# THIRTEENTH PARLIAMENT

# THE SENATE

# OFFICIAL REPORT




## Fifth Session

**Wednesday, 4th November, 2026 at 2.30 p.m.**

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

**Wednesday, 4th November 2026**

*The House met at the Senate Chamber,*
*Parliament Buildings at 2.32 p.m.*

*[The Speaker (Hon. Kingi) in the Chair]*

PRAYER

DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum?

*(The Clerk-at-the-Table consulted with the Speaker)*

Serjeant-at-Arms, please, ring the quorum bell for 10 minutes.

(*Quorum Bell ringing)*

**The Speaker** (Hon. Kingi): Hon. Senators, we do have quorum now. Kindly, take your seats. Clerk, you may proceed to call the Orders.

*(Loud consultations)*

Hon. Members, there is a supplementary Order Paper that has been circulated. Kindly switch to that Order Paper because it is the one that we are going to use to transact business this afternoon.

Clerk, next Order.

Proceed, Senate Majority Leader.

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## PAPERS

REPORT OF THE AUDITOR-GENERAL ON
VARIOUS COUNTY ENTITIES

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, Wednesday, 4th November, 2026-

Report of the Auditor-General on National Agricultural Value Chain Development Project Credit Number 7064-KE for the 15 months' - County Government of Bungoma for the year ended 30th June, 2025.

Report of the Auditor General on financial statements of Turkana County Education Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Lamu County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Lamu County Bursary and Scholarship Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Lamu County Disability Fund for the year ended 30th June, 2026.

Report of the Auditor General on Kenya Devolution Support Programme II Project Grant/Credit Number: IDA-7447-KE – County Government of Lamu for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kericho County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on Second Kenya Devolution Support Programme (KDSP II) Project Number P180935 – County Government of Kericho for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Bomet County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on Second Kenya Devolution Support Programme (KDSP II) Programme Number IDA-7447-KE–County Government of Bomet for the year ended 30th June, 2026.

Report of the Auditor General on County Conditional Grant under Affordable Housing Act, 2024–County Government of West Pokot for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kapenguria Municipality Kenya Urban Support Programme II - Urban Development Grant Project Grant Number: P177048, Credit Number-7349-KE7350-KE, IDA Grant Number-E208-KE - County Government of West Pokot for the year ended 30th June, 2026.

Report of the Auditor General on National Agricultural Value Chain Development Project Credit Number 7064-KE for 15 months - County Government of Bungoma for the year ended 30th June, 2025.

Report of the Auditor General on financial statements of Bungoma County Climate Change Fund for the year ended 30th June, 2026.

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Report of the Auditor General on Kenya Devolution Support Project II (KDSP Level II Grant) Grant Credit Number: IDA-7447-KE - County Government of Trans Nzoia for the year ended 30th June, 2025.

Report of the Auditor General on Kenya Devolution Support Project II (KDSP Level II Grant) Grant Credit Number: IDA-7447-KE - County Government of Trans Nzoia for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Trans Nzoia County Youth and Women Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kilifi County Emergency Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kilifi County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on Kenya Devolution Support Programme II (KDSP II) IDA Grant/Credit No. 7447-KE - County Government of Kilifi for the year ended 30th June, 2026.

Report of the Auditor General on Second Kenya Informal Settlement Improvement Project (KISIP2) Grant/Credit Number: IDA 67590 P 167814; AFD CKE 1188 01S – County Government of Kilifi for the year ended 30th June, 2026.

Report of the Auditor General on Kenya Urban Support Programme II (KUSP II) Grant/Credit Number: 7350-KE - County Government of Kilifi for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Lamu County Executive Staff Housing Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Lamu County Gender and Social Development Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Lamu County Fisheries Development Agency for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Lamu County Alcoholic Drinks Control Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia County Health Services Fund for the year ended 30th June, 2026.

Report of the Auditor General on Kenya Urban Support Programme II (KUSP II) Credit Number IDA-7349-KE, Urban Development Grant - County Government of Busia for the year ended 30th June, 2026.

Report of the Auditor General on Kenya Urban Support Programme II (KUSP II) Credit Number IDA-7349-KE, Urban Institutional Grant - County Government of Busia for the year ended 30th June, 2026.

Report of the Auditor General on Second Kenya Devolution Support Programme Credit Number IDA-7447-KE - County Government of Busia for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Bomet County (State and Public Officers) Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Bomet County Bursary Fund for the year ended 30th June, 2026.

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Report of the Auditor General on financial statements of Bomet County Education Revolving Fund for the year ended 30th June, 2026.

Report of the Auditor General on Kenya urban Support Programme Phase II - Urban Institutional Grant (UIG) Project Number 73490-KE for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kericho County Bursary Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kericho County Emergency Fund for the year ended 30th June, 2026.

General on Kenya Urban Support Programme Phase II (KUSP II) - Urban Development Grant (UDG) Project Number P177048 - Kericho Municipality - County Government of Kericho for the year ended 30th June, 2026.

Report of the Auditor General on Kenya Urban Support Programme Phase II (KUSP II) - Urban Institutional Grant (UIG) Project Number P177048 – Kericho Municipality - County Government of Kericho for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of West Pokot County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on Second Kenya Devolution Support Programme II (KDSP II), Credit Number - IDA-7447-KE - County Government of West Pokot for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Chepareria Municipality - County Government of West Pokot for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kapenguria County Referral Hospital - County Government of West Pokot for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Turkana County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Turkana County Alcoholic Drinks and Substance Abuse Control Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Lodwar Municipality - County Government of Turkana for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kajiado County Youth and Women Enterprise Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kajiado County Investment Authority for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Machakos County Executive Committee and Chief Officers' Car Loan and Mortgage Fund Scheme for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Machakos County Bursary Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kakamega County Education Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kakamega County Health Services Fund for the year ended 30th June, 2026.

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Report of the Auditor General on financial statements of County Assembly of Marsabit Car Loan and Mortgage Scheme Fund - County Government of Marsabit for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Marsabit Municipality - County Government of Marsabit for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Garissa Rural Water and Sewerage Company Limited for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Garissa County Environmental Restoration and Livelihood Improvement Agency - County Government of Garissa for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Nandi County Education Scheme - County Government of Nandi for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Mosoriot Sub-County Level 4 Hospital - County Government of Nandi for the year ended 30th June, 2026.

Report of the Auditor General on Kenya Informal Settlements Project - IDA-6759-KE - County Government of Elgeyo Marakwet for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kitui County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kyeni Water and Sewerage Company Limited - County Government of Embu for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Tharaka Nithi County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Meru Water and Sewerage Services Company Limited for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Tana River County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Emali Sultan Hamud Municipality - County Government of Makueni for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Isiolo County Emergency Fund for the year ended 30th June, 2026.

Report of the Auditor General on Kenya Urban Support Programme Phase II - Urban Development Grant (UDG) Project-Number P177048 - County Government of Nyamira for the year ended 30th June, 2026.

I beg to lay.

*(Sen. Cheruiyot laid the documents on the Table)*

Mr. Speaker, Sir, I have another report.

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REPORT ON CONSIDERATION OF THE COOPERATIVES BILL
(NATIONAL ASSEMBLY BILLS NO. 7 OF 2024)

Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today Wednesday 4th November, 2026-

Report of the Mediation Committee on its consideration of the Cooperatives Bill (National Assembly Bills No. 7 of 2024).

I beg to lay.

*(Sen. Cheruiyot laid the document on the Table)*

**The Speaker** (Hon. Kingi): Next Order.

*(Sen. Osotsi consulted loudly)*

What is not clear there, Senator for Vihiga?

**Sen. Osotsi:** Mr. Speaker, Sir, I have been listening to the Papers that have been tabled by the Majority Leader before we went for recess and they are all audit reports by the Auditor General.

You made a ruling that the relevant Committee must process those reports within three months after publication by the Auditor General. I was just alerting you because the reports have now been tabled. That means that the three months' start kicking in immediately. So, maybe you can give a clarification on that.

**The Speaker** (Hon. Kingi): I gave a directive on this matter and it stands. You have ably captured exactly what the directive was all about. Under the Constitution, we have a very small window to process these reports.

You will remember, Senator for Vihiga, when you were serving as the Chair, County Public Investments and Special Funds Committee, we ran into trouble when the courts pronounced themselves that any audit report that is being processed by the Senate outside that window, whatever product that will come out of it will be null and void. That is why I gave the directive that when these reports are laid on the Table, they need to be processed within those three months. So, that directive still stands.

Next Order.

## NOTICE OF MOTION

ADOPTION OF REPORT ON THE COOPERATIVES BILL
(NATIONAL ASSEMBLY BILLS NO.7 OF 2024)

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Speaker, Sir, I rise to give notice to the following Motion-

THAT the Senate adopts the Report of the Mediation Committee on the Cooperatives Bill (National Assembly Bills No. 7 of 2024), laid on the Table of the Senate today Wednesday, 4th November, 2026; and that, pursuant to Article 113(2)

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of the Constitution and Standing Order No.167(3) of the Senate, approves the mediated version of the Bill.

I thank you.

**The Speaker** (Hon. Kingi): Next Order.

## QUESTIONS AND STATEMENTS

## STATEMENT

Statements pursuant to Standing Order No.52(1), the Senator for Nandi County, hon. Cherarkey.

