to be renewed at the beginning of every Session. The Whips and the Committee on Selection have agreed to renew the names as they were in the last Committee for continuity.

I beg to move.

Hon. Speaker: Who seconds?

Hon. Amos Kimunya (Kipipiri, JP): Hon. Sankok would second.

Hon. Speaker: Hon. Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Speaker for this opportunity. I second.

(Question proposed)

Hon. Members: Put the Question!

Hon. Speaker: Hon. Members, it seems it is the desire of the House to put the Question.

(Question put and agreed to)

Next Order.

APPOINTMENT OF MEMBERS TO THE COMMITTEE
ON PARLIAMENTARY POWERS AND PRIVILEGES

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order No.15(1)(a)(ii) of the Parliamentary Powers and Privileges Act, 2017 and Standing Order No.175, this House approves the appointment of the following Members to the Committee of Parliamentary Powers and Privileges, in addition to the Member specified under Section 15(1)(a)(i) of the said Act:

- (i) The Hon. Josphat Kabinga Wachira, M.P.
- (ii) The Hon. Anthony Githiaka Kiai, M.P.
- (iii) The Hon. Vincent Kipkurui Tuwei, M.P.
- (iv) The Hon. Francis Chachu Ganya, M.P.
- (v) The Hon. Didmus Wekesa Barasa Mutua, M.P.
- (vi) The Hon. Gladwell Cheruiyot, M.P.
- (vii) The Hon. Andrew Mwadime, M.P.
- (viii) The Hon. Omar Mwinyi Shimbwa, M.P.
- (ix) The Hon. James Onyango Oyoo, M.P.
- (x) The Hon. Danson Mwashako Mwakuwona, M.P.
- (xi) The Hon. Oscar Kipchumba Sudi, M.P.
- (xii) The Hon. Johana Ng'eno, M.P.
- (xiii) The Hon. Wario Qalicha Gufu, M.P.

Again, we are maintaining this Committee in the same format as it was in the last Session for the same thing –continuity.

I beg to move and request Hon. Wangwe to second.

Hon. Emmanuel Wangwe (Navakholo, JP): Hon. Speaker, I second.

(Loud consultations)

Hon. Speaker: Hon. Members, I just looked at the names, and I am wondering whether these are Members to serve in the Committee of Powers and Privileges? I do not know.

(Laughter)

Chairman of Selection Committee, is Hon. Kabinga supposed to be in this list? I think there is a mistake. The rules we have is that if somebody is a Chair of another Committee, they cannot be... I can see the first name here being that of a Chair of a Committee. That is something that the Leader of the Majority Party should look at. Hon. Josphat Wachira Kabinga is the Chair of the Departmental Committee on Labour and Social Welfare.

(Question proposed)

In light of the point that I have raised with regard to the first person, we need to be fair to any other Member who the Selection Panel should consider. It is important that every Member serves in a Committee. However, as for Hon. Kabinga Wachira... Hon. Kimunya, you could amend by removing him.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, this was an oversight, my apologies.

Hon. Josphat Kabinga used to be a Member of this Committee. He was then appointed the Chair of the Departmental Committee on Labour and Social Welfare. The records may have, therefore, not been amended. So, when we asked for the Committee to be replicated as it is, his name was there.

I want to ask the House to ignore the first name and approve the rest. We will make the replacement. Every Member is in a Committee right now. The Committee on Selection will look for who else we need to bring in there to strengthen the Committee. The Committee has 12 Members now. No. (i) is not part of the Motion.

Thank you.

Hon. Speaker: Is that an amendment?

Hon. Amos Kimunya (Kipipiri, JP): Yes.

Hon. Speaker: Hon. Nyikal.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Speaker. We are dealing with an extremely important Motion here. This is the Committee that regulates our conduct. It is concerned with how we are seen in the public. If we start with that single amendment, it is then clear that the Committee on Selection did not look into the matter seriously.

If you first sighted it, how comes the Committee did not see it? There is obvious evidence that the Committee did not do a good job. They just passed names of Members. You cannot allow that process to happen. This is an extremely important Committee. Without going into details, as you are going through the names, people react in a way that the public would. We know ourselves and how we conduct ourselves. These are things that the Committee on Selection can look at. To that extent, I oppose this Motion. It should be sent back to the Committee on Selection to look at it seriously.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Millie Odhiambo.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. I agree with Hon. Nyikal. I know that the Leader of the Majority Party is overwhelmed with a lot of work on the Floor of the House and outside.

I raised an issue on the Floor of the House before, and I will do it again. We need to take the National Assembly seriously. We are the ones who will make people to respect this House. When people compare the Senate and National Assembly, they make this House look like a House of jokers. There are certain things, practices and customs that we are doing away with in this House. We, as a House, are reducing our dignity. We are reducing this House to a house of councillors. We need to be serious even in the Members that we put in certain committees. As Hon. Nyikal has said, without casting aspersions on specific Members, we know each other. You cannot put me in a committee that seeks to remove women from the House. You cannot put some Members in the Committee on Parliamentary Powers and Privileges which is supposed to seek decorum and honour in the House. We know each other. Put us where our strengths are.

If you want to honour some Members, put them in the Departmental Committee on Defence and Foreign Relations that deals with the military, defence and beating other people. Do not put them in serious committees like the Committee on Powers and Privileges. I have served in this Committee before. We need to be serious about how we handle this.

Hon. Speaker, I oppose this Motion.

Hon. Speaker: Even as you contribute, I am inclined to step down this Motion for only one reason. I indicated in the past that I no longer feel that I should chair that Committee. We should amend the Act. We should either do as it happens in other jurisdictions or let it to be like any other Committee of the House.

In a House where we have so many ladies, it is not fair that this Committee has only one lady.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): I did not see that. That is unconstitutional, Hon. Speaker.

Hon. Speaker: There are 13 Members in a Committee and there is only one lady. Hon. Soipan.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): That Motion should be stepped down. It should not even be discussed.

Hon. (Ms.) Soipan Tuya (Narok (CWR), JP): Thank you very much, Hon. Speaker. I stand to oppose the Motion. One, it is on the basis of the gender imbalance. I have listened to the sentiments of the Members of this House. They insinuate that we have some Members who are more serious than others, and more honourable than others. That is not in order. Every of the 349 Members of Parliament has earned his or her way into this House. No one has the right to prefer or try and rank others as more important or deserving. Anybody can sit in any Committee of this House.

On the basis of the gender imbalance and then a Chairperson who chairs another Committee, there is need for more thought to go into the list.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Shadrack Mose.

Hon. Shadrack Mose (Kitutu Masaba, JP): Thank you, Hon. Speaker. I also wish to oppose this Motion. Just as you have said, the Committee on Selection should re-look into that matter seriously.

We have professionals in this House. It is not the question of whether this Member is superior to the other. We should tap into the professional advantage that we have. For example, Hon. Nyikal is a doctor. When he is in the Departmental Committee on Health, I am sure he helps a lot to deal with salient issues that are of professional nature.

The Committee on Parliamentary Powers and Privileges also needs to tap into some professional talent which would help when they are dealing with issues that may arise. Therefore, I concur with you that it is important for the Committee on Selection to relook into that list and bring in some professional input.

Thank you, Hon. Speaker.

Hon. Speaker: On the issue of gender, I am aware that Hon. Beatrice Kones was a Member of the previous Committee. She is not in this one. I looked at the list and the issue of gender is very worrying. I know that Hon. Gladwell Cheruiyot has been a Member of that Committee. Hon. Vincent Tuwei can comment on this issue. His name is not in the request list. Proceed.

Hon. Vincent Tuwei (Mosop, JP): Thank you, Hon. Speaker. We had Hon. Gladwell, the Baringo Woman Representative, and Hon. Beatrice Kones, the Member from Bomet. I find that their contribution, expertise, knowledge and the issues that we have handled together had a lot to do with wisdom and experience in terms of their background and understanding of issues. It is my sincere request that they should be considered because as we move towards the end of our term, they have learned a lot and have trained with us in matters to do with powers and privilege. Also, we have bonded well and I wish them to be considered, if possible.

Hon. Speaker: Another Member of the Committee, Hon. Jude Njomo.

Hon. Jude Njomo (Kiambu, JP): Thank you, Hon. Speaker. I am a former Member of this Committee and I can say that if the Committee has only one lady, then it is not properly constituted and I would urge the Committee on Selection to really consider the strengths of Members they put in different committees. They can bring their strengths to this Committee. This is the only Committee which has held a meeting in a toilet. I remember in one of the investigations we were doing, we had to go and receive information from a toilet. If it was a lady's toilet and we did not have ladies, they would not show us how to navigate through those corridors of the toilet. So, it is very important that this Committee is properly constituted and it has gender balance because there are matters that are gender in nature that need to be considered and we get opinions from every gender.

Therefore, I oppose this Report and I recommend that the Selection Committee sits down and gives us a properly constituted Committee.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, I think for those reasons even without more...

Hon. Kipyegon Ng'eno (Emurua Dikirr, KANU): (*Spoke off record*)

Hon. Speaker: You know you are an addition. Are you sure you have been a member of this Committee? Remember I am the one who chairs this Committee. I have never seen you. Then you do not attend. Hon. Johana Ng'eno, you know I know you so well that there is no way you would be appearing and I fail to notice you.

Hon. Kipyegon Ng'eno (Emurua Dikirr, KANU): Hon. Speaker, I think I have attended a meeting where you were not the chair at that moment. I have even gone for a trip that was organized by this Committee. I just wanted to mention something especially on comments which some of the Members were trying to bring up. It was majorly because of some names. I think partly mine is one of those names.

My friends, Hon. Oscar Sudi and Hon. Didmus Barasa, are others. You know I was in Maseno School where discipline has been the highest in the whole country. It has never gone on strike since 1906. The selection of prefects and captains of that school was based on students who had been very disturbing...

Hon. Speaker: Hon. Ng'eno, since I want to direct that this Motion be stood down, I think we can get that history about Maseno and prefects when we retreat for tea.

Hon. Kipyegon Ng'eno (Emurua Dikirr, KANU): Hon. Speaker, I was uncomfortable with some of the information that Members were trying to bring. When you go back to do selection, do not remove some of us basically because of that. The idea of appointing troublesome students to positions of prefects shows that the school is able to manage the problem. So, when you look at us, we might be what we are outside this House, but when we come to this House, I have been the most disciplined Member in this House more than anybody else, even more than Hon. Millie Odhiambo who has been dancing her way all round this House. She does not even qualify to speak about indiscipline in this House. Some of us have been very disciplined in this House and we deserve to be disciplining people like Hon. Millie Odhiambo and the likes.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, can we just finish this one?

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): *(Spoke off record)*

Hon. Speaker: Hon. Millie, do not react, but we know you to be a very able and conscientious Member of this House. This Motion is referred back to the Committee on Selection under the provisions of Standing Order No.47(3) to go and look into the issues provided for in Standing Order No.173 on the question of gender and Standing Order No. 174(3)(b) on the question of chairing of committees. They are specifically provided for that a person who is a chair should not be a member of another committee and then that issue of gender in Standing Order No.173. It is referred back to the Committee on Selection to go and look into those issues.

Hon. Tuwei can tell you that the Committee had occasion to deal with a discipline case involving one of the Members of the Committee. I will be making my presentation when we come to reviewing the Standing Orders because it is only fair that we look at some of these issues. Please, just look at who it is that you put in. It is only that Hon. Johana Ng'eno became a Member when I had already appointed somebody to chair, which is the 5th Session. Otherwise, I see most of the Members who are here were in the last Committee. We have already referred it back to the Committee on Selection.

Let them go and look at it. Hon. Sankok, do you sit in that Committee? I heard you shout something like that. Now you will address it in the Committee on Selection. Let us go to Order No.14.