### LEGACY OF KOITALEL ARAP SAMOEI IN COMMEMORATION OF 2026 MASHUJAA DAY

**Sen. Cherarkey:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.52 (1) to make a Statement in honour of Koitalel arap Samoei, the legendary Nandi leader and resistance hero whose courage, vision and sacrifice remain woven in the fabric of the history of our nation, as we commemorated in the Mashujaa Day last month.

Mr. Speaker, Sir, Koitalel Samoei stands as one of the most revered icons of resistance and self-determination in Kenya. As the Orkoiyot of Nandi, he led a determined struggle against colonial domination, defending the land, freedom and dignity of his people.

Though he was killed in 1905, the ideals he championed endured, inspiring generations into quest for liberty, justice and national pride. His legacy is not preserved in memory alone. It lives through institutions, investments and people like me that empower present and future generations.

The growth of Koitalel Samoei University College in Nandi Hills town, Nandi County, is a fitting tribute to a leader who understood the power of preparing a people for the future.

Mr. Speaker, Sir, during his recent visit to Nandi County, His Excellency President Dr. William Samoei Ruto committed Kshs3.5 billion towards the infrastructure of the institution, including hostels, lecture halls and a library and plans to grant it a full university charter by February, 2027, paving way for its transition into a fully-fledged university. These commitments have the potential to further entrench the legacy of Koitalel Samoei through expanded access to higher education, development of future generations and transformation of the institution into a centre of excellence and opportunity.

Mr. Speaker, Sir, honouring our heroes must also be reflected in investments that improve the lives and livelihoods of the communities whose interests they represent. In this regard, the President also announced a major investment in roads and connectivity in Nandi, as it is happening in the rest of the country. He announced that Kshs20 billion will be used for road infrastructure across the county.

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The money will be used for upgrades within Kapsabet Town, expansion of Eldoret-Kapsabet-Chavakali Road into a four lane highway and the construction of the approximately 22-kilometre Mugundoi-Nandi Hills and Kosiage-Cheptulu roads in Vihiga at a cost of Kshs1.38 billion, including Chepsonoi-Kakamega Road. These projects promise to strengthen trade, mobility and economic growth across the Rift Valley and the western region.

Mr. Speaker, Sir, equally, there are significant investments in health care, just like in the rest of the country. We have the commissioning of 300-bed mother and child health complex at Kapsabet County Referral Hospital with a plan of 520-bed hospital complex for completion by March, 2027, valued at Kshs500 million. These will expand access to specialised medical services.

Further, support through the investment of Kshs392 million into the National Medical Equipment Service Programme across the counties, including intensive and high-dependency care facilities, maternity theatres and uterine units, as well as renal services and advanced diagnostic equipment. The investment is expected to enhance the capacity of the hospital to deliver quality health care for the people of Nandi County and neighbouring communities across our region.

Mr. Speaker, Sir, the call of the President for public health facilities to prioritise medicine and medical supplies across the country underscores an important truth. Meaningful health care is measured not by the buildings and equipment alone, but by quality, reliability and accessibility of services provided to the citizens across our counties.

The President committed to working with the county governments across the country to improve the availability of medicine and other vital services in hospitals and dispensaries and highlight measures undertaken to streamline the operations of Kenya Medical Supplies Authority (KEMSA).

As we celebrate Mashujaa Day, the Koitalel Samoei legacy and the legacy of other heroes challenges us to march in remembrance with action. The greatest tribute to our heroes, Mr. Speaker, Sir, is not in the monuments we build or the speeches we make, but in the opportunities we create, the institutions we strengthen and the lives we improve. It is, therefore, imperative to schedule that the commitments made in Nandi are in full implementation, from the elevation of Koitalel Samoei University to university status and in honouring the heroes across the country.

In celebrating Koitalel Samoei, Mekatili wa Menza, Luanda Magere, among others, we reaffirm the timeless national truth that courage must inspire progress, sacrifice must yield opportunity and the legacy of our heroes must continue to shape a stronger, more prosperous and a more united Kenya.

I thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Hon. Senators, pursuant to Standing Order No.45(2), allow me to rearrange today's Order Paper. We will move to Order No. 11. After we dispense with that Order, we will handle Order No. 8, 9, 10, and 11, before resuming the Statement pursuant to Standing Order No. 53(1).

Clerk, proceed to call the Order.

Yes, Senator for Meru County.

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**Sen. Kathuri**: Thank you, Mr. Speaker, Sir. This is a matter of concern. My colleague, Sen. Cherarkey, brings his Statements under Standing Order No.52(1) for us not to have an opportunity to comment or do anything on his Statements. Every time athletes win medals outside there, he brings his Statements to celebrate those athletes under Standing Order No. 52(1).

Today, he is pretending to own these generals alone. Koitalel Arap Samoei is not his own property. He did a lot for Nandi and Kenya.

**The Speaker** (Hon. Kingi): Senator for Meru County, once we dispense with the Orders that I have just mentioned---

**Sen Kathuri**: He has heard my concern, Hon. Speaker Sir. Thank you.

**The Speaker** (Hon Kingi): When we get back to the Statements, if you wish to make comments, you may move the Chair pursuant to Standing Order No. 1 to allow you to make any comments, should you desire to do so.

Clerk, proceed to call the next Order.

## MOTION

### MAINSTREAMING A FRAMEWORK FOR CLEAN COOKING IN KENYA

THAT AWARE THAT, Article 42 of the Constitution guarantees every person the right to a clean and healthy environment, which includes access to safe energy options;

FURTHER AWARE THAT, over 900 million Africans, including more than 90% of households in Kenya's rural areas, still rely on traditional biomass (firewood, charcoal, animal waste) for cooking, resulting in high levels of indoor air pollution that cause premature deaths, particularly among women and children;

CONCERNED THAT, in Kenya, indoor air pollution has been linked to over 23,000 annual deaths, with women and girls bearing the disproportionate burden of time spent collecting firewood and cooking, limiting their education and economic opportunities;

NOTING THAT, traditional cooking methods contribute significantly to deforestation, greenhouse gas emissions, and climate vulnerability at the county level, undermining national commitments under the Energy Act, 2019, the Climate Change Act, 2016, and Kenya's Nationally Determined Contributions (NDCs);

RECALLING THAT, the Africa Clean Cooking Summit (Paris, 2023) mobilized USD2.2 billion in commitments for clean cooking, and the International Energy Agency has recommended urgent financing and policy action to achieve universal access by 2040;

ACKNOWLEDGING, the efforts of some counties, development partners, and private sector actors in piloting clean cooking projects, but recognizing that these remain small-scale and fragmented;

NOW THEREFORE, the Senate resolves that the:-

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i) Council of Governors develops county-level policies, frameworks, and budgets that mainstream clean cooking into devolved energy and health functions;

ii) National Treasury and Ministry of Energy prioritize clean cooking in financing frameworks, including results-based financing and blended finance models to de-risk private investment;

iii) County Governments incorporate clean cooking targets in their County Integrated Development Plans (CIDPs) and ensure public institutions such as schools, health facilities, and prisons adopt clean cooking solutions;

iv) National Treasury and County Governments to fast-track letters of authorization to unlock carbon finance markets (Article 6.2 and CORSIA) for clean cooking projects; and

v) County Governments engage the private sector actors, and community organizations to expand clean cooking access, create local jobs, and reduce pressure on forest resources.

(*Sen Hamida Kibwana on 9.9.2026)*

*(Resumption of debate interrupted on 16.9.2026 - Afternoon Sitting)*

**The Speaker** (Hon. Kingi): Sen. Hamida Kibwana.

**Sen. Kibwana**: Thank you, Mr. Speaker, Sir. I beg to reply.

**The Speaker** (Hon. Kingi): Honorable Senators, we will handle Orders Nos. 8, 9, 10 and 11 before we resume the Statements. Clerk, you may call those Orders.

## MOTION

### EXTENSION OF TIME ON THE CONSIDERATION OF THE GAMBLING CONTROL REGULATIONS, 2026

THAT AWARE THAT, The Gambling Control (Licensing) Regulations, 2026 (Legal Notice No.111 of 2026), The Gambling Control (Conduct of Gambling Operations) Regulations, 2026 (Legal Notice No.112 of 2026), The Gambling Control (Foreign-based Operators) Regulations, 2026 (Legal Notice No.113 of 2026), The Gambling Control (Advertising) Regulations, 2026 (Legal Notice No.114 of 2026), The Gambling Control (Gambling Appeals Tribunal) Regulations, 2026 (Legal Notice No.115 of 2026); and The Gambling Control (The Conduct of a National Lottery) Regulations, 2026 (Legal Notice No.116 of 2026) were tabled in the Senate on 15th July 2026, and referred to the Committee on Delegated Legislation for consideration pursuant to Section 12(1) of the Statutory Instruments Act;

COGNIZANT THAT pursuant to section 15(1) and (2) of the Statutory Instruments Act, the Committee is required to consider the regulations and make its determination within twenty-eight sitting days after the date of referral of the

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instruments by the Senate which period will lapse on Thursday, 5th November, 2026;

AWARE THAT Section 15(3) of the Statutory Instruments Act provides that, by a resolution, Parliament may extend the time for consideration of a Statutory Instrument by a period not exceeding twenty-one calendar days;

NOTING THAT the Committee requires additional time to hold meetings with key stakeholders including the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs;

NOW THEREFORE, the Senate, pursuant to Section 15(3) of the Statutory Instruments Act, resolves to extend the timeline for the consideration of The Gambling Control (Licensing) Regulations, 2026 (Legal Notice No.111 of 2026), The Gambling Control (Conduct of Gambling Operations) Regulations, 2026 (Legal Notice No.112 of 2026), The Gambling Control (Foreign-based Operators) Regulations, 2026 (Legal Notice No.113 of 2026), The Gambling Control (Advertising) Regulations, 2026 (Legal Notice No.114 of 2026), The Gambling Control (Gambling Appeals Tribunal) Regulations, 2026 (Legal Notice No.115 of 2026); and The Gambling Control (The Conduct of a National Lottery) Regulations, 2026 (Legal Notice No.116 of 2026) for a further twenty-one (21) Calendar days to enable the Committee to conclude its consideration on or before, Thursday, 26th November, 2026.