(Motion deferred)

FURTHER CHANGES TO MEMBERSHIP OF VARIOUS COMMITTEES

Hon. Speaker: Leader of the Majority Party.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order No.173 and further to the resolutions of the House of 5th December 2017, 15th July 2020, 11th February 2021, 4th May 2021 and 13th October 2021 appointing Members into various committees, this

House approves the appointment of the following Members to the respective committees as specified hereunder:

- (i) The Hon. Adan Keynan Wehliye to move from the Select Committee on National Cohesion and Equal Opportunity to the Departmental Committee on Defence and Foreign Relations;
- (ii) The Hon. Jeremiah Ng'ayu Kioni to move from the Constitutional Implementation Oversight Committee to the Departmental Committee on Energy;
- (iii) The Hon. Khatib Abdallah Mwashetani to move from the Departmental Committee on Lands to the Departmental Committee on Trade, Industry and Cooperatives;
- (iv) The Hon. Alois Musa Lentoimaga to move from the Departmental Committee on Trade, Industry and Cooperatives to the Constitutional Implementation Oversight Committee;
- (v) The Hon. Ayub Savula to move from the Departmental Committee on Trade, Industry and Cooperatives to the Select Committee on Regional Integration;
- (vi) The Hon. Abdikahim Osman Mohamed to move from the Departmental Committee on Energy to the Departmental Committee on Agriculture and Livestock;
- (vii) The Hon. Gathoni Wamuchomba to move from the Departmental Committee on Agriculture and Livestock to the Departmental Committee on Communication, Information and Innovation;
- (viii) The Hon. Katoo ole Metito Judah to be appointed a Member of the Departmental Committee on Agriculture and Livestock;
- (ix) The Hon. David Gikaria to be appointed a Member of the Departmental Committee on Environment and Natural Resources;
- (x) The Hon. Japheth Kareke Mbiuki to be appointed a Member of the Departmental Committee on Trade, Industry and Cooperatives;
- (xi) The Hon. William Kipkemoi Kisang to be appointed a Member of the Departmental Committee on Lands;
- (xii) The Hon. Ali Wario to be appointed a Member of the Departmental Committee on Energy; and
- (xiii) The Hon. Johana Ng'eno to be appointed a Member of the Select Committee on National Cohesion and Equal Opportunity.

Hon. Speaker, these changes are occasioned by the changes that you announced last week which removed some Members who were chairpersons of committees and were only in one committee. We are now assigning them to specific committees, so that every Member can participate in a committee.

The changes also come as a result of some Hon. Members' requests. For example, Hon. Johana Ng'eno requested to be assigned to an extra committee because he has now settled nicely and is of late contributing very well in the House. We believe he can add a lot of value to issues of national cohesion and equal opportunity for the same reasons that he has explained before the House.

Some of the changes are consequential to the changes that took place last week to rebalance the various committees. Hon. Wamuchomba had requested to move from the Departmental

Committee on Agriculture and Livestock because there were two Members from Kiambu County in that committee. She felt that she could be best used in the area of communication and information where she has experience.

It is a well-balanced list that has gone through a lot of consultations and rebalancing. I wish the House approves it so that it helps the committees to be fully-constituted and be able to conduct other businesses including holding elections tomorrow to fill the vacant positions that were occasioned by the changes that were announced by the Speaker last week.

I beg to move and request Hon. Wangwe, the Majority Whip, to second.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Speaker. I second the Motion as elaborated by the Leader of the Majority Party and the Chairperson of the Committee on Selection. We really consulted on these names. I had to talk to most Members and share with them the changes that were likely to happen. We were in agreement that the changes have been done fairly well and the distribution is well taken care of.

With that, I beg to second.

(Question proposed)

Hon. Members: Put the Question.

Hon. Speaker: Looks like there is agreement that I put the Question.

(Question put and agreed)

For the convenience of the House, we now revert to Order No.5.

PAPERS LAID

Hon. Speaker: The Leader of the Majority Party.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I beg to lay the following Papers on the Table of the House. It is quite a long list:

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30th June, 2021 and the certificates therein:

- (i) Multinational Lake Victoria Maritime Communications and Transportation Project - Kenya Maritime Authority;
- (ii) Health Sector Support Project-SWAP Secretariat – Ministry of Health;
- (iii) Northern Corridor Transport Improvement Project;
- (iv) National Urban Transport Improvement Project;
- (v) Support of the Health Financing Strategy Output Based Approach Programme – Ministry of Health;
- (vi) East Africa Public Health Laboratory Networking Project – Kenya Medical Supplies Authority;
- (vii) Green Zones Development Support Project Phase II – Kenya Forest Service;
- (viii) Kenya Industry and Entrepreneurship Project;
- (ix) Kenya Health Sector Support Project;
- (x) Kenya Petroleum Technical Assistance Project – State Department of Petroleum;
- (xi) Kenya Petroleum Technical Assistance Project – State Department of Petroleum;

- (xii) Kenya Off-Grid Solar Access Project for Underserved Counties - Ministry of Energy and SNV Netherlands Development Organization;
- (xiii) Intelligence Service Development Fund;
- (xiv) The 220KV and 132KV Transmission Projects - Kenya Electricity Transmission Company Limited;
- (xv) Nairobi Ring Transmission Line Project - Kenya Electricity Transmission Company Limited;
- (xvi) Kenya Electricity Expansion Project - Rural Electrification and Renewable Energy Corporation;
- (xvii) Kenya Electricity Modernization Project - Rural Electrification and Renewable Energy Corporation;
- (xviii) Kenya Electricity Modernization Project - Ministry of Energy;
- (xix) Last Mile Connectivity Project - Kenya Power and Lighting Company PLC;
- (xx) Kenya Off-Grid Solar Access Project for Underserved Counties - Rural Electrification and Renewable Energy Corporation;
- (xxi) Kenya Development of Solar Power Plant in Garissa Project – Rural Electrification and Renewable Energy Corporation;
- (xxii) East Africa’s Centre of Excellence for Skills and Tertiary Education in Biomedical Sciences Phase I – Ministry of Health;
- (xxiii) Kenya Health Sector Programme Support III – County Government of Kisii;
- (xxiv) Kenya Marine Fisheries and Social-Economic Development Project -Ministry of Agriculture, Livestock, Fisheries and Cooperatives;
- (xxv) Kenya Maritime Smart Agriculture Project – Department of Crop Development and Agricultural Research;
- (xxvi) Roads 2000 Phase Two – Kenya Rural Roads Authority;
- (xxvii) Kenya Health Sector Support Project – Health Sector Services Fund – Ministry of Health;
- (xxviii) Kenya Informal Settlement Improvement Project – State Department of Housing and Urban Development;
- (xxix) Upgrading of Kibwezi-Mutomo-Kitui Road Project - Kenya National Highways Authority;
- (xxx) Support to Road Sector Policy: 10th EDF Rural Roads Rehabilitation Project – Kenya Rural Road’s Authority;
- (xxxii) EPC/TURNKEY Construction of Five-Foot Bridges and T-Mall Flyover in Mombasa and Langata Roads Project - Kenya National Highways Authority;
- (xxxiii) Mombasa Gate Bridge Construction Project - Kenya National Highways Authority;
- (xxxiii) Bagamoyo-Horohoro-Lungalunga-Malindi Road Project - Kenya National Highways Authority;
- (xxxiv) Horn of Africa Gateway Development Project – Kenya National Highways Authority;
- (xxxv) Kapchorwa-Suam-Kitale and Eldoret Roads Project - Kenya National Highways Authority;
- (xxxvi) National Urban Transport Improvement Project – Kenya Railways Corporation;
- (xxxvii) Nairobi Sanitation Output Based AID Project – Nairobi Water and Sewerage Company Limited;
- (xxxviii) Kenya Transport Sector Support Project – State Department for Infrastructure;

(xxxix) Global Fund HIV/AIDS Programme – Ministry of Health; and,

(xl) Judicial Performance Improvement Project.

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30th June 2019, and the certificates therein:

- i. Okame Technical and Vocational College;
- ii. Kisiwa Technical Training Institute;
- iii. Sikri Technical and Vocational College for the Blind and Deaf;
- iv. Sang’alo Institute of Science and Technology;
- v. North Eastern National Polytechnic;
- vi. Musakasa Technical Training Institute;
- vii. Kenya Forest Service;
- viii. Ugenya Technical and Vocational College;
- ix. Ramogi Institute of Advanced Technology;
- x. Mawego Technical Training Institute;
- xi. Export Promotion Council;
- xii. Brand Kenya Board;
- xiii. Kenya Plant Inspectorate Service; and,
- xiv. Veterinary Medicines Directorate.

Thank you, Hon Speaker.

Hon. Speaker: Next is a Member of the Departmental Committee on Finance and National Planning, Hon. Mboni Mwalika, Member for Kitui Rural.

Hon. David Mboni (Kitui Rural, CCU): Thank you, Hon. Speaker. I beg to lay the following Paper on the Table of the House:

Report of the Departmental Committee on Finance and National Planning on the Recruitment of the National Assembly Nominee to serve in the Equalization Fund Advisory Board.

Thank you, Hon. Speaker.

Hon. Speaker: The Chairperson of the Select Committee on National Government Constituencies Development Fund.

Hon. Wafula Wamunyinyi (Kanduyi FORD-K): Thank you, Hon. Speaker. I beg to lay the following Papers on the Table of the House:

Report of the Select Committee on the National Government Constituencies Development Fund (NG-CDF) on the status of project proposals, approvals, disbursements and restrictions in constituencies accounts for the first quarter of the 2021/2022 Financial Year as at 30th September 2021.

Report of the Select Committee on the National Government Constituencies Development Fund on its consideration of the National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No.34 of 2021) by Hon. Tindi Mwale.

NOTICES OF MOTIONS

Hon. Speaker: Let us have Hon. Wamunyinyi.

ADOPTION OF REPORT ON STALLED/INCOMPLETE NG-CDF PROJECTS

Hon. Wafula Wamunyinyi (Kanduyi, FORD-K): Hon. Speaker, I beg to give Notice of the following Motion:

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THAT, this House adopts the Report of the Select Committee on the National Government Constituencies Development Fund on stalled and/or incomplete projects initiated through the National Government Constituencies Development Fund, but falling under the county government functions, laid on the table of the House on Tuesday, 17th August 2021.

Hon. Speaker: Let us have Hon. David Mboni Mwalika.

APPROVAL OF NOMINEE TO THE EQUALISATION FUND ADVISORY BOARD

Hon. David Mboni (Kitui Rural, CCU): Hon. Speaker, I beg to give notice of the following Motion:

THAT, taking into consideration the recommendations of the Departmental Committee on Finance and National Planning in its Report on Recruitment of the National Assembly's Nominee to the Equalisation Fund Advisory Board, laid on the Table of the House on Wednesday, 9th February 2022 and pursuant to the provisions of Section 8 of the Public Appointments (Parliamentary Approval) Act, 211 and Paragraph 4(1)(d) of the Public Finance Management (Equalisation Fund Administration) Regulations, 2021; this House approves the appointment of Mr. Abdullahi Adan Khalif to the Equalisation Fund Advisory Board.

Hon. Speaker: Next Order!

ORDINARY QUESTIONS

Hon. Speaker: The first Question is by Hon. Sossion.

Question No. 027/2022

NON-PAYMENT OF PENSION DUES OF MR. AYUB OKELLO KITAGA

Hon. Wilson Sossion (Nominated, ODM): Thank you, Hon. Speaker. I rise to ask Question No.027/2022 directed to the Cabinet Secretary for the National Treasury and Planning:

- (i) Could the Cabinet Secretary provide a status report regarding payment of pension to Ms. Doris Akumu Okello, a beneficiary and next of kin of the late Mr. Ayub Okello Kitaga, Personal No.295264 who served as a teacher under Teachers Service Commission?
- (ii) When will the said funds be paid to Ms. Doris Okello considering that she had provided the necessary documents for processing of the dues in 1994?

Hon. Speaker: The Question will be replied to before the Departmental Committee on Finance and National Planning. Next Question is by the Member for Magarini, Hon. Michael Kingi.

Question No.028/2022

STATUS OF REGISTRATION OF SCHOOLS IN MAGARINI

Hon. Michael Kingi (Magarini, ODM): Thank you, Hon. Speaker. I rise to ask Question No. 028/2022 to the Cabinet Secretary for Education:

- (i) Could the Cabinet Secretary provide a status report regarding registration of all public primary and secondary schools in Magarini Constituency?
- (ii) What measures has the Ministry put in place to ensure that registration of public schools in Magarini Constituency is carried out and completed expeditiously?

Hon. Speaker: The Question will be replied to before the Departmental Committee on Education and Research. The next Question is by Hon. Sankok.

Question No.029/2022

OWNERSHIP OF KEDONG RANCH IN NAKURU COUNTY

Hon. David ole Sankok (Nominated, JP): Thank you, very much, Hon. Speaker, for giving me an opportunity to ask this very emotive Question No.029/2022 to the Cabinet Secretary for Lands and Physical Planning:

- (i) Could the Cabinet Secretary provide the current ownership status of the 98,000 Acres of Kedong Ranch in Nakuru County hived off from Narok County?
- (ii) Could the Cabinet Secretary also provide the list of names of the Directors of the said Ranch?
- (iii) Could the Cabinet Secretary further provide a detailed report of the said ranch with regard to its acquisition by Kedong Ranch and other private developers from the Maasai Community?
- (iv) Could the Cabinet Secretary explain why the said ranch is guarded by the Kenya Defence Forces?

Wasiseme walinunua kutoka kwa Wazungu. Hakuna Mzungu aliyekuwa Maasai. Mine is private and not guarded by the Kenya Defence Forces (KDF).

Thank you, Hon. Speaker.

Hon. Speaker: Maybe Hon. Sankok might be requiring to have KDF guard his. The Question will be replied to before the Departmental Committee on Lands. The last Question is by the Member for Kibra, Hon. Okoth.

Question No.030/2022

STATUS OF INVESTIGATIONS INTO KILLING OF CYNTHIA MAKOKHA

Hon. Benard Okoth (Kibra, ODM): Thank you, Hon. Speaker. I rise to ask Question No.030/2022. I brought this Question last year but it was not responded to. It is directed to the Cabinet Secretary for Interior and Coordination of National Government:

- (i) Could the Cabinet Secretary explain the circumstances surrounding the abduction and subsequent killing of the late Cynthia Makokha, a Form 4 student at Kibra Girls Soccer Academy in Kibra Constituency who was abducted, killed and dumped into a river in Shianda Village, Mumias East Sub-County, Kakamega County, while visiting her family during the October 2021 schools' holiday?
- (ii) Could the Cabinet Secretary explain the status of investigations into the heinous crime and indicate whether any suspect(s) have been questioned or arrested?

(iii) What steps is the Government taking to end the increasing cases of gender-based violence in the country, which have seen many women and girls injured, maimed or killed and ensure justice for the victims?

Thank you, Hon. Speaker.

Hon. Speaker: The Question will be replied to before the Departmental Committee on Administration and National Security. That ends the first segment. The second segment is a request for Statement by Hon. Rasso.

REQUEST FOR STATEMENT

ABDUCTION OF MR. HAJI ROBA ABDUB SEREKA

Hon. Ali Rasso (Saku, JP): Thank you, very much, Hon. Speaker. I wish to request for a Statement regarding the abduction of Haji Roba Abdub Sereka on 2nd February 2022.

Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairman of the Departmental Committee on Administration and National Security on the abduction of Mr. Haji Roba Abdub Sereka, on 2nd February 2022 along Popo Road in South C Estate in Nairobi.

Hon. Speaker, Mr. Sereka is a 58-year-old renowned businessman, a father of five and a resident of Marsabit Town, a retired educationist who served in senior positions in the Ministry of Education for 25 years and a philanthropist. Mr. Sereka is a community leader who has built schools, mosques and helped many less fortunate members of the society. He is currently the chairperson of the Marsabit Chamber of Commerce.

Hon. Speaker, on 2nd February 2022 at 11.00 hours while on his daily routine, Mr. Sereka was abducted along Popo Road in South C Estate by over 10 armed men who sped off in a white Toyota Land Cruiser Registration No. KBW 456E accompanied by two other vehicles, a Subaru and a Toyota Rush. To date, efforts to trace his whereabouts by the family, friends and members of the community have been futile.

Hon. Speaker, Kenya is governed by the rule of law and the Government should protect the lives and property of its citizens. Further, Articles 4, 19, 20 and 28 of the Constitution of Kenya provide that every person has inherent dignity and the right to have that dignity respected and protected. Sadly, Mr. Haji Sereka has been held incommunicado from 2nd February 2022 to date and his abduction has caused a lot of trauma to the family, friends and community at large.

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

- (a) Could the relevant Government agencies establish the whereabouts of Haji Roba Sereka and give the reasons behind his abduction?
- (b) What efforts has the Government taken to ensure that Mr. Sereka is brought to lawful custody, if necessary, where his family, friends and the community can access him?
- (c) What measures has the Government put in place to ensure Mr. Sereka is safe and that the culprits are brought to book for their heinous acts?

Thank you, Hon. Speaker.

Hon. Speaker: Now that I do not see the Chairman of the Committee, the request will be channeled to the Committee through the Office of the Leader of the Majority Party. The Chair is not around, but the matter is urgent.

Next Order.

BILL*Second Reading*

THE HEALTH LAWS (AMENDMENT) BILL

*(Hon. Amos Kimunya on 8.2.2022)**(Resumption on Debate interrupted on 8.2.2022)*

Hon. Speaker: When the House rose, Hon. Millie Odhiambo was on the Floor. You have a balance of four minutes.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. I had indicated that I support the Health Laws (Amendment) Bill, but I will be supporting it with proposed amendments by the Committee. I had indicated some of the reasons why I was supporting the Bill. The Bill seeks to amend 17 pieces of legislation relating to the health sector and they include:

- a) The Pharmacy and Poisons Act;
- b) The Mental Health Act;
- c) The Medical Practitioners and Dentists Act;
- d) The Nurses Act;
- e) Kenya Medical Training College Act;
- f) The National Hospital Insurance Fund Act;
- g) The Medical Laboratory Technicians and Technologists Act;
- h) Tobacco Control Act;
- i) The Nutritionists and Dieticians Act;
- j) Cancer Prevention and Control Act;
- k) The Public Health Officers Training, Registration and Licensing Act;
- l) The Kenya Medical Supplies Authority Act;
- m) The Counsellors and Psychologists Act;
- n) The Physiotherapists Act;
- o) The Health Records and Information Managers Act;
- p) The Clinical Officers Training, Registration and Licensing Act; and
- q) The Health Act.

The Bill seeks to have a wide ranging amendments on these laws relating to health policy to improve efficiency, service delivery, realisation of the Universal Health Coverage and the Big Four Agenda in line with the Constitution, the Health Act and the Mwongozo Code of Governance for State Corporations.

Some of the things that stand out in the Report of the Committee that need to be looked into is that we will go back to the old ways because the departments are top-heavy. In many State departments, Principal Secretaries make up almost 70 per cent of the staff. Some of the agencies that were there before, like the civil society and faith-based organisations have been removed. That takes away the voice of the public which the Constitution requires. It also takes away some element of self-regulation within those sectors.

Thirdly, the other issue of concern to me is the Mwongozo Code of Governance. Sometimes you need to ask what came before - the chicken or the egg. I cannot remember whether

it was enacted as a Government policy by the House but sometimes you see the Government not even adhering to constitutional standards, yet it keeps referring to the Mwongozo Code of Governance as though it is the Constitution. There are certain constitutional principles that are way more important than a Government policy. I do not think that the Mwongozo Code of Governance is bad in itself, but it must adhere to certain constitutional standards such as inclusion of the civil society, gender, persons with disabilities and regional balance, some of which are included.

One issue of concern to me is the National Hospital Insurance Fund (NHIF) Bill. I see my time is almost up. We dealt with provisions relating to the NHIF Bill less than six months ago. I do not even know why they are here again. It creates a lot of confusion. Hon. Speaker, please, indulge me one more minute to say this. At some point in time, I will be calling on your office to guide us when we have an omnibus Bill such as this one with 17 pieces of legislation. When we call for public participation, should it be on the Health Laws (Amendment) Bill which the public could confuse with the Health (Amendment) Bill or should we in the media...

Hon. Speaker: You will have your one minute, Hon. Millie.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. When calling for public participation, can we include the 17 pieces of legislation? You could find a person who is not interested in the Pharmacy and Poisons Act, but is interested in the NHIF Act. However, when they see the Health Laws (Amendment) Bill, they get confused because many people think we are amending the Health Act which they may not be interested in. Nurses may not be interested in the amendment of the Health Act, but they may be interested in the amendment of the Nurses Act. Going forward, perhaps we need to very specifically provide for the amendment of an omnibus Bill. Otherwise, it may be challenged in court.

Thank you for indulging me. I support the Bill, but with amendments.

Hon. Speaker: Hon. Millie, one key amendment should be one that addresses the issue of a decision that the House has taken in the last six months. There were very substantial amendments to the NHIF Act, which was just assented to towards the end of December. So, for it to be here again, somebody needs to look through it and see whether we may be repeating or doing away with that which was just passed the other day even though it was a different session.

Let us have Hon. Edith Nyenze.

Hon. (Ms.) Edith Nyenze (Kitui West, WDM-K): Thank you, Hon. Speaker. I did not wish to contribute to this.

Hon. Speaker: I am just following the requests. Let us have Hon. Mwangi Mburu.

Hon. Jonah Mwangi (Lari, JP): Thank you, Hon. Speaker. I also did not intend to contribute to this.

Hon. Speaker: Okay. Let us have Hon. Nyikal.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill, but with a lot of reluctance which I must bring out at this point. The object of this Bill is to harmonise the health laws to be in line with the Mwongozo Code of Governance. There are very many issues that have been raised. The only reason I am supporting it with reluctance is because the Committee sat down and proposed very many amendments. If these amendments pass, then I will be happy with this Bill. Should they not pass, I will definitely not support this Bill, even at that stage.

This Bill amends 17 laws and 12 of them are regulatory Acts regulating the training and conduct of health professionals. Two Acts are regulating service provision like the Kenya Medical Supplies Authority (KEMSA) and the National Hospital Insurance Fund. One Act is regulating training institutions, another Act is regulating drugs and substance addiction and one is an

overarching Act. An omnibus Bill covering so many laws with so many various objectives is likely to cause confusion. That is why the Committee had to come in and do very many amendments. Because of this, it ignored very many basic principles like the principle of representation.

We are all aware that when dealing with regulatory bodies, professional representation is important. Even in service delivery institutions like the NHIF and KEMSA, representation is very important. Self-regulation is particularly important when dealing with professional bodies. This Bill as it is now is overpopulated with Government officers like Permanent Secretaries and the Attorney-General. Therefore, denying the stakeholders a chance to participate while it is saying it is adhering to the Mwongozo Code of Governance... Hon. Speaker, I am really craving your attention - okay, there is the *Hansard*.

We want to know whether this Mwongozo Code of Governance is an instrument that can guide or change what Parliament has done on this basis alone. For example, when we were looking at representation in NHIF, very many important institutions like the TSC, service providers and stakeholders were left out. If you look at the NHIF organisation, institutions like the Central Organisation of Trade Unions (COTU) and the Kenya National Union of Teachers (KNUT) were left out.

If you look at regulatory bodies like the Nursing Council of Kenya (NCK) and the Kenya Medical Association (KMA), very few professionals are in there and we have Government officers in their place. To this extent, if this Bill passes as it is, it will be a disaster for professional regulation and even stakeholder participation in all the affected laws. However, when this Bill came here, the issue of public participation arose a lot. The Committee looked at this and has made massive amendments. I beg to be guided on the principle of the number of amendments that can be made on a Bill and it still represents the original objectives. That has bothered me. There are so many of them to the extent that the amendments actually took care of the stand of the stakeholders and the Committee then agreed to take those amendments. So, it is on that basis that I will support this Bill. I want to appeal to the Mover that when these amendments come to the Committee of the whole House, we ensure that our colleagues in the House take keen attention on them. If we casually treat it the way we take the Committee of whole House where a couple of us just sit here and say “Ayes” and “Noes”, then we will be creating a disaster for the country. Having had some consultations and assurance that the Committee amendments will carry the day, I support the Bill with that reservation.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Funyula.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Speaker, for granting me opportunity to also drop a word in respect to the Health Laws (Amendment) Bill. For the entire period that I have been here and our term is almost coming to an end, I have always been uncomfortable with omnibus Bills that tend to amend very many Acts of Parliament in one particular Bill. You rob the people of Kenya the opportunity to constructively contribute to the contents of the Bill. You rob the people of Kenya and Parliament the ability to deeply scrutinise the Bill in order to enrich it for purposes of benefitting the people of Kenya. As my colleagues have said, the Bill seeks to amend 17 Acts related to the Health Act, health sector and other related issues.