*(Sen. Gataya Mo Fire on 03.11.2026)*

*(Resumption of debate interrupted on 03.11.2026)*

**The Speaker** (Hon Kingi): Clerk, do we have quorum?

*(The Clerk-at-the-Table consulted with the Speaker)*

Thank you. Honorable Senators, I will proceed to put the question on Order No.8, which is Extension of Time on the Consideration of the Gambling Control Bill Control Regulations, 2026.

*(Sen. Madzayo approached the bar)*

The Senator for Kilifi County, you are a high-ranking Member of this House.

*(Question put and agreed to)*

**The Speaker** (Hon. Kingi): Let us go to the next Order.

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## MOTION

EXTENSION OF TIME FOR CONSIDERATION
OF TOURISM (TOURISM ENTERPRISES) REGULATIONS 2026

THAT AWARE THAT, the Tourism (Tourism Enterprises) Regulations, 2026 (Legal Notice No.127 of 2026) were tabled in the Senate on 22nd July 2026, and referred to the Select Committee on Delegated Legislation for consideration pursuant to Section 12(1) of the Statutory Instruments Act;

COGNIZANT THAT pursuant to section 15(1) and (2) of the Statutory Instruments Act the Committee is required to consider the regulations and make its determination within twenty-eight sitting days after the date of referral of the instruments by the Senate which period will lapse on Thursday, 12th November, 2026;

AWARE THAT Section 15(3) of the Statutory Instruments Act provides that, by a resolution, Parliament may extend the time for consideration of a Statutory Instrument by a period not exceeding twenty-one calendar days;

NOTING THAT the Committee requires additional time to hold meetings with key stakeholders including the Cabinet Secretary for Tourism and Wildlife;

NOW THEREFORE, the Senate, pursuant to Section 15(3) of the Statutory Instruments Act, resolves to extend the timeline for the consideration of the Tourism (Tourism Enterprises) Regulations, 2026 (Legal Notice No. 127 of 2026 for a further twenty-one (21) Calendar days to enable the Committee to conclude its consideration on or before, Thursday, 3rd December, 2026.

*(Sen. Gataya Mo Fire on 3.11.2026)*

*(Resumption of debate interrupted on 3.11.2026)*

*(Question put and agreed to)*

**The Speaker** (Hon. Kingi): Let us go to the next Order.

## MOTION

ADOPTION OF REPORT ON IMPLEMENTATION OF ECDE,
VOCATIONAL EDUCATION AND TRAINING POLICIES
IN MOMBASA, KILIFI AND KWALE COUNTIES

THAT, the Senate adopts the Reports of the Standing Committee on Education on inquiry into the status of implementation of Early Childhood Development Education (ECDE) and Vocational Education and Training policies in Mombasa, Kilifi and Kwale Counties, laid on the Table of the Senate on Wednesday, 23rd September, 2026.

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*(Sen. Betty Montet on 3.11.2026)*

*(Resumption of debate interrupted on 3.11.2026)*

**The Speaker** (Hon. Kingi): Honourable Senators, I will now put the question.

*(Question put and agreed to)*

Let us go to the next Order.

## MOTION

MAINSTREAMING A FRAMEWORK FOR CLEAN COOKING IN KENYA

THAT AWARE THAT, Article 42 of the Constitution guarantees every person the right to a clean and healthy environment, which includes access to safe energy options;

FURTHER AWARE THAT, over 900 million Africans, including more than 90 per cent of households in Kenya's rural areas, still rely on traditional biomass (firewood, charcoal, animal waste) for cooking, resulting in high levels of indoor air pollution that cause premature deaths, particularly among women and children;

CONCERNED THAT, in Kenya, indoor air pollution has been linked to over 23,000 annual deaths, with women and girls bearing the disproportionate burden of time spent collecting firewood and cooking, limiting their education and economic opportunities;

NOTING THAT, traditional cooking methods contribute significantly to deforestation, greenhouse gas emissions, and climate vulnerability at the county level, undermining national commitments under the Energy Act, 2019, the Climate Change Act, 2016, and Kenya's Nationally Determined Contributions (NDCs);

RECALLING THAT, the Africa Clean Cooking Summit (Paris, 2023) mobilized USD 2.2 billion in commitments for clean cooking, and the International Energy Agency has recommended urgent financing and policy action to achieve universal access by 2040;

ACKNOWLEDGING, the efforts of some counties, development partners, and private sector actors in piloting clean cooking projects, but recognizing that these remain small-scale and fragmented;

NOW THEREFORE, the Senate resolves that the: -

i) Council of Governors develops county-level policies, frameworks, and budgets that mainstream clean cooking into devolved energy and health functions;

ii) National Treasury and Ministry of Energy prioritize clean cooking in financing frameworks, including results-based financing and blended finance models to de-risk private investment;

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iii) County Governments incorporate clean cooking targets in their County Integrated Development Plans (CIDPs) and ensure public institutions such as schools, health facilities, and prisons adopt clean cooking solutions;

iv) National Treasury and County Governments to fast-track letters of authorization to unlock carbon finance markets (Article 6.2 and CORSIA) for clean cooking projects; and

v) County Governments engage the private sector actors, and community organizations to expand clean cooking access, create local jobs, and reduce pressure on forest resources.

*(Sen. Kibwana on 9.9.2026 – Morning Sitting)*

*(Resumption of debate interrupted on 16.9.2026 – Afternoon Sitting)*

**The Speaker** (Hon. Kingi): Honourable Senators, I will now proceed to put the question.

*(Question put and agreed)*

Honourable Senators, before we resume on Statements under Standing Order No.53(1), I call upon the Senate Majority Leader to lay a Paper.

## PAPER

COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENTS SCHEDULE FOR FINANCIAL YEAR 2026/2027

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today, Wednesday, 4th November, 2026-

The County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2026/2027.

I thank you.

*(Sen. Cheruiyot laid the document on the Table)*

## COMMUNICATIONS FROM THE CHAIR

COMMITTAL OF THE COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENT SCHEDULE FOR FINANCIAL YEAR 2026/2027

**The Speaker** (Hon Kingi): Honourable Senators, as you may have noted, the Senate Majority Leader laid on the Table of the Senate this afternoon, the County

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Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2026/2027 for the period 1st July 2026 to 30th June 2027.

The Cash Disbursement Schedule by the National Treasury on the stated period contains the approved additional allocations for each county, as approved by Parliament in the County Governments Additional Allocations Act, 2026.

Honourable Senators, Section 17(6) and (7) of the Public Finance Management Act states as follows-

"(6) The National Treasury shall, at the beginning of every month, and in any event not later than fifteenth day from the commencement of the month, disburse monies to county governments for the expenditure of the following month.

(7) The disbursement referred to in subsection (6) shall be done in accordance with a schedule prepared by the National Treasury in consultation with the Intergovernmental Budget and Economic Council, with the approval of the Senate and published in the Gazette, as approved, not later than 13th May in every year."

Honourable Senators, given that the Cash Disbursement Schedule is a crucial financial instrument for ensuring predictable and timely flow of funds to county governments, I hereby commit the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2026/2027 to the Standing Committee on Finance and Budget for consideration. The Committee is required to table a report on the matter at an appropriate time.

## REPORT ON THE VISIT TO SEN. (DR.) OBURU OGINGA, MGH, MP

Honourable Senators, as you are aware, the Senator for Siaya County, Sen. (Dr.) Oburu Oginga, MGH, MP, has been unwell. I am pleased to inform you that he has since recovered.

This afternoon, I visited him, and I can confirm that he is doing well. He will soon, God willing, resume his duties in the Senate, where he will continue to discharge his responsibilities as the Senator for Siaya County.

On behalf of the Senate and on my own behalf, I take this opportunity to wish him good health and the very best in his service to the people of Siaya County and the nation.

## VISITING DELEGATION OF STUDENTS FROM VARIOUS SCHOOLS ON VOLUNTARY SERVICE SCHEME

Honourable Senators, I would like to acknowledge the presence of students from various schools who are seated in the Speaker's Gallery. The students are in a one-week service in the Senate under the schools' Voluntary Service Scheme (VSS).