Hon. Speaker, there are two major issues that come out of this amendment: First, it seems that the Bill proposes to reconstitute the various boards or councils that are in various Acts of Parliament and these are the Pharmacy and Poisons Act, the Medical Practitioners and Dentists Act, the Nurses Act, the Medical and Laboratory Technicians and Technologists Act, the Tobacco

Control Board, the Cancer Prevention and Control Act, the Public Health Officers (Training Registration and Licencing Act No.12, 2013), the Kenyan Medical Supplies Authority Act, the Counsellors and Psychologists Act, the Physiotherapists Act, the Clinical Officers Act and the main Health Act. It is so clear that we are reversing the gains we have made in terms of professionalising our professional bodies by the mere fact that most of the people who will sit in these boards or councils will be senior Government officers and the chairman is appointed by the President. This means that the team, board or the council, will completely be controlled by the Government and they can take any decisions at the exclusion of other members. The world is going towards self-regulation, and so are most professions.

Hon. Speaker, I would like to urge the Committee, and we will move amendments at the Committee of the whole House stage, to literally water down the top-heavy Government representation to reflect the intent and purpose of self-regulation or regulating the training, registration and generally managing the affairs of the profession.

Looking at the process of appointment, it seems that the idea is that the board will outsource, resource or look for competent people yet the Constitution of Kenya contemplates that every Kenyan must be given an equal opportunity to compete for any available vacancy in the public service. The idea and main purpose should be competitive recruitment that essentially gives each and every Kenyan a chance to be appointed. Many court cases have led to the idea that you cannot purport to directly appoint members of a board or a council before going through a competitive recruitment process. Therefore, we will propose an amendment to ensure that any appointment, whether to a council or a board, is done competitively through the process of advertisement.

The other issue that seems to come out very clearly is that of quorum. Following the top-heavy dilemma, with the quorum set, a few Government-appointed people can sit and make monumental decisions affecting a profession without involving key people who are not in the profession. Those are some of the amendments that we will propose.

The second set of amendments that attracted my attention to this Bill have to do with the NHIF Bill. As my colleagues have mentioned, we just dealt with a Bill to do with the NHIF sometime in October last year. I remember we went through the winnowing process and proposed some amendments which went through. It is good that we moved forward.

The amendments being proposed more or less tend towards being in respect of the universal healthcare scheme. I note that the key management board of the NHIF now changes to the National Hospital Insurance Fund Board of Management. I do not see the difference with any other term. That should probably bring it in line with whatever they call Mwongozo.

There are two issues that come out that need sober and serious discussion. One is the issue of members of the society who are indigent, vulnerable and are supposed to benefit from Government subsidies. The idea of universal healthcare is to ensure that everybody gets medical care. We have had challenges in identifying members for safety net programmes and the cash transfer programme. For example, in my constituency, in the rundown to the 2017 elections, they only selected members whom they knew were supporting the Jubilee Party. They left out all other members who were not supporting the Jubilee Party. It was like dangling a carrot on a stick before them. You were supposed to vote before you were listed in the programme, especially in the election rerun.

Leaving the programme to the same people means that we will have continuous complaints. That is why I proposed an amendment to have a system where there is a consultative process at the constituency level that can identify the vulnerable people who are unable to pay for the NHIF

for themselves, so that they get these subsidies. It was rejected. I will attempt to propose that amendment for a second time. I hope my colleagues and the Committee will see the essence of why it is important to get other people involved in the identification of those who require support and those who do not.

The Bill proposes to amend the NHIF Act in New Clause 22D(3) that talks about regulations and rules. It states that the board, in consultations with the Cabinet Secretary, shall make rules and regulations. As all of us are aware, rules and regulations could fall under subsidiary legislation that is covered under the Statutory Instruments Act. The Statutory Instruments Act is very clear that the regulatory-making authority is a Cabinet Secretary. This is an amendment that we must make to align this amendment Bill with the Statutory Instruments Act, so that we do not have cases where we seem to be confused.

As I conclude, health is such an important matter. In this country, health is a devolved function. If there is an area that seems to be left problematic and is causing a lot of grief to many residents, it is health services. Hon. Speaker, I do not know where the angel will come from, so that they can bring the Holy Spirit to the new set of governors who will be appointed to prioritise healthcare.

If there is any aspect that devastates a family however rich it is, is the issue of the medical bills. If there is anything that can destroy a family, it is long term medical costs that they are unable to bear. I hope and pray that when the Kenyan people go to the next elections, the most important criterion is to listen to those who are aspiring to be governors. Do they talk about health; do they prioritise health; and do they present workable solutions to the health crisis that we have in this country? We lose people to many preventable diseases that could have easily been sorted out at an early stage.

With those few remarks, Hon. Speaker, I support but we can bring some amendments. Thank you.

Hon. Speaker: Hon. Rasso.

Hon. Ali Rasso, (Saku, JP): Thank you very much, Hon. Speaker. I wish to comment on this omnibus Bill, of the Health Laws (Amendment) Bill (No. 2) of 2021.

Hon. Speaker, eventually I think you are likely to be the gate keeper, the depository of knowledge in this House. As I look around the House, this is a very important Bill, about this country. It is about the health of this nation. It proposes certain fundamental changes to the existing arts within the health laws that have been enacted by this House.

The absence of the Chairperson and key Members of the Health Committee is telling, but having said that, the purpose of legislation is to enhance governance, to gauge in effectiveness and efficiency in performance of functions and duties, to gauge institutions and individuals.

This House as it enacts laws or as it amends the old laws, must take into consideration the object of doing this. When we have the omnibus Bill, I think largely the omnibus is intended to bring about correction, not fundamental changes to existing acts and laws that superintendent institution.

Hon. Speaker, having looked at this amendment that has been suggested, I see an attempt to inject bureaucracy to control, as opposed to injecting professionalism that we can extend to add value in the way we are able to control the health institution.

I think as Government the purpose of government is to provide services and inject resources and at the same time to make sure that those resources are used purposefully.

Hon. Speaker, professional bodies as those that have been indicated in this omnibus Bill are legal bodies, constitutionally constituted by most qualified individuals and that is how

important it is, that as we bring this Bill before the House we must look at how much public participation has taken place and what we mean by public participation

In this particular omnibus Bill, public participation involves the public who are consumers and the stakeholders who are the main players in the health arena. My colleagues who have spoken before me were very clear that we enacted the National Health Insurance Fund hardly a month ago and we now suddenly have an omnibus amendment that is suggesting a particular change. I am not sure whether those who have moved the amendment have looked at the exact Bill which was recently signed into an act of Parliament.

Hon. Speaker, as Bills come before the Committees of the National Assembly, they are scrutinised. I am certain that if there are major changes or the Committee proposes rafts of amendments to what has been brought before the House, then maybe that Bill was not properly crafted from the beginning. We must be careful and to actually ask ourselves whether it is necessary to return the Bill to the originators so that they look through it as opposed to the Committee appearing to be making the Bill themselves.

Hon. Speaker, at this point in time in the life of the 12th Parliament, there are certain laws that can easily be enacted without the participation of most of us. If these particular laws sneak through the House, in the long run, they will have far reaching ramification on institutions and on the way those particular laws can be objectively implemented. The implementers might find it very difficult and end up blaming the National Assembly for crafting or coming up with bad laws that are difficult to implement.

For these and other reasons, I would like to congratulate the Leader of the Majority Party, who is now a permanent feature in this House. Some Committee Chairs have taken flight so that certain laws take a longer time to be enacted as opposed to rushing them through the House.

Hon. Speaker, with those remarks, I thank you and beg to support.

Hon. Speaker: Hon. Members, I do not see any further interest. So, I call upon the Mover to reply. Leader of the Majority Party.

Hon. Amos Kimunya (Kipipiri, JP): Thank you, Hon. Speaker. Debate on this Bill started yesterday and I am grateful to the Members who have found time to contribute. As I said while moving yesterday, this Bill was introduced at the beginning of last year but it had to go through extensive consultation as issues were raised on it. This is perhaps the Bill where the public has participated most. So, I want to assure Members that in terms of public participation, this Bill has received extensive public participation and input from committee Members and members who are from the medical profession.

If you look at the committee Report, Members will actually notice that there is a whole raft of amendments which Hon. (Dr.) Nyikal and Hon. Millie have mentioned. If those amendments are implemented, even the reservations that Members have on the Bill will be sorted.

As I was moving this Bill yesterday I mentioned that inclusion of the National Health Insurance Fund in that original Bill was an issue of timing. This Bill had been done even before we brought the NHIF Bill. I had anticipated to do some of the things that we eventually did and carried in the NHIF Bill, hence, any references to the NHIF Bill now will be sorted out at the Committee of the whole House through amendments to remove them because they have already been incorporated in an Act that has been signed. I had indicated that yesterday and I think we will continue from there.

It is the same thing in terms of the issues of top-heavy representation. This is one of the issues that had caused problems and many regulatory agencies had to appeal to Members for

intervention. We also agree that we cannot have many Government officials within the regulatory bodies being covered by the Act.

By and large, it is a very good Bill especially with the amendments that will have gone through the Departmental Committee on Health at different stages. I look forward to Members participating. As Hon. Rasso has said, when we come to the Committee of the whole House, we can ensure that we amend this Bill to accord with the wishes of the House.

With those remarks, I want to thank Members who participated. I look forward to their participation at the Committee of the whole House.

I beg to reply.

Hon. Speaker: Very well, Hon. Members, for obvious reasons, we will defer putting of the Question to tomorrow afternoon.

Next Order.

(Putting of the Question deferred)

Second Reading

THE COFFEE BILL (SENATE BILL NO .22 OF 2020)

Hon. Speaker: I do not see the Chairperson of the Committee.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, the Chairperson of the Committee has kindly requested that we step down this Bill because they are still in consultation with his Committee Members and some of the stakeholders. He will bring their Report in the course of next week. As at now, we do not have the Report. We are using the Senate Bill to link and harmonise it with this Bill that we introduced in this House. The committee is at the final stage of harmonising the two and they would wish to bring a full report rather than a progress Report in the course of next week. So, I ask that we agree to his request that we step it down for now.

Hon. Speaker: Would you then suggest that we put it in the Order Paper next week or the week after?

Hon. Amos Kimunya (Kipipiri, JP): Next week we had agreed to do Budget issues. Realistically, it might be best we do it the week after.

Hon. Speaker: Therefore, the Bill has been stood down. We now move to the next Order.

(Bill deferred)

THE SACCO SOCIETIES (AMENDMENT) BILL

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I beg to move that the Savings and Credit Co-operative (SACCO) Societies (Amendment) Bill (National Assembly No. 55 of 2021) be now read a Second Time.

As Members would be aware, this Bill is a republication of the SACCO Societies (Amendment) Bill No. 16 of 2018 which had already gone through this House. It was passed at the end of 2018 and was assented to. However, following the case that was sent to the courts by the Senate, the High Court on 29th of October 2020 declared her position in the Constitutional Petition No. 353 of 2019 that nullified 23 Bills and the SACCO Societies Act No. 18 of 2018 was one of them.

As the Court of Appeal reversed the High Courts' decision regarding the nullification of 20 Acts, three of those Acts including this one were upheld. The decision to nullify this particular one was upheld on the understanding that it had not gone to the Senate. So, the decision that we then took from House Business Committee (HBC) and following guidance from the Chair was that we republish this Bill. It had already gone through public participation and it has been completed in this House for purposes of then forwarding it to the Senate. The bits that the courts were uncomfortable with, that it had not gone to the Senate, will now be completed. If we concur with everything, we can then have it reassented to, so that it can become law. It is so clear to everyone what the content of this Bill was. It was thoroughly debated in this House. Public Participation was done and the Members unanimously agreed to it. Therefore, apart from just highlighting what this Bill intends to do, this is something to just refresh our minds.

This Bill is providing for establishment and operationalisation of an electronic filing system for all the statutory terms and documents by the SACCO Societies.

It also makes provision for the issuance and publication of specific guidelines and directions on how the electronic processes are supposed to be realised.

Generally, looking at the issues more specifically, the Bill seeks to modernize the operations of SACCOs in Kenya. Some of the processes that it is talking to is the registration of the SACCOs through introduction of an electronic filing system, issuance and cancellation of authentication codes to the registered users, the process of transmission of documents and other relevant information, correction of errors if any, amendments to statutory terms, documents and other information and remedy procedures in case of breakdown of the electronic system amongst other things.

This Bill also proposes to alter the SACCO Societies Act No. 14 of 2008 by amending Section 53 which allows the use of Information Communication Technology in collection and receipt of statutory instruments.

Clause 9 further states that an authority be established and administer electronic filing system to electronically submit statutory terms and documents. These were the amendments that were being proposed. The provisions of this Bill will reduce the regulatory reporting burden on SACCOs. They will ensure faster and more efficient accurate reporting; monitoring and analysis of the financial conditions of the SACCOs as well as introducing the risk-based supervision on the SACCO societies.

The Bill also intends to harmonise the definition of "minister" to bring it into accord with the constitutional reference of 'Cabinet Secretary'. The responsibility of the Office of the Controller General as expressed in the Act will be harmonised with the Constitution.

It is a straightforward matter. We had gone through this Bill and everything was passed. It was challenged in the courts because SACCOs are one part of the devolved functions and the High Court agreed that indeed on this particular Bill, we should have taken it to the Senate for their input. We hope by redoing it afresh and passing it then take it to the Senate, it would have completed the journey as required by law.

[The Speaker (Hon. Justin Muturi) left the Chair]

[The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya) took the Chair]

With those few remarks, I beg to move. I ask Hon. Nduati Ngugi to second. He has put quite some time on this and is a Member of the Departmental Committee on Trade, Industry and Cooperatives. I am also aware Hon. Oundo is here and he will be giving his input.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Nduati.

Hon. Joseph Nduati (Gatanga, JP): Thank you very much, Hon. Temporary Deputy Speaker. As the Leader of the Majority Party has said, this Bill had gone through the Departmental Committee on Trade, Industry and Cooperatives and we did justice to it. It went through public participation and it was brought here for First Reading, Second Reading and it passed in the Committee of the whole House. So, it underwent all the stages and the SACCO societies also participated and supported the Bill.

Hon. Temporary Deputy Speaker, I beg to second.

(Question proposed)

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Funyula.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to contribute to this Bill. As the Leader of the Majority Party has said and as my colleague in the Departmental Committee on Trade, Industry and Cooperatives has said, we had actually discussed and dispensed with this Bill both at the Departmental Committee on Trade, Industry and Cooperatives and as well as on the Floor of this House. But, obviously, following the litigious nature of our sibling who is idle, instead of dealing with devolved issues, they want to get involved in mundane issues. It has come back to the Floor of the House for purposes of complying with the court ruling and the appeal case.

Essentially the thrust of the Bill is to provide for electronic filing of returns. This is in line with the ongoing digitisation of Government services. As it has been the practice in the past, any cooperative society or any SACCO that is required to file returns it is required to carry hard copies and take to relevant offices. The purpose of electronic filing system is to ease the burden of paperwork; ease the burden of travel and to ease the burden related to wrong filing. It is therefore expected that the electronic filing system will ensure risk-based supervision of cooperative societies and SACCOs and will allow for timely intervention in the event there is any mismanagement or unprofessional issues at the SACCO.

It is also important that this gives the SACCO Societies Regulatory Authority (SASRA) which is the supervisory or regulatory authority a chance to review online and in real time any matter relating to SACCOs and societies. In supporting this amendment Bill, we need to emphasise the important role of the cooperative movement in this country, we need to emphasise the important role of the SACCOs to the extent they raise funds and members use the funds to address various issues and challenges in their personal lives.

With those few remarks, I support the Bill because we already made comments on it and there is nothing more we are adding. I urge my colleagues to pass it so that it is taken to the Senate so that they can finalise the matter and give SASRA the opportunity to supervise and manage SACCOs adequately and efficiently.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Member, who else is interested in making contribution? This is an important Bill. If there be no further interest, I call upon the Mover to reply.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, I thank the Secunder and the Member who has contributed. It is understandable the fact that Members had expressed their debate on this and we are only doing it for technical purposes to help complete what had not been completed. I understand the reduced interest in contribution. But nonetheless, I thank the Members for being here and having contributed.

I beg to reply.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): We shall defer putting of the Question until we have it next in the Order Paper.

(Putting of the Question deferred)

Let us move to the next Order.

MOTION

OFFICIAL DOCUMENTING OF THE HISTORY OF THE NATIONAL ASSEMBLY

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Leader of the Majority Party.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, aware that the history of any institution is key to evaluating its development; further aware that documenting history provides a knowledge bank for future generations; noting that the history of the Parliament of Kenya is largely unrecorded, scattered and piecemeal; further noting that most comparable jurisdictions have elaborate records of their history which are periodically updated to capture new developments; cognisant of the fact that the Parliament of Kenya marks its 115th anniversary this year having been established as the Legislative Council (LegCo) in August 1907; further cognisant that the legislature has been transforming in the last century both in mandate and composition starting as a fused unicameral legislature, to a bicameral one at independence to a unicameral legislature before again reverting to a bicameral Parliament after the promulgation of the Constitution of Kenya 2010; recognising the many works of arts, including statues, frescoes, murals and pictures connected with the history of the Parliament of Kenya, including the contributions of great men and women, families, architects and politicians throughout the 114 years of the history of the institution, and its transformation and growth throughout the period; now therefore, in order to ensure the preservation of the history of the institution for future generations, this House resolves:

1. THAT, at an appropriate stage, the House appoints a Committee comprising of not more than nine (9) Members to oversee the preservation of these histories for posterity, with special focus on the National Assembly;
2. THAT, the copyrights of the History of Parliament of Kenya projects be reserved for the benefit of Parliament and the people of Kenya; and,
3. THAT, the Clerk of the National Assembly puts in place and executes appropriate mechanisms to actualise this Resolution.

We had started debate on this Motion in the last Session. Obviously, that died with the Fifth Session. So, this is a reintroduction of that intention in the realisation that our Parliament has come a long way. For those who have read some history, the first legislative council, the LegCo, sat in a small corrugated iron building on Haile Selassie Avenue which was then known as White House Road, just across from these Chambers. It remained there for 17 years. We also know the Bank of India Building on Kenyatta Avenue has its history. The LegCo started meeting there in 1924. It was then known as the Memorial Hall. From that building between 1924 to 1954, the Legco transacted business for 30 years before it moved to the buildings that we know today as the Parliament.

This information is recorded by the first Speaker of the National Assembly, the late Humphrey Slade who served this Parliament from 1967 to 1970, at pages 59 to 60 in his book *The Parliament of Kenya*. This book was published in 1967 by the East African Publishing House. At that time, the book used to cost Kshs3. It is a very rare book, for those who might be lucky to get it. I am recounting these details just to demonstrate a few things:

One, we have a very rich history, but one that we hardly know of. It is largely unrecorded. Where it is recorded, it is scattered. Two, it is important that we have a repository of our unique history and heritage to which we can always go back to, read, touch, feel and be part of. Especially with the young generation that is now moving towards their phones, play stations and all that. In the near future we probably will never have anyone who can tell you what happens in Parliament and what happened in Parliament where there are these traditions we keep talking of—that Parliament is about its history, traditions and pronouncements. We could lose all that if we do not get into this documentation.

The third reason I am recounting these details is that, as Chinua Achebe, the world acclaimed Nigerian novelist and essayist, once said: “there is that great proverb—until the lions have their own historians, the history of the hunt will always glorify the hunter”.

Therefore, we need to tell our history. We have seen the distortion that has happened to our history of Kenya, depending on who tells that story. If you are reading from the colonial books you will find that, much as the mountains have been there and Mt. Kenya has always been there with its different names, we are told in the books that the first man to see Mt. Kenya was a certain colonialist. The first person to discover Nyahururu Falls was *somebody* Thompson. But, it has always been there. It is said so because the locals had never documented it or claimed it. Getting to our Lake Victoria being named after queens, we risk. Even for the Parliament of Kenya, some people may not even know some of these things. It could be written in history from a different perspective.

It gives me great pleasure to move this Motion. Also to note is that other parliaments have been doing the same in their documentation. If you look at our United Kingdom counterpart, the Parliament in the United Kingdom has what they call the Preservation and Access Team which ensures that all precious collections are cared for, conserved and prepared for digitisation or loan. They have the Information and Records Management Service which goes by the abbreviation IRMS. It supports the management and protection of parliamentary information. Indeed, because of this documentation, the Westminster and its traditions become part of the United Kingdom’s tourism. It attracts quite a number of visitors who go there because they have read and know about those traditions. Even the Speaker’s procession is one of the things that people queue to wait for so that they can record and view, because of the significance it has been accorded. All this is because, once it is documented, people in other jurisdictions can know about it and get it.

When you go to the Congress in the USA, there is what they call The Centre for Legislative Archives. This is where you find all the historical records of the House of Representatives as well as the Senate. The New Zealand has historical Bills which are again accessible online. They have a massive collection of as far back as 1854. These are just examples that are to buttress the point that this is a path others have trodden with success. There is no reason Parliament of Kenya cannot do the same.

We also know we will not be starting from zero. We have made some progress; we have made some strides. We have the Parliamentary Broadcasting Unit (PBU) and livestreaming of parliamentary proceedings which has already archived a fair bit of what has been happening. We have our social media handles and websites that contain thousands of photographs of this House in action—whether in Committees or in Chamber, or when the Hon. Speaker is meeting with visiting dignitaries. We also know, and the Hon. Speaker knows this because we sit together in the Liaison Committee, that we have been having this annual showcasing of the work of Committees of Parliament. It is all documented in bits. So, at least there is somewhere to start. But it is all scattered and I am not sure how much we will get if we went to our library for some of the contributions. How easy is it to get what Hon. T.J. Kajwang’ said on a certain day? I am sure he would want generations to come to be quoting him. Even for some of the drama we have had in this House, for whatever reason, it would be important to see all that being recorded.

I am also aware that if you were to search our website, that is the Parliament Website, you will access a fact sheet on the history of Parliament. Again, this is a small publication but it is a great start. I am told that we have about 30 such publications. Again, it is scattered depending with who wrote it, and from what perspective. I also know one of the former Clerks, Mr. Gichohi, wrote something about Parliament. I am sure there will be several others who might help in documenting this, either from memory or directly. After 115 years, if we do not document what we have, we are likely to lose it and confuse future generations. We will not be doing justice to the history of this nation and Parliament.

I have mentioned the two documentaries that were produced by this House in terms of the interviews of the Committee Chairs. There was another documentary that was done recently; Members may have seen it or not. It is titled: “A House Defying COVID-19” documentary. Whereas these are not the only documentaries, it shows that this House has operated in different circumstances. We have had nine sessions and have responded to different circumstances that challenged how we do business. If we do not document them, those who will come after us may not know why we did things the way we did. What I am saying is that, it is important that we document.

What gives me great hope about this Motion is that all that we do here will be conserved and systemised. This generation and future generations will access and they will know what we are doing, why we are doing it, why we are doing it the way we are doing it, what others did before and why we changed things, and when we changed our Standing Orders and for what reasons. Hon. Speaker talked of not wanting to chair the Powers and Privileges Committee. The next generation will get to know why that is his position. As we move from the 12th Parliament to the 13th Parliament with a possible transition rate of 70 per cent plus, it will be easy to induct the new Members when we have these documentations. I believe this will be a gift to us and future generations. I beg to move and ask Hon. Engineer Nduati Ngugi, MP for Gatanga to second.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Nduati. Hon. Gikaria is available.

Hon. Joseph Nduati (Gatanga, JP): Thank you, Hon. Temporary Deputy Speaker. Hon. Gikaria, thank you. You have done his country proud as the former Chair of the Departmental Committee on Energy. You made your contribution that needs to also be documented. You should be fighting for the documentation of your achievements.

I want to support what the Leader of the Majority Party has said. This could have come much earlier. I had never been to this Parliament before I was elected in 2017. When I came here, I wanted to study the history of this Parliament but there was nothing. When you walk along the corridors of this Parliament as you enter this Chamber, you may think that the only people who have made contributions to this Parliament are the former Speakers because that is what you see on display. I know there are Members who have done much for this House. For example, the Leader of the Majority Party used to be a Finance Minister for a long time in this country and he did well. Such contributions should be available to our people.