Honourable Senators, the Voluntary Service Scheme in the Senate aims to provide students with an opportunity to gain firsthand knowledge and work experience of how Parliament functions, including the legislative process and deeper understanding of governance. The current cohort has students from the following schools, and I request the

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students to stand when I call out their school so that they may be acknowledged in the Senate tradition.

(1) Starehe Boys' Centre and School.

(2) The Alliance High School.

(3) Kianda School.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them, and on behalf of the Senate and on my own behalf, I wish them a fruitful visit.

I will call upon Sen. Maanzo, Sen. Mungatana and Sen. Kavindu, in that order, to extend a warm welcome, and thereafter, the Sen. for Nairobi City County.

**Sen Maanzo:** Thank you, Mr. Speaker, Sir. I welcome all the students, particularly Starehe Boys' Centre, where I went to school. I was in Chaka House, and my file number is 8336. When the students are around, they are going to learn from the Senators here, 47 Senators, and I am sure most of them can see their Senators. I want them to learn in Parliament, and also get role modelled to become politicians in the future, and be able to lead this country.

I thank you, Mr. Speaker, Sir. I welcome all the students.

**Speaker** (Hon. Kingi): Sen. Mungatana

**Sen (Dr.) Mungatana, MGH**: Thank you, Mr. Speaker, Sir. I also join you in welcoming the students from Alliance High School. I was also a student there and served ---

*(Sen. Cherarkey consulted loudly)*

Mr. Speaker, Sir, can you protect me from Sen. Cherarkey, who went to school in the tarmac nearby?

On a more serious note, I take this opportunity to welcome the students from Alliance High School, where I also went to school for six years in those days. I was student No. 4737. I served as House Captain of Arthur House. Mine is to encourage them that we have a record in Alliance High School of distinguished public service, including the Speaker of the Senate, who is sitting here today, serving in that position and many others who have preceded us in public service.

So, I encourage the students who have come here to do their best and make sure they will also, amongst them, come and join those who are giving time to serve the people of Kenya here and abroad. I wish them well.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Kavindu.

**Sen. Kavindu Muthama:** Thank you, Mr. Speaker, Sir, for giving me this opportunity to join you and the other Senators in welcoming the students from Starehe, Alliance High School and Kianda. Welcome to the Senate. I hope you will continue learning as you stay for that one week.

I encourage you to study very hard, because as leaders and as parents, there is nothing else good we can give to our children but education. When you have education, nothing will limit you in this world. You can only limit yourself by not getting proper

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education. So, *fanyeni bidii kabisa*, you acquire degrees, masters and even doctorates. I welcome you.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Senator for Nairobi City County.

**Sen. Sifuna:** Mr Speaker, Sir, allow me to join my colleagues to welcome the students from Alliance, Starehe and Kianda. As has already been mentioned to the students, the Speaker of the Senate himself is in fact a product of Alliance. Our wish and aspirations for you is that you make the most of your time in school and your time here in the Senate to learn as much as you can and to be able to be future leaders.

Mr Speaker, Sir, these students are here this day on a quite historic day for democracy and the practice of democracy. As you are aware, the United States of America (USA) just had their midterm elections and the students might have noticed that the Senator for Kericho is being called upon repeatedly to table matters here on behalf of government. It basically means that Sen. Cheruyiot represents a side in which, you know, in this particular term, they got more Senators elected. However, just as has happened in the US, the swing of power can happen at any point in time. And you should not be surprised that next time Senator Cheruiyot will be sitting where I am sitting or not sitting here at all.

In fact, the American elections have shown us that miracles are very possible. We have seen states that have had one party representation for over 94 years. In Kansas, for instance, they have changed and decided to give another party the chance. So, it is possible that we, *Linda Mwananchi*, will be flipping Kericho. We are looking at Nandi to have a *Linda Mwananchi* Senator and even Uasin Gishu.

So, I encourage these young people to learn the most that they can in their time here, that everything is possible. When democracy works in the way in which it has worked in the elections and you put the issues of the people first, you will always be given opportunity to lead.

Honourable Speaker, I thank you and I wish the students the very best during their time in the Senate.

**The Speaker** (Hon. Kingi): Clerk, we now move to Order No.7; Statements pursuant to standing order 53(1).

Sen. Faki, proceed.

## STATEMENTS

### UPANUZI WA BARABARA YA NAIROBI-MOMBASA NA MIKAKATI YA USALAMA BARABARANI

**Sen. Faki**: Asante, Bw. Spika, kwa kunipa fursa hii. Ninasimama kwa mujibu wa Kanuni za Kudumu za Seneti 53(1), kuomba kauli kutoka kwa Kamati ya Barabara, Uchukuzi na Makao kuhusu suala lenye umuhimu wa kitaifa. Suala lenyewe linahusu upanuzi wa barabara ya Nairobi-Mombasa na mikakati ya usalama barabarani kuelekea sherehe za mwisho wa mwaka.

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Katika kipindi cha takribani wiki tatu, ajali mbili zimeripotiwa katika barabara ya Nairobi-Mombasa, zikisababisha vifo vya watu 40. Ajali ya kwanza ilitokea tarehe tatu Oktoba, 2026 katika eneo la Salama. Gari lililokuwa limewabeba waumini na mahujaji wa kanisa la Kikatoliki la Mikindani waliokuwa wakielekea Nakuru kwa ziara ya ibaada, liligongana na lori. Watu 16 walifariki wakiwemo waumini 15 pamoja na dereva wao.

Ajali ya pili ilitokea tarehe 25, Oktoba katika eneo la Kanga karibu na Voi, likihusisha basi lililokuwa likitoka Nairobi na lori. Watu 24 walifariki wakiwemo wanne wa familia moja, yaani baba, mama na watoto wawili. Ninatuma rambirambi zangu kwa jamii za wote ambao walipoteza wapendwa wao.

Katika taarifa hiyo, kamati iangazie yafuatayo-

(1) Mipango ya Serikali ya kupanua barabara ya Nairobi-Mombasa, ikiwemo hatua iliyoafikiwa ya ufadhili na muda wa utarajiwa wa utekelezaji.

(2) Mikakati ya dharura ya kuzuia ajali na kuhakikisha usalama wa watumiaji wa barabara hiyo, hususan katika kipindi hiki cha mwisho wa mwaka ambapo idadi ya wasafiri inatarajiwa kuongezeka.

Asante.

**The Speaker** (Hon Kingi): Sen. Wambua, proceed.

*(Sen. Cherarkey spoke off the record)*

**Sen. Wambua**: Thank you, Mr. Speaker, Sir. I choose to ignore Sen. Cherarkey.

**The Speaker** (Hon Kingi): Please do and proceed.

## STATUS OF EARLY CHILDHOOD DEVELOPMENT EDUCATION IN KITUI COUNTY

**Sen. Wambua:** Mr. Speaker, Sir, this statement is on education. You know, education is a real equaliser. We know you from the Alliance Boys' High School and you are seated here serving with Sen. Cherarkey from a school---

**The Speaker** (Hon Kingi): Senator for Kitui, proceed to read your statement please.

*(Laughter)*

**Sen. Wambua**: Mr. Speaker, Sir, this is a statement on abandonment of Early Childhood Development Education (ECDE) classrooms, dismissal of ECDE teachers and transfer of ECDE learners to comprehensive schools in Kitui County.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Committee on Education on a matter of countrywide concern, regarding abandonment, non-utilisation of ECDE classrooms and other facilities, dismissal of ECDE teachers and subsequent transfer of ECDE learners to existing comprehensive schools in Kitui County.

Mr. Speaker, Sir, substantial public resources have been invested in constructing and equipping ECDE facilities to provide accessible and age appropriate learning environments in Kitui County. However, the dismissal of ECDE teachers and subsequent

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transfer of learners to comprehensive schools, has left some ECDE facilities abandoned or underutilised, raising concerns of the wastage of public resources and access to quality early childhood education.

In the statement, the committee should address the following-

(1) The number of ECDE centres and classrooms in Kitui County that have been abandoned, left incomplete or are no longer operational indicating their locations, construction costs, current status and reasons for non-utilisation and provide comparable information for other counties.

(2) The circumstances surrounding the reported dismissal of ECDE teachers by the County Government of Kitui, indicating the number affected, reasons for dismissal, terms of employment, compliance with applicable labour laws and measures taken to address their welfare.

(3) The policy basis for transferring ECDE learners to comprehensive schools, indicating the number of facilities and learners affected and whether their receiving schools were assessed for adequate infrastructure, sanitation, learning materials, staffing, safety and age appropriate facilities.

(4) Measures to ensure accessible and quality ECDE services in Kitui County, including utilisation of existing infrastructure, deployment of qualified teachers and policies to prevent the abandonment of ECDE facilities and wastage of public resources across counties.

Thank you.

**The Speaker** (Hon Kingi): Sen. Munyi Mundigi, proceed.

## COFFEE BEAN THEFT IN EMBU COUNTY

**Sen. Munyi Mundigi**: Thank you, Mr. Speaker, Sir. This is a request for a statement on the increased cases of coffee bean theft in Manyatta and Runyenjes constituencies in Embu County.

I stand pursuant to standing Order No.53(1) to seek a statement from the Committee on National Security, Defense and Foreign Relations on a matter of countrywide concern on the increased cases of coffee bean theft in Manyatta and Runyenjes constituencies in Embu County.

Over the past few months, coffee farmers in Manyatta and Runyenjes constituencies have reported an increase in theft of coffee beans from their farms. The theft has undermined their earnings threatening their livelihoods and risks discouraging investment in coffee farming, which is a key economic activity in the affected areas.

In the statement, the committee should address the following-

(1) Status of investigations into all reported cases of coffee bean theft from farms in Manyatta and Runyenjes constituencies in Embu County from January, 2026 to date.

(2) Action taken against the identified suspects as well as coffee brokers, traders and other individuals who handled or purchased the stolen coffee beans.

(3) Measures to curb the theft and facilitate appropriate recovery of stolen coffee beans, including details on ongoing and prompt interventions to increase security patrols,

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strengthen intelligence gathering, promote community policing and enhance cooperation between farmers, local administrators and law enforcement authorities.
Thank you.

**The Speaker** (Hon Kingi): Sen. Kibwana, proceed.

## ALLOCATION AND DISBURSEMENT OF EL NINO PREPAREDNESS FUNDS

**Sen. Kibwana:** Thank you, Mr. Speaker, Sir. My statement is on Kshs54 billion for El Nino preparedness and funding support to county governments.

I rise pursuant to standing Order No.53(1) to seek a statement from the committee on National Security, Defense and Foreign Relations on a matter of national concern regarding the reported receipt of the national Government of Kshs54 billion from the World Bank for El Nino preparedness, allocation and disbursement of the funds to county governments.

Mr. Speaker, Sir, while appearing before the Senate Committee on Roads, Transportation and Housing on 14th October 2026, the Governor of Nairobi City County, Hon. Johnson Sakaja, stated that the national Government had received Kshs54 billion for El Nino preparedness, but that county governments had not received any portion of these funds.

In the Statement, the committee should address the following:-

(1) Whether the national Government received the Kshs54 billion for El Nino preparedness, distinguished amounts pledged, approved and actually received, the funding period, sources, dates received, recipient institutions, intended purposes and conditions attached to the funds.

(2) Whether any portion of the funds was earmarked to county governments, including the county-by-county breakdown of allocations and disbursements, the criteria used to determine the allocations and reasons for any outstanding disbursements and timelines for their release.

(3) Preparedness and emergency response measures undertaken by Nairobi City County, the resources committed from its own budget, the expenditure incurred and any funding gaps affected implementation; finally,

(4) The mechanisms for coordinating national and county interventions and monitoring the utilisation of the funds and measures to prevent duplication of expenditure and steps to ensure timely assistance to vulnerable communities.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Senator for Kisumu County, the Hon. (Prof.) Tom Ojienda, proceed.

**Sen. Maanzo:** Mr. Speaker, Sir, with your kind permission, the Senator for Kisumu had requested that I hold this brief. I will read the first statement.

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## PAYROLL VERIFICATION IN COUNTY GOVERNMENTS

I rise, pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare on a matter of national concern regarding payroll verification and elimination of ghost workers in county governments.

The Government has commenced a nationwide headcount of public officers to address payroll irregularities including ghost workers, irregular recruitment and promotions. There is, however, a need to clarify the scope and timelines of the exercise in county governments.

In the Statement, the committee should address the following-

(1) The scope of payroll audit and staff verification exercise in county governments, the finding to date and action taken to address identified irregularities.

(2) The timelines for integrating county payrolls into the centralised human resource system and the support provided to the county public service boards.

(3) The safeguards to ensure genuine employees receive their salaries during verification and the procedures for resolving cases where employees' records are erroneously flanked.

I have read this Statement on behalf of Prof. Tom Ojienda, Senior Council, MP, Senator for Kisumu County.

## COMPENSATION FOR PERSONS AFFECTED BY NAIVASHA-KISUMU-MALABA STANDARD GAUGE RAILWAY PROJECT

Mr. Speaker, Sir, the second Statement is on land acquisition and compensation for the Naivasha-Kisumu-Malaba Standing Gauge Railway in Kisumu County.

I rise, pursuant to Standing Order No. 53(1), to seek a Statement from the Standing Committee on Roads, Transport and Housing on a matter of county-wide concern regarding land acquisition and compensation for persons affected by the Naivasha-Kisumu-Malaba Standard Gauge Railway project in Kisumu County.

The project is expected to enhance transport and trade in Lake Region. However, affected landowners have raised concerns over the valuation of their property, delays in compensation and access to their land before compensation is concluded. Other concerns relate to the resettlement of households, relocation of public institutions and fraudsters posing as compensation officials.

In the Statement, the committee should address the following-

(1) Total acreage of parcels gazetted for acquisition in Kisumu County, the number of affected persons and the amount allocated for their compensation.

(2) The valuation methods applied to land, crops, buildings and other developments, the amounts paid to date and the timelines for outstanding payments.

(3) The terms under which early access to land has been granted to the project contractor and the safeguards to ensure a prompt payment is paid in full of just compensation.

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(4) The arrangements for the resettling of affected households and relocating public institutions and utilities, including grievances redress mechanism available to affected persons.

(5) The measures to protect landowners from compensation fraud and ensure the residents and business benefit from employment and supply opportunities during construction.

## RESOLUTION OF THE UNIVERSITY STAFF STRIKE AND RESUMPTION OF LEARNING IN PUBLIC UNIVERSITIES

The next Statement is on resolution of the university staff strike and the resumption of learning in public universities.

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Education on a matter of national concern regarding the resolution of university staff strike and the resumption of learning in public universities.

The strike over the 2025 to 2029 collective bargaining agreement has disrupted learning and raised concerns over lost teaching time, additional costs to students and the financial position of public universities. Although an agreement has been reached between the Government and the unions, concerns remain over its funding and implementation, outstanding staff benefits and measures to prevent further disruption of learning.

In the Statement, the committee should address the following-

(1) The terms and the binding status of agreement reached with the unions, including the source of funding for reported Kshs20 billion settlement and implementation timelines.

(2) The plans for resumption of learning and the recovery of lost teaching time, including revised academic and examination schedules and measures to protect students from additional costs.

(3) The financial position of public universities, including outstanding exchequer, disbursements and remitted statutory deductions and pension contributions and measures to restore financial stability.

(4) The measures to address understaffing, stalled promotions and delayed gratuity payments.

(5) The measures to ensure timely negotiation, funding and implementation of collective bargaining agreements and protect staff from victimisation for participation in the strike.

## COMPLIANCE WITH FISCAL PRINCIPLES BY COUNTY GOVERNMENTS

Mr. Speaker, Sir, the last one is on the county wage bill and compliance with fiscal responsibility principles by the county governments. I arise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Finance and Budget on a matter of national concern regarding the county wage bill and compliance by

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county governments with the fiscal responsibility principles prescribed under the Constitution and the Public Finance Management Act 2012.

Recent findings by the Commission on Revenue Allocation (CRA) indicate that a majority of counties exceeded the statutory ceiling on expenditure for salaries and benefits during the Financial Year 2024/2025. The assessment also highlights concerns related to high recurrent expenditure, low development spending, weak on source revenue performance, salary arrears and a limited statutory deduction and the potential impact of proposed workforce realisation measures on county employees and service delivery.

These developments rise concerns over the sustainability of county finances and adherence to the principles of prudent and responsible public financial management.

In the Statement, the committee should address the following-

(1) The wage bill of each county government in Fiscal Year 2024/2025 as a proportion of total revenue together with the corrective measures being undertaken by counties that exceed the statutory threshold to achieve compliance with Section 107 of the Public Finance Management Act, 2012 and the attendant regulations.

(2) The physical and payroll position of Kisumu County, including staffing levels, salary arrears, statutory deductions and interventions aimed at attaining the statutory minimum threshold for development expenditure.

(3) Measures to strengthen own-source revenue performance, particularly in counties with persistent low collections.

(4) Implementation of workforce rationalisation measures, including safeguards for county workers' rights in a manner consistent with Article 41 of the Constitution and continuity of essential county services.

(5) Oversight mechanisms and timelines for monitoring compliance with the statutory fiscal responsibility requirements.

I have read this statement on behalf of Sen. Prof. Tom Ojienda, SC, Senator for Kisumu County.

Thank you.

**The Speaker** (Hon. Kingi): Hon. Senators, I will now allow comments for not more than 15 minutes on these Statements. If you get an opportunity to speak, kindly do so for not more than three minutes.

Sen. Osotsi, before you take the Floor, allow me to call Sen. Hamida to make a Statement pursuant to Standing Order No.56(1)(a).

## COLLAPSE OF BUILDINGS IN NAIROBI CITY COUNTY

**Sen. Kibwana:** Thank you, Mr. Speaker, Sir. My Statement is to the Standing Committee on Roads, Transportation and Housing, regarding the recurrent collapse of buildings in Nairobi City County and the state of construction safety in Kenya.

Mr. Speaker, Sir, Standing Order No.56(1) provides that the Chairperson of a Committee may make a Statement relating to a matter for which the Committee is responsible. Pursuant to this provision, I rise to make a Statement on the recurrent

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collapse of buildings in Nairobi City County and the state of construction safety in Kenya.