As a Parliament, we have failed. There is a good example in the Judiciary. If you go there, they have a museum. In fact, it is a good place with a lot of knowledge to be learnt. You may want to spend three days there just to learn the history of the Judiciary. It is well displayed with people who have been judges of the High Court and other judiciary officials. So, as a House and an arm of the Government, we should borrow from the Judiciary and document our past. We are doing a new building. Part of what we should do on this side of the Parliamentary Square is to have our own museum where we can display our achievements. Hon. Temporary Deputy Speaker, you have done well as one of the Members of the Speaker's Panel. We should be able to read your contributions. As you go out to contest as a Governor, my kids and your kids should be able to follow what you have done here. There are many Bills that have been passed here and we can make a mistake because we do not have a good record of them. As we document the achievement of Members, we need to list down the Bills that have been passed here and have copies of the same electronically or on paper that students can come here and study. Majority of the Members here have done a lot for the country through the National Government Constituencies Development Fund. That is something that we need to document.

Parliament is known to be a great building in this country. However, as a Kenyan, when you walk around Parliament, you will see signs displaying that you are not supposed to take photos. That is quite unfair. That does not happen anywhere else in the world. That is something that we need to change. Kenyans are proud of this House. They should be allowed to come here and take photos. We should make a museum that they can visit anytime. They do not only have to listen to us through television and radio but they can come here and learn what we are doing.

With those few remarks, I second.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Order, Members! Order Hon. Halima.

(Question proposed)

Let us start with Hon. Gikaria David.

Hon. David Gikaria (Nakuru Town East, JP): Thank you, Hon. Temporary Deputy Speaker. Let me take this opportunity to first thank the President for having appointed me as the Chair of the Departmental Committee on Energy for the last four years. I appreciate that of the 349 Members, I served as the Chair. A lot of electrification has happened in the last four years under the Jubilee Government. I appreciate the good work that the Ministry of Energy has been doing. I

recognise that being appointed the Chair was not a mean score and the people of Nakuru Town East appreciate it. I thank the President for having given me the opportunity. I also appreciate that there have been other issues.

Hon. Ibrahim Ahmed (Wajir North, ODM): On a point of order.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Abdisalan, what is out of order?

Hon. Ibrahim Ahmed (Wajir North, ODM): Unless I did not read Standing Orders correctly, I do not think Hon. Gikaria was appointed by the President to be a Chair. According to the Standing Orders, he was supposed to be elected by members of the Committee. If his party gave him its goodwill, he should be clear about that. Otherwise, we are not aware of any appointment given to Hon. Gikaria by his Excellency the President.

Hon. David Gikaria (Nakuru Town East, JP): Hon. Temporary Deputy Speaker, I do not think the Member is a Jubilee Party member. As an ODM member, he would not have known.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Order, Hon. Gikaria. I have let you to make your statement following the reorganisation within Parliament. And I am doing it at my discretion, so contextualise the statement. Be brief and contextualise it within the Standing Orders. Be precise and specific so that you can contribute to what is before the House.

Hon. Peter Masara (Suna West, Independent): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Who is that Member?

Hon. Peter Masara (Suna West, Independent): Masara.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Masara.

Hon. Peter Masara (Suna West, Independent): Hon. Temporary Deputy Speaker, thank you for giving me this opportunity. Given that we have a serious business on the Floor of the House, is it in order for Hon. Gikaria to give us the history of how he became the Chairman of a Committee.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): You are out of order, Hon. Masara. Hon. Gikaria, go on. But remember that you should be contributing to the main Motion.

Hon. David Gikaria (Nakuru Town East, JP): Thank you, Hon. Temporary Deputy Speaker. Hon. Masara does not even realise that we are debating a Motion that talks about documentation. My having been appointed as a Committee Chair is part of the history that we are talking about.

All the same, let me thank the Leader of the Majority Party for having brought this Motion to the Floor of the House. I happen to have been a councillor at the Nakuru Municipality for 10 years and I was elected as the mayor in 2008. If you went to the municipal chambers, you would find the history on the mayors and councillors all over the place. History is very important. I appreciate and support this Motion. Indeed, we need the official documented history of the National Assembly and of Parliament generally. As the Leader of the Majority Party has indicated, it is true that without history this place will remain unknown. A Committee of nine Members of Parliament has been proposed. I hope the membership of the Committee will cut across and particularly include ranking Members. Hon. Jimmy Angwenyi, for example, would be a good source of the history that would be documented. I am not advocating for his inclusion on the Committee, but having been in Parliament for more than five terms it is important for us to consider him. We need the ranking Members.

This Parliament has transformed from what we used to know to the current state that includes use of digital gadgets both in the Chamber and in Committee rooms. This history is key.

Those who will come after us will be able to learn what was there. It has been suggested that the Clerk initiates the process of implementing this resolution. It is very important that before this Parliament comes to its end, the Clerk will be able to implement this resolution.

The Constitution gives a lot of responsibilities to Parliament. Those who will come after us or any other Kenyan who would want to know the performance of Parliament would be able to do so. This Parliament and the previous one have really performed based on the mandate given to us under Article 95, particularly in terms of legislation. Much as we will be remembered, a few negative things, such as fights between Members, should not be recorded or kept as part of the history of Parliament. For example, the other day a Member almost lost his eye. Much as we will record the happenings, only positive things should be included.

With those few remarks, I support this Motion and hope that implementation is fast-tracked before the end of the 12th Parliament.

With your permission, Hon. Temporary Deputy Speaker, I need your guidance. I do not know whether I should raise it now or later. I need your ruling on election of Chairpersons and Vice-Chairpersons of Committees. I want you to give a ruling on some weighty matters that I witnessed during the last elections, which could affect future elections. If you allow me, I would be able to ask the same quickly.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Not now, Hon. Gikaria. You may want to consult with the Clerk to determine the appropriate avenue. I do not know what it is you want to say, but you certainly cannot raise it now. Get advice from the Clerk.

Hon. David Gikaria (Nakuru Town East, JP): Okay, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): I do not know whether you were proposing to amend the Motion by saying we should record only the positive and not the negative. The Leader of the Majority Party, I hope you are listening. When you will be replying, you should be able to respond to such issues.

Hon. Abdisalan, Member for Wajir North.

Hon. Ibrahim Ahmed (Wajir North, ODM): Thank you, Hon. Temporary Deputy Speaker. Hon. Gikaria was a member of the county council. Recently I saw him fighting on the Floor of the House. Little did I know that this knowledge was gathered from the county council. I think this is part of the history that we need to learn.

That said, this Motion is long overdue. No doubt, the history of legislation in Kenya dates back to the colonial era when the Legislative Council was created. If I am not wrong, it had its first sitting on 17th August 1907. And the first Speaker was Sir Humphrey. This is history that we need to learn and appreciate. The first issue they discussed was to abolish the aspect of slavery.

As a country, it is important we learn history, understand where we are coming from, where we are and where we are going. Unless we make the right recommendation at the right time, we will not be in a position to understand where we are coming from. We will not be in a position to do correct evaluation of our performance if we do not have the right documentation. That said, to rightly, contribute on the Floor of this House, we must have documentation done, and Members improving through these documentations.

Hon. Temporary Deputy Speaker, in the Government sector and non-state actors, performance contract is signed between staff and their supervisors. We however do not have signed performance contracts between our electorates and us. Our performance on the Floor of this House in terms of the contribution as well as development ought to be documented so that when our electorates go through our performance, they can then understand that this Member is performing

well or not. That is the only aspect that will help them understand the performance of Members on the Floor.

Information is power and if we do not do collection and documentation of information at the right time, we will not be in a position to make any sort of informed decisions be it in terms of performance via electorates, or contributions on the Floor and development in our constituencies. As we do so, we must collect the right information as per constituency; what was allocated to constituency *abc* so that the Government understands the disparities that exist. We can then argue on the Floor of this House and show the disparity between constituencies like Wajir North, Nyeri or Murang'a where probably most resources of this country could be going.

We can only make this kind of comparison if we collect information at the right time and share with Members. It is important that we speed up this process, establish a library such that Members can go through these documentations and make the correct contribution on the Floor of this House. This is long overdue, and we should be looking at the aspect of cascading down this to the constituency level so that we may have some kind of a library. This is such that those people who cannot come all the way to Nairobi can access this information on a daily basis at our constituency offices. If they then engage us, they will do so from an informed point of view.

This is long overdue, I support and believe that the Parliamentary Service Commission will speed this process and ensure that the same is done on time.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Westlands.

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me a chance to contribute to this important Motion.

When you read the history of older Parliaments like the Westminster, the British Parliament, there is a lot you can read and understand. You will get to know how Motions were developed and how they used to do things. We have learnt from their records their history, and many Parliaments have established from that.

The history of any institution goes a long way in giving anybody coming to learn about that institution information on activities, events and everything when properly documented. These are permanent records and when properly aligned and given in an orderly manner, it would provide easy access. With internet, it is now very easy to get information. Just key in and you will find the information readily available. We, therefore, want history that would be properly recorded; every small detail that went on in the institution of Parliament, Members who were there at a particular time and their contribution. Hon. Tim Wanyonyi, the first Member to be elected on a wheel chair, is itself history. I went the hard way, campaigned and won a seat, won the second time and this time around, I will make another history of becoming the Governor of Nairobi. This will also be recorded as a person who has served in this Parliament with distinction and moved on to other levels.

Parliament has been around for long. There are Members who have served here and exited the scene but their contribution is still live, and if captured properly, it would even help future generations. When they will be making contribution they will be making references, read, look at what was passed at that time and see whether it is still relevant, which is very critical.

All Members here, be it elected or nominated, the Speaker and staff of Parliament have all made their contribution. During the COVID-19 pandemic, Parliament sat in a very unusual time, and that in itself, is self-history. We had to amend our Standing Orders and change how we operate. Members had to come only after being listed on the Order Paper. That shows how Parliament can adjust and work within certain parameters. The history of this Parliament, documentation of all

events and activities including at the Committee stage where people do not know how it functions is important. People think that Parliament only functions at the plenary but, it is at the Committees where all laws are refined and done. Most work is done at the Committee. When new Members in the near future come, they can go to the library, dig in the books, look at the records and read about proceedings of the Parliament and all that.

I support this Motion and believe it will go a long way to document the activities of this House.

Thank you for giving me an opportunity to support.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Oundo Ojiambo.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker.

I stand to Support the Motion as read and moved by the Leader of the Majority Party in respect of documenting the history of the Parliament of Kenya.

In fullness of time and unfortunately, it is not around but is on *Hansard*, it will be erroneous to talk about the National Assembly instead of Parliament of Kenya. Prior to the 2010 Constitution, we had Parliament. That is a historical fact that we cannot erase.

Secondly, we have two Chambers. The senior Chamber is the National Assembly and the busybody Chamber is the Senate. Nevertheless, we cannot assume that they do not exist in history.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Oundo, the Senate is part of the Parliament that you are part of. You need to withdraw that statement. They are elected Members of Parliament like you.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker. I stand guided. I withdraw the statement.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): You can say that we have the Upper House and the Lower House. However, do not call them busybodies.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): I withdraw that statement and substitute that the Upper House is the National Assembly and the Lower House is the Senate. They become part and parcel of the history of the legislative arm of Government.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Oundo, things happen mysteriously. You might find yourself being a Member of the Senate at one time. Never say "Never." Withdrawing that statement is fair to them.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker. I am unlikely to go to the Senate in the foreseeable future because there is more work to be done in the National Assembly than in the Senate. Nevertheless, we appreciate that they are part and parcel of the Parliament of Kenya. Therefore, the Motion ought to be appropriately worded to include all the issues concerning the history of the legislative arm of the Government of Kenya.

The Motion sounds a bit vague. The words "appropriate stage" are wide open. I do not know when the appropriate stage is. A properly worded Motion should be very specific in terms of the timelines within which it is supposed to be executed. As it stands, whoever is supposed to execute this Motion should consult the Clerk of the National Assembly and then he or she may argue that it is not the appropriate stage.

Secondly, this is a fairly lengthy process to document history. It is time-consuming. As we stand, even if we select nine Members who are fighting for their political survival, I am not so sure that they will have the time and energy to concentrate and document the history of this Parliament. The attrition rate of the National Assembly is alleged to be about 75 per cent. What happens if we

select nine Members and all of them do not make it back to this House after the general elections? It means that the work that they will have started will go down the drain. The appropriate stage should be the half-term of the 13th Parliament. Again, we face the dilemma that a Motion which is passed in one Parliament may not be implemented in the next one. Obviously, as well-intended as it is, this Motion has quite a number of practical challenges in terms of implementation. If the Leader of the Majority Party was here, he would have a relook at it and probably restate it or set it afresh.