Kenya's construction sector continues to expand rapidly, driven by public infrastructure projects, private developments and a rising demand for housing and facilities. Data from the Kenya National Bureau of Statistics indicates that 31.2 per cent of Kenya's population lives in urban areas, with an urbanisation rate of 4.4 per cent.

While urban growth expands economic opportunities, the Architectural Association of Kenya's Status of the Built Environment Report, 2025, highlights that inadequate planning and weak institutional capacity continue to undermine compliance with building standards, paving the way for high-risk and unsafe structures.

Regulatory responsibilities are shared among several institutions. County governments issue development permits, the National Environment Management Authority (NEMA) oversees environmental approvals, the National Construction Authority (NCA) regulates construction standards, and professional regulatory bodies oversee the practice of architects and engineers. Despite this framework, systemic failures in enforcement, compliance and institutional accountability persist at both levels of government.

Mr. Speaker, Sir, the magnitude of these regulatory gaps is starkly illustrated by the 2025 National Building Inspectorate (NBI) audit of 396 developments nationwide. The audit revealed that 87 per cent of the audited developments failed to comply with building standards or lacked the requisite approvals, leading to the emergency demolition of two buildings due to severe structural defects. Furthermore, the report documented six major collapses across Nairobi, Mombasa and Kisii in 2025 alone, including two incidents in Nairobi's Parklands area.

This disturbing trend has escalated into 2026. Recent incidents in Nairobi City County include, among others, most recently in 9th Street, Eastleigh, where a multi-storey building under construction collapsed while ground-floor business premises were reportedly still occupied by traders and members of the public. Manzil Towers in South C also collapsed in January 2026 after construction reportedly exceeded the approved 12 storeys by four additional floors. Similarly, part of a 22-storey building under construction collapsed during active construction works at School Lane, Westlands, and at Shaurimoyo, Blue Estate, where a building collapsed in March 2026 during an attempted demolition exercise under the Nairobi River Regeneration Project.

Mr. Speaker, Sir, the collapse of any building comes with immense losses to the country, which include loss of life, injuries and disability among survivors, loss of livelihoods, physical and psychological trauma to citizens, damage to existing infrastructure such as roads and even neighbouring buildings, environmental damage and financial losses.

On Tuesday, 14th July, 2026, I requested a Statement pursuant to Standing Order No.53(1) regarding unregulated developments, encroachment on public spaces and blockage of roads and drainage systems in estates within Nairobi City County. The Standing Committee on Roads, Transportation and Housing conducted a site visit to sections of Eastleigh on Tuesday, 29th September, 2026, and met the Governor of Nairobi City County on Tuesday, 13th October, 2026, where he submitted to the Committee that

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the County Government had forwarded over 300 files of non-compliance to the Office of the Director of Public Prosecutions.

Mr. Speaker, Sir, these incidents raise concerns regarding compliance, structural safety and accountability. The Committee will examine concerns on compliance, quality and safety standards, any incidents of professional negligence, the role of county and national government agencies, and gaps in existing legal, regulatory and institutional frameworks. The Committee will also engage the Office of the Director of Public Prosecutions (ODPP) to establish the status and outcomes of the over 300 files reportedly forwarded by the Nairobi City County Government, including any charges, prosecutions or other actions taken, and the reasons for any delays.

The Senate must remain steadfast in protecting lives and property and ensuring accountability for unsafe construction. The Committee will table a comprehensive substantive report detailing its findings, actionable recommendations and legislative proposals before this House in due course.

Thank you.

**The Speaker** (Hon. Kingi): Proceed, Sen. Osotsi.

**Sen. Osotsi:** Thank you, Mr. Speaker, Sir. I rise to make comments on the Statement by the Senator for Kitui on the issue of the Early Childhood Development Education (ECDE) and also the Statement by my neighbour, the Kisumu Senator, Prof. Ojienda, on the issue of payroll.

Mr. Speaker, Sir, ECDE is a very important devolved function in our counties, particularly because it is a function involving young children who go to school at a very young age. We have been having numerous challenges in this sector, which this House has identified and tried to address. However, those challenges remain unattended to by most of the counties, particularly the issue of the welfare of ECDE teachers. We, in this House, made a decision and a resolution that we should have a uniform scheme of service for ECDE teachers. However, many of our counties have ignored that directive and they have continued to pay ECDE teachers very poorly. They do not even have a scheme of service for them to the extent that Harambees are being conducted for the ECDE teachers.

Last weekend, it was very annoying to see an empowerment programme for ECDE led by senior people in the Government was done in my county to fundraise for them. It is a shame that in this age, where we are appropriating huge money to our counties, our governors cannot pay ECDE teachers well such that leaders in the national Government come and do an empowerment programme for them. This is sad and it should stop.

Mr. Speaker, Sir, on the issue of the payroll, Sen. Ojienda has raised issues regarding irregularities on the payroll and ghost workers. This is another area where the Committee on Finance and Budget has really focused on but we seem to be having these issues cropping up again. The Auditor General in her report for the financial year ended 2025 identified that nearly all counties had issues to do with payroll. This is a matter I would like to as---

**The Speaker** (Hon. Kingi): Proceed, Sen. Cherarkey.

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**Sen. Cherarkey**: Mr. Speaker, Sir, I support the statement by the Senator for Kisumu. This issue of payroll is becoming a big problem in this country because in the latest audit reports by the Auditor General, counties are losing Kshs33.5 billion through ghost workers cumulatively. When you look at the audit report, Machakos is losing Kshs75.8 million to ghost workers. Mandera, in the northern part of Kenya, is losing Kshs112 million through ghost workers. These are people who exist but they do nothing in Mandera, which is a crime scene.

Kajiado is losing Kshs82.7 million. The shocking one according to the Auditor General is Nairobi, Kshs839.9 million through ghost workers. Rift Valley counties; Nakuru, Bomet, Kericho, Uasin Gishu and Nandi, are losing cumulatively Kshs1 billion. Nandi is leading at Kshs250 million through ghost workers. Counties cannot be telling us to increase allocation yet, they lose Kshs33.5 billion.

Mr. Speaker, Sir, that is why even in the elections that have happened in the United States of America (USA), the voters there have indicted the governors who are not performing. I hope that as the people of Machakos go back to the ballot, they will send the Governor of Machakos home for that loss. Even here in Nairobi, the Governor, although he has changed colours from yellow to orange, he must be sent home for losing Kshs1 billion. Even in Kajiado and unfortunately in Nandi, he is serving the final term. That one will go and eat beans in one of the penitentiary institutions in the country.

I do not know what the Ethics and Anti-Corruption Commission (EACC) does in this country because this is open theft of public money. This is an open and shut case and senior lawyers know in this country that counties are losing Kshs33.5 billion to ghost workers and the EACC is doing nothing about it. We must call out the relevant accountability mechanisms so that we are not fighting for resources in these counties and governors go and employ ghost workers whose work is mostly goons, *sangwenyas* or court jesters in most governors' functions.

They must be called out because we cannot be pushing for more resources, yet we cannot see value and there are many young people who do not get job opportunities. Therefore, I agree and I hope this statement will be handled once and for all because in Nandi, we have similar issues, where 2,000 people were fired but they have never been returned to work.

**The Speaker** (Hon. Kingi): Sen. Muthama.

**Sen. Kavindu Muthama:** Thank you, Mr. Speaker, Sir, for this opportunity to comment on the statements. I will first start with the statement from Sen. Faki about the accidents happening on Mombasa Road. This road has become worse than COVID-19 by killing our people. It has also become worse than Ebola, which we are all fearing.

I call upon the Committee on Roads, Transportation and Housing that once they get this statement, they should come up with a mechanism that call the Government to build a dual road on Mombasa Road. This is because, it is heavily trafficked by trucks and they are very rude when they meet with small vehicles and they kill many of our people. Therefore, this one must be checked.

Mr. Speaker, Sir, I will also comment on the statement by Sen. Kiio about ECDE classrooms and centres. I am in the Committee on Education and we have moved around the counties in this country and very few have acquired enough classrooms for their

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pupils and teachers. Most of the teachers are paid by parents. You will find there are two ECDE classes in one primary school but one teacher is being paid by the county government who do not even pay them the required salary and the other is paid by parents. That is very wrong.

You will find the governors doing the duties of the national Government by giving bursaries but are not concentrating on their ECDE classes and TVET which is a devolved function.

Mr. Speaker, Sir, I will also comment on the statement by Sen. Mundigi, Embu County, about the theft of coffee in coffee factories. Just the other day, I did a statement because even in Unyuani, Machakos, we lost dry coffee bags worth Kshs3 million. This theft has become too much. I wish and pray that the Committee on Agriculture, Livestock and Fisheries will look into this and the Ministry of Interior and National Administration to provide security for the factories when it is time for picking coffee and the drying season for coffee so that coffee is protected. Then the farmers will not end up losing what they have waited for for a whole year.

**The Speaker** (Hon. Kingi): Your time is up, hon. Senator, unfortunately. Before I call the next Senator to take the Floor, allow me to make this communication.

*(Interruption of Statements)*

## COMMUNICATION FROM THE CHAIR

### CHANGE IN THE OFFICE OF THE DEPUTY SENATE MAJORITY LEADER

Hon. Senators, Standing Orders No. 22(1) provides for the election of the following office holders belonging to the majority party in the Senate.