As many of us were growing up, we always wished to sit in the National Assembly and deliberate on matters which touch on the affairs of this country. Indeed, for the last four-and-a-half years that I have been here, I have no regrets at all. I feel satisfied that we have contributed and discussed this matter. Hardly are you recognised for speaking in this House, especially on critical and serious matters. Many a time, what is recorded in the newspapers and other media are those who use prime time to hurl insults at each other and those who use funeral gatherings and public rallies to make statements that can inflame this country.

As my colleagues have stated, the work that is done in the Committees will be recorded properly. The work that is done in the Committee of the whole House, where draft laws are cleaned and passed, is recorded properly. So, the history of this House records positive contributors – those who made quality contribution in terms of making quality policy and legal frameworks for good decision-making in this country.

History is important. You cannot disregard it. Those who go around pontificating or telling us that history does not matter are self-serving. They do not mean what they say. If you have no history, you can never have a future. If you do not remember the present, you cannot have a future. The present will be history tomorrow. Therefore, it is important for all of us to document what happens in this country, and to continuously remind our children and grandchildren where this country has come from. The western world takes so much pride in the history of their countries. If you talk to any American, he will talk about civil war and the end of slavery. If you go to the United Kingdom, they will talk about the Roman Empire. It beats logic for us, as leaders, to say that history does not matter. If history does not matter, in their wisdom, the Judiciary and other institutions would not be keeping history. For example, if you ask Christians, they will tell you when the first church was established. They will do it with a lot of pride. If you listen to Muslims, they will tell you their history. If you go to any fabled families, they will tell you their history. That is why I urge all Members at our individual capacities or level, and at the family level, to document our roots so that we pass over that history to our children so that they may know exactly what happened and what laid the foundation for them.

With those few remarks, I support the Motion. I will talk to the Leader of the Majority Party to see if the Motion can be amended, so that the final version can reflect the correct context of the matter.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): That is what I was about to say. I wish the Leader of the Majority Party is here because you have raised some fundamental issues. He was listening because he is right here. You have raised a substantive issue that he needs to take into account. Hon. Oundo, you can have some exchanges with the Leader of the Majority Party on the same.

Member for Keiyo South, Hon. Kipkogei.

Hon. Daniel Rono (Keiyo South, JP): Thank you, Hon. Temporary Deputy Speaker for giving me this chance to weigh in on this matter of our history. This is a very important step that the Leader of the Majority Party is taking on behalf of this House.

I want to laud Hon. Oundo, who has just spoken. He has talked about the Committee that we will form to consider this matter. It should not just be a Committee of this House. It should also involve those who were here before us. Those who are still alive can assist in documenting the history of Parliament. Why is this history important? There is no way you can know that we have moved without history. For instance, over time, we have moved from analogue to digital systems.

We need to preserve the seats that our former Members of Parliament were using. We need our grandchildren to see them. We not only need to document our history but also we need to have a Parliament museum where we will preserve old furniture that this House used earlier on.

Another issue that has come out clearly is the contributions that former Members made, including us now. They should equally be well documented. We have the history and people who have actually broken record by being here longer than we can imagine. I have in mind even my former MP, the late Nicholas Biwott, who sat in this House for 30 years. He needs to be documented because we need to actually know by now who has been here longer than the other and who follows the individual who is leading. That is the history we need with regard to Parliament. If countries like the United Kingdom and the United States of America are doing it, we can also do it. When we visited a certain state in the USA, we saw that they had preserved their parliamentary history. You could see a book on the history of Parliament in the USA. We can borrow a leaf from the countries that have actually documented the history of their parliaments. Our work will be easier if we carry out this important task.

I commend the Leader of the Majority Party. Let us identify the right people to carry out this task because it will not just be carried out here but they will need to go out and interview elderly people and read books. It will take time. We also need resources because you cannot handle that task without the necessary resources and the technical knowhow.

With those remarks, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Francis Masara.

Hon. Peter Masara (Suna West, Independent): Thank you, Hon. Temporary Deputy Speaker. Today I am a very happy person. I am very happy because the right things are happening when I am still in this House. I want to appreciate the Leader of the Majority Party, Hon. Amos Kimunya, for presenting such a Motion at the right time. Without history, we cannot know what happened before we came into this country. Therefore, I support this Motion because it will help the current generation and even future generations to understand the history of our Parliament.

At one time I happened to visit the oldest Parliament – the Parliament of the Isle of Man in Britain. If you get to that Parliament there is a specific officer who will use 30 minutes to take you through its history. At the end of that officer's presentation you will ask very few questions about that Parliament. You get informed and you contribute from an informed position. Today is a very good day.

Hon. Temporary Deputy Speaker, as much as other communities are struggling to maintain their traditions, the community you come from has tried in that respect. Today God has done a good work that you are the person sitting on the Chair to officiate this Motion. History will also be written that you are a leader from that community who is also going to vie for governorship. That cannot go unwritten. You know if we do not document such information, people may not know. Remember the reasons as to why I support this Motion. When affirmative action was introduced in this country, many female MPs were nominated but in the subsequent election, some

of them got elected. We can give an example of Hon. Millie Odhiambo. You cannot read the history of this august House without mentioning the name of Hon. Millie Odhiambo for her contribution. If you do not document such things, nobody will ever know and there will come a time when people will be crying that men should be given opportunity to lead. Then we will give an example in history that there was a time when women were given opportunity and they excelled in their leadership.

I know we are going to succeed in this course. We need to start an institute where ranking Members of Parliament can serve as lecturers. Imagine the contributions of people like Prof. Anyang'-Nyong'o, Hon. Orengo, Hon. Duale, the late Hon. Jakoyo Midiwo and Ouma Muga. Those who are still alive and have not got opportunity to be elected again to serve in this House can serve as lecturers to other parliamentarians in an institute established by the National Assembly. At times I look at our country. In countries like the USA, once you have served in a position, you are not left to retire at home with the wealth of knowledge that you have. In Kenya, once you exit office, nobody cares about you. Remember the investment that the country has put in such individuals. If they can be used in an institute based on this history, then this country will be a very rich country.

I am happy that I got an opportunity to be in this House this particular evening. Hon. Raila Amolo Odinga has been talking about history. He has been very categorical and passionate about history, and more so the history of our country – where we were, where we are now and where we want to go. We cannot project where we want to go if we do not know where we were yesterday. We cannot succeed tomorrow if we do not know what happened to us today. History is like a foundation. It guides us on how to move forward. It reminds us of good things and bad things which happened and then we make informed decisions based on that history. This is a very good Motion. Even if we have to appoint nine Members, so be it. I request that even those Members who are not here, but who worked for Parliament, who contributed and who were elected two or three times need to be included in that committee so that we can exploit the wealth of knowledge they accumulated during their time.

I support that those who have been here for a long time need to be given opportunity. Hon. Naomi Shaban has been here for as long as you can remember. Others are Hon. Jimmy Angwenyi and Hon. Adan Keynan. Whether such people are re-elected to Parliament or not, you cannot erase what they have in terms of knowledge for our great Parliament. Should we succeed in doing this, history will judge us well because those who will be reading will refer to this initiative. They will ask who initiated this process. Our names will be written somewhere. I am sure when they will be writing that history they will write that Hon. Peter Masara contributed on this particular day.

With those remarks, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Racheal Nyamai.

Hon. (Ms.) Racheal Nyamai (Kitui South, JP): Thank you very much, Hon. Temporary Deputy Speaker, for giving me an opportunity to contribute to this Motion on official documentation of the history of the National Assembly.

This is a House where the representatives of the people of Kenya sit to deal with issues affecting this country. There are so many great men and women of this country who have come here and handled serious issues of this country and left a footprint that we may not be able to talk about today. I would like to thank the Leader of the Majority Party this evening for having come up with this Motion where we are going to come up with a committee of nine Members which will deliberate on how this can be done. This is in, indeed, a noble activity that has been initiated by the Leader of the Majority Party. I would like to congratulate him.

I note that the Parliament of Kenya is 114 years old since its inception during the colonial time. Many people have served in this House. Therefore, the history of the institution of Parliament needs to be documented. I thank the Leader of the Majority Party because he is focusing on the National Assembly. Since he is the one who has come up with the initiative, I think the Senate can catch up with us later or they can find a way of embracing this important initiative since they have also done a lot for this country in the 10 years they have been in existence.

As the Members who have spoken before me have said, including Hon. Masara, as we identify the nine Members, it is important to give priority to those who have been here for a while. They are the ones who may have the memory of what used to happen. They should take advantage of the digital era where a lot has been done in the last about 15 years and should be documented.

I see an opportunity where the work that has been done in this House through representation, legislation and oversight being documented and used by our younger generations to even come up with investment where they could use platforms like *YouTube* and *Tik Tok* to showcase what has been going on in this Parliament.

There is a lot of information sharing that goes on in this House. Just as my colleagues have said, I would not like the violence to be documented. There is a lot that the young people of this country can document.

I would also like to say that they will not be re-inventing the wheel because as I look at this Motion, I realize that there are other Parliaments that have already done it. So, most likely, the Committee will be looking at what other Parliaments have been able to do and try to be innovative to relate it with the case of Kenya.

All in all, the situation in this country is that there has been a lot of monitoring and evaluation going on in Ministries and semi-autonomous agencies and parastatals thus warranting the establishment of a department of monitoring and evaluation in various institutions. Therefore, I would like to suggest that this is something that the proposed committee can also identify as an opportunity where they can establish a fully-fledged department that checks on what goes on every day with a view to identifying what is interesting so that it can be documented and at the end of the life of each Parliament – at a time like now – they can just put that information together.

This may not be the best time to come up with the proposed committee. I support that it happens as quickly as today. In the future, they can make a decision to have the committee in place a year earlier so that members can have adequate time and be in the right frame of mind because this is something that requires time. I know that at a time like now, six seven months before the general election, is not a good time to constitute the proposed committee. Even the kind of Members being targeted by this Motion, like Hon. Shaban, Hon. Jimmy Angwenyi, Hon. Keynan and others, who have been elected to this House three terms or more, would be in a much better state to deal with this important matter if it had been brought up much earlier.

Future Parliaments, especially the 13th Parliament, will have a lot of information to be documented. This is a time we have experienced COVID-19. I hope in the future we will not be in a situation like this. It will be useful to document how the leadership of this House, comprising of our very own Speaker, Hon. J.B. Muturi and other leaders of Parliament, became innovative to ensure that Parliament conducted its mandate without being stopped by COVID-19. I hope this will be documented, showing what Parliament has had to do to ensure that its work did not stop because of a pandemic.

I believe Parliament never looked this beautiful many years ago. I have actually seen photos of people like Hon. Kalonzo Musyoka, Hon. Charity Ngilu and a former Member called Hon. Mwangi seated in this House on benches. As my colleagues have said, this needs to be documented

so that young people can appreciate where we come from. It was not this beautiful; it was not beautifully marked. We did not have the red seats that we sit on today. We need to document that the beautiful seats we have here were not imported, they were manufactured by an institution of this country. I understand that they were made by the Prisons Department. These are things we can appreciate by having this documented.

I would also like to say that this is not an easy exercise. It is one that requires proper funding and expert consultancy because it will showcase work done by an arm of the Government. I hope the Leader of the Majority Party is also thinking of a situation where this is going to be financed and identify the best consultant who has done it before so that it comes out the way he envisages.

I have seen that the Parliament of UK has recorded how it evolved from the early days up to now. I believe we have had wonderful Speakers, starting with our own Speakers, Hon. J.B. Mururi and Hon. Marende. I was not here but I recall what I used to watch him do in this House. These are things our children will appreciate and get it on their phones just at a push of a button. So, it will not only be documented and kept in cupboards but it will be documented and shared as widely as possible using contemporary technology. It will also be used as a money generating activity. If it is interesting and it is in *YouTube*, Parliament can make money out of it.

A lot of work goes on in Committees. There are people seated somewhere in this country who may not have seen their Members of Parliament speak on the Floor of this House. It is important to showcase what goes on in the Committees and what the Members say although they can get it on the *Hansard*. I believe when we come up with the nine-Member Committee that is being discussed this evening, it will also indicate what goes on in Committees. The Committee will highlight how the legislation process takes place, laying emphasis on enactment of Bills into laws through interaction with the communities through public participation and interacting with Petitions where it even gets hot at times. I believe this is a wonderful and noble idea that our Leader of the Majority Party has come up with. It deserves to be given much support.

Hon. Temporary Deputy Speaker, I thank you for giving me this chance. I also thank the people of Kitui South for electing me to this House and giving me a chance to talk about the history of Parliament this evening.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): I call upon the Member for Karachuonyo, Hon. Okuome Adipo, to contribute to this debate.

Hon. Adipo Okuome (Karachuonyo, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to comment on this important issue.

History is very important for human beings whether in relation to an individual or an institution. I see it indicated here that the Parliament of Kenya or the National Assembly was started in 1907. That important information alone makes me excited. I begin to feel that I am a Member of an institution which has gone through stages and progress bringing us to what we are today.

Recording this and making it known to all and sundry, and to those who will come after us, is by itself a very important thing. We should do it. I did not know that there was a time when this Parliament existed when there was no black man sitting in the Chamber of Parliament. It is important for us to know all this information. Whatever they discussed, and whoever they were, I may not know, but what they did is a process that built today's Parliament. It is recorded and we know it. We will find this information very useful. We should not deny ourselves such important information.

It later came to be known as the LeCo, as the author of the Motion has put it. We just hear about the LeCo but we may not get proper details of it if we do not have the form we are trying to

put in place. They did their part. Thereafter, came in the current Parliament, as we know it today, in 1963. All that kind of information is important. The transition from before 1963 to the period of independence up to now is another very important phase of our progress politically. We need this reflected in documents. We are lucky that we are today talking and we can talk digitally. We can store the information digitally. Therefore, what we are discussing is clearly possible. We should make use of that privilege we have. I know we had very important people in our history; parliamentarians. They are people who made history. They are named the world over. They left their names in our records, probably unwritten. These are people we should know by name and the contribution they made to this great nation. What we are trying to do will make information about these people available. That information can be useful to us.

Let me also state that whatever happened many years ago is still relevant in the present time in some cases. We can borrow the good things that happened at that time and use them for today. If we do not have any records of them, we may be missing very important information or something important for us – something we can use either in Parliament or outside it today.

Hon. Temporary Deputy Speaker, I support this Motion because I know it is useful for our knowledge today and in future.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Arbelle Marselino, Member for Laisamis.

Hon. Marselino Arbelle (Laisamis, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this gracious opportunity to add my voice in regard to the documentation of the history of the National Assembly. In this country and also the world over, history is the benchmark of every development aspect.

I know very well that Parliament is going to mark its 115th anniversary this year since the beginning of LeCo or what was known as the Legislative Council in August 1907. Many of our forefathers were part and parcel of the initial constitution making process that took place in the UK. Unfortunately, those people who participated in the LeCo, some of them during the *Mau Mau* period, have not been recognised. Some of them still believe that one day they will be recognised in the history of this country so that people can appreciate their effort. It is that LeCo that led to the birth of the National Assembly, to which I am part of today. Indeed, I am very grateful that I have, being the MP for Laisamis, always looked at the National Assembly and the debates that Members are having. When I was a student in school, I used to think that I would occupy one of the seats here one day. Indeed, that has come to be. I am very happy that I am one of the MPs serving in the 12th Parliament. Therefore, it is indeed a good progress.

Hon. Temporary Deputy Speaker, on this transformation from LeCo to this National Assembly, I also happened to travel to the UK one time. It was to a place called the Isle of Man. I came across information that civilisation started there. I could not believe that in the year 1815 there was a National Assembly running in the United Kingdom in a place called the Isle of Man. Today all parliaments, including the Kenyan Parliament, are able to benchmark with the Government of UK and many parliamentarians go there. I had the privilege to travel to the Isle of Man in UK. Indeed, it was worth going there. Our 2010 Constitution recognises and respects that transition from LegCo to the current National Assembly practices.

I also want to recognise our Speakers. The National Assembly cannot be talked about without mentioning our Speakers. We have Speakers like Hon. Marende and our current Speaker, Hon. Muturi, who is also vying for presidency in this country. We have Hon. Francis ole Kaparo, Hon. Bonaya Godana and one of our distinguished sons, Hon. Farah Maalim. It is important that we form a committee because the history of Parliament will have statutes, artefacts and other

materials that need to be put in place for generations that will come after us, for them to understand the long journey we have come through from the time of LegCo until today.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon Mwalyo Mbithi, Member for Masinga.

Hon. Joshua Mwalyo (Masinga, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to air my views on the history of Kenya's Parliament. History is very important because it tells us how we have developed from time immemorial up to now. It informs future generations of where we have come from. The history of Kenya's Parliament should be written so that people who will come to this Parliament in future – in 10 to 20 years – will read and know when Parliament started, who were the Speakers, the clerks and the Members of Parliament. They will know how the debates in Parliament were conducted. I am sure that the proposed nine-Member Committee that will be appointed will put all these together. It will have a lot of work to do. We allowed the old Members of Parliament to go without documenting them. Therefore, we will not be able to gather some of the things because we will not have the history of some old MPs who have passed on. We need to develop history books and put them in the libraries for future legislators to read and know, for example, how much MPs were earning. I understand Members of Parliament used to earn between Ksh35,000 and Ksh70,000. It is good history to document.

With those few remarks, Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Ruiru.

Mhe. Simon King'ara (Ruiru, JP): Asante, Mhe. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili nichangie jambo hili muhimu na maana la historia ya Bunge. Kusema ukweli, hapo mwanzoni labda hakukuwa na Wabunge Kenya. Lakini kuna ile siku kulikuwa na utekelezaji wa maendeleo hasa maendeleo ya kisiasa tukitumia Bunge kama kielelezo ama barabara ya kuwa na uwiano na maendeleo ya kisheria na kiuchumi. Kama hakuna historia ambayo watu wanawezaangalia, basi tutakuwa tumepotea. Nashukuru wale wamekuwa na fikira kama hizi na kuona ni muhimu kukuza historia ya Bunge.

Katika maendeleo ya Bunge hili, tuzingatie viti na vipasa sauti tunavyotumia hivi sasa. Wakati tulipoanza, tarakilishi haikuwa pale. Lakini kwa sababu ya utaratibu na teknolojia ambayo imekuwa ikionekana na kutekelezwa katika nchi zingine, sisi pia tukajiandaa ili kujaribu kufikia wale ambao wako mbele yetu. Kama hakukuwa na historia ya pahali watu wametoka au pahali maendeleo yamekuwa, basi ingekuwa vigumu sana kutekeleza mabadiliko. Kwa hivyo, mimi naunga mkono Hoja hii. Naomba wale walio na ujuzi, hata wale wako nje ya Bunge hili, waungane nasi ili tuweze kutengeneza historia nono ambayo itaelekeza Bunge letu mbele.

Shukrani kwa kunipatia nafasi ya kunena hayo.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Sigor, Hon. Lochakapong.

Hon. Peter Lochakapong (Sigor, JP): Thank you, Hon. Temporary Deputy Speaker, for this opportunity. I stand here to support the Motion. It is important to document the history of this House for future generations so that they can follow what has been happening from the time this House was established. It is a good idea and I wish everybody would support it. People coming after us should be able to know our history since the establishment of the House. They should know what has transpired, who was here and the contributions they made that have changed this country thus far.

With that, Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): There being no further interest, I call upon the Leader of the Majority Party to reply.

Hon. Amos Kimunya (Kipipiri, JP): Thank you, Hon. Temporary Deputy Speaker. I thank Members. I was actually excited to see the interest that this Motion has had given the number of Members who have contributed. Members appreciate the need for this documentation. I also take note of the comments that were made by Members, including Hon. Oundo. He had two issues including why the special focus on the National Assembly. Like I did mention, people have usually known Parliament to be this House. In fact, when you say you are a Member of Parliament, people hardly think of Senators, never mind that they have also decided to style themselves as “Senator so-and-so” instead of as Members of Parliament.

The special focus on the National Assembly is obviously what people have known as having been in existence for the 115 years. The Senate has been in existence since 2010 and once what happens in the National Assembly is documented, which we have no control over, we can then have our own Committee and Clerk to do it as our initiative and then invite the Senate to ride on us and our experiences. They can document their 10 years in existence building on the same. However, I believe somebody has to do the starting in order to avoid the complications that come with joint teams, especially in this case where one House has 115 years of history while the other has only 10 years. If we go the joint committee way, we might end up with some complications in that Committee. Going forward, I would rather we start with the National Assembly then we move on to the next level.

The other issue was what is meant by “an appropriate stage” when the committee would be appointed. The passage of this Motion, which I am sure will be passed the next time the Question is put, will trigger some sort of actions, including identification of persons. When the names of those persons are processed through the House Business Committee (HBC), they will then be brought to this House for approval. That “appropriate stage” will be dependent on when this Motion is passed. I am glad we have processed fast and early. Those are probably the two concerns. Otherwise, everything else was in agreement.

I assure you, Hon. Speaker and the House, that at the next meeting of the HBC, we will be reporting the progress of this Motion and triggering other actions that are necessary to realise the appointment of this committee to start working with the technical teams. This is so that between now and the time we adjourn in June, we will have probably set the stage for the 13th Parliament to continue with the documentation through that committee or a successor committee.

Hon. Temporary Deputy Speaker, thank you too for being there for the House. I know you would have wished to contribute in your own capacity, but we will be happy to incorporate any views that you may have as we go forward.

I look forward to you being part of the committee, especially with the experience you have had as the Chair and in liaison with a few other Members. There is still an opportunity to hear views on this venture.

With those words, I beg to reply.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Well said, Leader of the Majority Party.

We will defer the putting of the Question until we have it next on the Order Paper.

Next Order.

(Putting of the Question deferred)

BILLS*Second Reading*THE WILDLIFE CONSERVATION AND
MANAGEMENT (AMENDMENT) BILL

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Leader of the Majority Party, do you have a brief from the Chair?

Hon. Amos Kimunya (Kipipiri, JP): Indeed, there has been a change in the Chair of the Departmental Committee on Environment and Natural Resources. They were also very busy on the Supplementary Budget and had requested that this business be placed at another date when they would not be engaged. So, I wish that it be stepped down for now.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): It is so ordered.

(Bill deferred)

THE MENTAL HEALTH (AMENDMENT) BILL

Second Reading

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Again, I hope the Leader of the Majority Party you have a brief.

Hon. Amos Kimunya (Kipipiri, JP): The Chair of the Departmental Committee on Health has been processing the Bill and are yet to bring a report on it. They have requested that they be given more time to process the matters within the Committee, report to the House and then, be in a position to move this Bill. I ask that we step down this Bill for now.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): I order for the stepping down of Order No. 20 until it comes in the Order Paper again.

Next Order!

(Bill deferred)

THE CHILDREN (AMENDMENT) BILL

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Leader of the Majority Party.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, this is my Bill which I have prepared to move. However, the Committee and the Ministry have a meeting this weekend with a couple of other stakeholders to fine-tune the issues within it. It will be good to get that feedback so that as I move it, I will have the benefit of the stakeholders' input into the Bill. The Members will also have the benefit of the Report of the Committee which I was told it would be ready by next week.

I ask that we step this Bill down for now.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): It is so ordered. We shall step down the debate on Order No. 21 until it comes back on the Order Paper.

Next Order!

(Bill deferred)

THE ADVOCATES (AMENDMENT) BILL

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Leader of the Majority Party.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, the Departmental Committee on Justice and Legal Affairs is still debating on when it will be appropriate to bring this Bill on the Floor of the House. It has asked that we step it down until we get their advice. I will wait to hear from the Chair of the Committee on when they will be ready to move this Bill. We can step it down for now.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Leader of the Majority Party, you said that next week will be a Budget week. You know the season where we find ourselves in. You will have to push the Chairs unusually hard for obvious reasons.

Hon. Amos Kimunya (Kipipiri, JP): I agree with you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): I order that we step down Order No. 22 until it comes back on the Order Paper.

(Bill deferred)

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms) Soipan Tuya): Hon. Members, there being no further business, the House stands adjourned until Thursday, 10th February 2022 at 2.30 p.m.

The House rose at 6.43 p.m.