(i) The Senate Majority Leader,

(ii) The Deputy Senate Majority Leader,

(iii) The Senate Majority Whip, and

(iv) The Deputy Senate Majority Whip.

Standing Orders No. 22(5) provides as follows in relation to the removal from office of the office holders referred to in Standing Orders No. 22(1).

A Senator elected under paragraph (i) may be removed by a majority of the votes of all Senators belonging to the majority party.

Further, Standing Orders No.22(7) sets out the mode of communication of a decision on the removal from office of an office holder of the majority party, and states as follows:

"Upon a decision being made by the majority party or coalition under this Standing Order, the decision of the party or coalition shall be communicated to the Speaker in writing, together with the minutes of the meeting at which the decision was made, in the case of the removal of the Senate Majority Leader or the Deputy Senate Majority Leader by the Senate Majority Whip and in the case of removal of the Senate Majority Whip or the Deputy Senate Majority Whip by the Senate Majority Leader".

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Now, hon. Senators, vide the later dated 3rd November, 2026, I received the correspondence from the Senate Majority Whip, Sen. David Wakoli, CBS, MP, regarding changes in the Majority Party leadership, affecting the office of the Deputy Senate Majority Leader.

Pursuant to the Standing Order No.22 (7), the said letter from the Senate Majority Whip was accompanied by the following documents-

(1) The Minutes of the Majority Party meeting dated Tuesday, 3rd November, 2026, which is a record of the proceedings of the meeting together with the resolutions; and

(2) Duly signed list of Senators in support of the resolution.

The correspondence and attached minutes indicate that a resolution was passed by the Majority Party to remove the Deputy Senate Majority Leader, Sen. Tabitha Keroche, MGH, MP, in accordance with Standing Order No.22 (5). The letter of the Majority Whip further informs my office that the Majority Party at the same meeting elected Sen. Veronica Maina, CBS, MP, to serve as Deputy Senate Majority Leader in her place, pursuant to Standing Order No.22 (6).

*(Applause)*

Now, hon. Senators, Standing Order No.22 (8) provides as follows-

"(8) The Speaker, upon receipt of the decision under paragraph (7), shall verify the correspondence received and deliver a communication to the Senate within three sitting days."

In this respect, I have verified the correspondence received and hereby communicate that the Majority Party has effected a change in the office of the Deputy Senate Majority Leader. The new office holder, therefore, with immediate effect is Sen. Veronica Maina, CBS, MP.

I thank you.

Proceed, Sen. Mungatana.

*(Resumption of Statements)*

**Sen. (Dr.) Mungatana, MGH:** Thank you, Mr. Speaker, Sir. I rise to make a brief comment in support of the statement by Sen. Faki on the accidents that are occurring on the Nairobi-Mombasa Highway. These accidents and deaths happening can only be resolved through the expansion of this highway.

I want to thank His Excellency the President because after he paid attention to the road from Nairobi to Busia, that road started getting fixed. Now, as that project is getting completed, we want the Office of the President to pay attention to the Mombasa-Nairobi Highway.

In 2018, Bechtel, an engineering company from the United States of America (USA), proposed to construct a new expressway from Nairobi to Mombasa. However, negotiations for financing made that project fail.

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The second attempt was by Everstrong Capital, again another American company that proposed to construct a new highway. It was supposed to be financed through a Public-Private Partnership (PPP) and cost Kshs468 billion. That proposal was rejected by the Public-Private Partnership Committee of the National Treasury. The committee recommended that instead of constructing a new highway from Nairobi to Mombasa, they should expand the existing 461 kilometres so that the Kenya National Highways Authority (KeNHA) can undertake the work through another Public-Private Partnership at a cost of about Kshs300 billion.

Mr. Speaker, Sir, I am on the floor to ask the Government, through that recommendation passed by the National Treasury, to put in the effort and the money so that the Nairobi-Mombasa Highway can be fixed.

I do not want to sit down before I also mention that KeNHA owes the people of Tana River County an explanation. Why does the road between Malindi and Mombasa have so many horrible potholes to date? Again, if nothing is done between---

**The Speaker** (Hon. Kingi): You have one minute hon. Senator.

**Sen. (Dr.) Mungatana, MGH:** Mr. Speaker, Sir, KeNHA owes an explanation to the people of Tana River County and Lamu County. So many potholes have developed between Malindi and Garsen. If nothing is done, what is happening between Nairobi and Mombasa, the accidents and the deaths, could be replicated between Garsen and Malindi.

The same situation applies between Hola and Bilbil. KeNHA has paid people to maintain these roads. These highways are for KeNHA; they do not belong to the county government. Why are they deteriorating at such an alarming rate?

Mr. Speaker, Sir, I am using the Floor of this House to ask KeNHA to wake up and do their duty. They owe it to the people of Tana River and Lamu County to ensure those roads are properly maintained. It is wrong for contractors to collect money and refuse to do maintenance job.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Maanzo.

**Sen. Maanzo:** Thank you, Mr. Speaker, Sir. I would like to comment on the situation on Mombasa Road. In fact, the actual deaths within three weeks were 48 people. There are many more that are not reported, where a lorry crashes into a boda boda. One of the worst areas is Salama. Many Kenyans in this country use this road, especially over Christmas when they go to the coastal region for festivities. Why can we not look at the worst black spots like the Salama area and those hills where land is available and construct a dual carriageway there for emergency purposes?

This road stretches in Makueni County for 300 kilometres and we have been victims. Every other day, there is a funeral along that area for someone who has died carelessly on Mombasa Road for lack of safety and for lack of a dual carriageway.

*[The Speaker (Hon. Kingi) left the Chair]*

*[The Deputy Speaker (Sen. Kathuri) in the Chair]*

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Mr. Deputy Speaker, Sir, this is the road that connects Cape Town in South Africa to Cairo in Egypt. Many people, even non-Kenyans, use it while travelling along that road. It comes from Dar es Salaam to Mombasa, then Nairobi, then proceeds to Isiolo and all the way to Ethiopia.

Therefore, it is a major road. Although other roads are being upgraded to dual carriageways, Mombasa Road is a priority. The people of Makueni already agreed when public participation was done that they would work with the Usahihi Expressway Team. The problem was not really the so-called savings.

We cannot afford to lose one more life on that road. Every life is more expensive and cannot be matched to money. Out of the many accidents, even insurance companies are now unable to cover these people sufficiently. Some of the companies or individuals accused of causing accidents for negligence are left with huge sums of money to pay beyond what the insurance companies have compensated.

Therefore, it is important that we save lives and prevent accidents by constructing a dual carriageway as soon as possible. Since we have the Usahihi Expressway Team on the table and the Americans are willing and have a workable solution, why do we not allow them? The problem arises when the Americans are strict, while some officers involved in the KeNHA ask for bribes. This is the reason this road has never been constructed. The bribes will destroy lives of many people in this country. Therefore, I urge the committee to put its foot down and make sure---

**The Deputy Speaker** (Sen. Kathuri): Next is Sen. Omar Mariam Sheikh.

**Sen. Mariam Omar:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity. I also want to comment on the statement on the payroll.

Mr. Deputy Speaker, Sir, the payroll expenditure is ballooning; it is increasing day and night. There is a sample audit that has been done by the Auditor General on a sample of 26 counties, which led to the realization of 596 ghost workers and for 978 over the last three years. This is a chronic disease of both the county and national government. The county government must aim not to increase the recurrent expenditure on wages; instead, it should focus on development. People need development, not these ghost workers.

I also wanted to comment on Early Childhood Development Education (ECDE). ECDE is a fully devolved function to the county government. This issue of ECDE, we have to take it, not take it lightly, because this is where our kids' foundation starts. In Kitui County and also in ASAL counties, ECDEs are overcrowded. The classes are limited and even poorly done, and there is also a shortage of teachers.

To add to that, this is where the ghost workers are mostly found in ECDEs. There was a time when I was in the County Public Accounts Committee and I realized these ECDEs are normally paid through casual and manual labour. So, it means that these ghost workers can increase overnight. There are all these ECDEs, and in reality, our kids are not getting the education that they are supposed to be getting from the counties.

I urge the Standing Committee on Education to be serious about these ECDEs in conjunction with these ghost workers of teachers, which the governors are using to repay the expenditures on a monthly basis.

Thank you, Mr. Speaker.

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**The Deputy Speaker** (Sen. Kathuri): Next is Sen. Mwinyihaji Faki.

**Sen. Faki:** Thank you, Mr. Deputy Speaker, Sir, for also giving me this opportunity to comment on a statement by Sen. Hamida on the state of the building industry in Nairobi and the country in general.

We did request a statement on the issues of compliance with the building code and building regulations and legislation in the counties of Nairobi City, Mombasa, Nakuru, Uasin Gishu, and Kiambu. However, only two counties responded. One of them was Nairobi City County, and one of the issues that we realized was that the capacity of the planning and building department of the County of Nairobi City was very much understaffed. We requested the county government to come up with a report on what measures they are taking in order to comply with the legal requirements. However, as of today, we have not received any response.

As for Mombasa County, where I come from, the situation is also worse because at the moment, we have only three qualified building inspectors who are unable to undertake the work that is currently, supervision of the work that is currently happening in Mombasa.

The other issue is that the approvals are being done without any regard to the facilities that are available. You will find that in an area that has no water but they are still approving 10-storey or 11-storey buildings, or even 12-storey buildings, yet there is a challenge with water and there is a challenge with sanitation. At the moment, most of the sewage water is going directly to the Indian Ocean. If you go to places like Tudor, Liwatoni and some places in Nyali, sewers empty directly into the Indian Ocean.

It is important that the counties comply with the building code. Any approvals should consider the facilities available in that area. For instance, the road facilities that are available, a firefighting facility, water, sanitation, and all other amenities that are supposed to be available to this population.

So, Mr. Deputy Speaker, Sir, I support the statement by Sen. Hamida and we look forward to some of these issues being handled conclusively---

**The Deputy Speaker** (Sen. Kathuri): I give you 30 seconds to conclude your thought.

**Sen. Faki:** Yes, thank you, Mr. Deputy Speaker, Sir.

In Mombasa County, the Kipevu Sewage Treatment Plant has not been working for almost 10 years now. The Senate Committee on County Public Investments and Special Funds (CPIC) has visited the place twice, but nothing is happening.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Senators, the time that was allocated for statements, you can check it; it is already 21 minutes past the statement's hour. If you say two minutes, we are going back to almost 30 minutes again. So, maybe I give two on this side and two on this side to balance and then we can conclude.

So, Sen. Kisang, you have the Floor.

**Sen. Kisang:** Thank you, Mr. Deputy Speaker, Sir. I also want to weigh in on the statement by the Senator for Mombasa. This Mombasa Road is a very busy road---

**The Deputy Speaker** (Sen. Kathuri): Just two minutes, kindly.

**Sen. Kisang:** That is okay, two minutes.

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Mr. Deputy Speaker, Sir, this is a busy road; if we get an investor and a public-private partnership, we are told that basically the road will be done in a very short time. This is something that we need to urge the government to push quickly, so that the road joins the Rironi-Malaba Road, because those of us from the western part of the country are already seeing the status of the road from Rironi to Nakuru and then Nakuru to Malaba and Busia. It will change a lot of lives. It will also improve the economy of the country because I remember last year, in December, I got stuck on that road from Rironi to Kijabe for only seven hours, and then I decided to come back; I took another eight hours. It is terrible; it is important.

This weekend, I was in Malili for a family function. I took over two hours from Konza to Nairobi, which in ordinary situations, you should take like 30 or 35 minutes. So, the issue of Mombasa Road is very urgent, and the authorities, especially the Kenya National Highways Authority (KeNHA), have a very competent Director General currently. He needs to fast-track it, so that the road is dualized for the benefit of Kenyans and even the economy in the region.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): The Senate Minority Leader, Sen. Madzayo.

**The Senate Minority Leader** (Sen. Madzayo): Asante, Mstahiki Naibu Spika. Kwanza, ninataka kujiunga na wenzangu waliotangulia kuongea kuhusu barabara zetu hususan barabara ya Mombasa kuja Nairobi ama Nairobi kuelekea Mombasa. Ni kongole kwa sababu barabara tunayoijua ya kutoka Nairobi kwenda Kisumu imepanuliwa na kutakuwa na afadhali kidogo na pia hakutakuwa na ajali.

Ajali nyingi zinatokea katika barabara ya Mombasa-Nairobi. Watu wengi, katika familia zao na katika Kenya nzima, hakuna familia ambayo haijalia kwa kupoteza rafiki, ndugu, jamaa ama watoto. Watu wamekuwa wakipoteza maisha yao katika barabara hizi. Ni kwa sababu gani? Ni kwa sababu ya mlolongo katika barabara hizi. Tunataka serikali izingatie kuona kwamba inapanua barabara ya Nairobi - Mombasa ili kuwasaidia Wakenya.

Ya pili ni kwamba tunaona mara nyingi inakuwa kuna ugumu wa Serikali kuweza kutengeneza pesa kama hizo. Tunataka watu binafsi washikane katika Public, Private Partnership (PPP), watengeneze na waweze ku*charge* kama vile South Africa ambako kuna barabara zinatengenezwa na makampuni binafsi zikishirikiana na serikali. Alafu kutakuwa na urahisi *contract* kama hiyo ikitekelezwa. Kwa hiyo, ingekuwa vyema tukiangalia Kenya National Highways Authority (KeNHA) na serikali inayokuja, na tuna imani ya kwamba itakuwa na juhudi za kupanua barabara hii.

Asante sana Bw. Naibu Spika.

**Sen. Wakwabubi Consolata:** Thank you, Mr. Deputy Speaker, Sir, for the opportunity. I would like to contribute towards Sen. (Prof.) Ojienda's Statement on payroll verification and elimination of ghost workers in county governments. This is a menace and it has become a regular clarion that needs urgent attention.

If you look at county governments, they have several constitutional frameworks that need to guard and guide them. Article 235 of the Constitution of Kenya, 2010 is about the mandate of County Public Service Boards (CPSB). If they are supported, in a

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way, they will have to assist. We need to have a harmonized validation and county-level onboarding. We have to look at data integration between the national and county governments.

There is a mismatch in the Integrated Personnel and Pay System **(**IPPDs) that is integrated for service and budget county systems. So, the integration can help. For example, if we have a system integration between the county government and the national Government and we have a connection between the County Human Resource Integrated System (CHRIS) and the Integrated Financial Management Information System (IFMIS), it will give a clear-cut position of who the county personnel are. It is also a preserved or an obligation of the Auditor General, the Controller of Budget, County Executive Committee (CEC) Members in charge of finance to handle the shadow payrolls that we have.

I also want to point out the role of the Intergovernmental Budget and Economic Council (IBEC) which serves a crucial intergovernmental policy and advisory role regarding county wage bills, payroll automation and fiscal compliance.

I would like to conclude by supporting Sen. (Prof.) Ojienda's Statement that counties need to up their game. Also, county assemblies have the role of oversight and accountability. I know they do not have the direct mandate of auditing---

**The Deputy Speaker** (Sen. Kathuri): You have 30 seconds.

**Sen. Wakwabubi Consolata:** Thank you, Mr. Deputy Speaker, Sir. So, they also have a role to review the regular financial statements and reports that come from the Auditor General. Also, to keep regular monitoring, review and reporting of what they get from the Auditor General. So, we need to look at that and enhance Section 155(1)(a) of the Public Finance Management Act, 2012 and the county internal audit units to maintain internal controls, risk management and payroll process to hold the county executives accountable.

**Sen. Olekina:** Thank you, Mr. Deputy Speaker, Sir. I would like to briefly comment on two very important Statements. Statement number one is by Sen. Hamida Kibwana on the funds that had been set aside for the El Nino preparedness.

We are aware that the World Bank gave a grant of Kshs51.8 billion but I have noted that her figure is indicated as Kshs54 billion. It will be important for us to know whoever is handling that money because we are not aware where it is. They should be able to present a status update on how it has been spent. This is because it is not free money. It is a loan that taxpayers have to pay. So, we should get a monthly status report to know what each county has received.

Secondly, I think it will also be important to get a full crisis response plan and allocation schedule by sector. We have the livestock sector where we were being given Kshs2.1 billion to try and help our pastoralist communities. However, it is important, for accountability purposes, because we know that money has been moved from one place to another, for us to be aware of how it is being spent. What we are afraid of in this country, is accountability.

Thirdly, I would like to comment on the Statement by Sen. Faki on Mombasa Road, which has turned from a highway to a death trap. The biggest problem we are

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facing currently is that Mombasa Road is actually a colonial road carrying 21st Century traffic. It is a big problem which extends to Narok County.

If you go to Narok County today right now at 4 o'clock, it will take you four hours to cross the town, which is only about 2 kilometers. This is because of the problems in this Parliament.

I was shocked. I have heard my colleagues talk about KeNHA which cannot do anything if we do not give it money. It was given Kshs15 million to construct a bypass in Narok Town. That amount of Kshs15 million cannot even pay *per diem* for 10 Senators traveling abroad. How do we expect Kshs15 million, one, five---

That is what the Budget and Appropriation Committee of the National Assembly allocated for the Narok County bypass. That is ludicrous and we must call a spade a spade.

Today, we have Kshs350 billion lying in an account in the Central Bank from the Infrastructure Development Fund (IDF). If we are going to change Mombasa Road from being a death trap---

Just recently, we buried dozens of Kenyans in Mutito and other places. If we are going to be fair to other counties, we must borrow money from that Kshs350 billion sitting in the IDF at Central Bank and give it to KeNHA for them to construct.

Finally, the Kenya Power and Lighting and all those data companies must be called to order. Today, power lines are being constructed in the middle of the highway. You find that in every small town, they are putting the big power line of 33 KV in the middle of a highway. How do they expect us to develop? Do they want us to continue living like 1920s small towns? So, Kenya Power must be called to order.

Mr. Deputy Speaker, Sir, please allow me 30 seconds.

When I called the Managing Director of Kenya Power, he asked me who is doing the work? We have to make our towns look clean. Is it KeNHA or Kenya Urban Roads Authority (KURA) yet we are not giving them money? So, we expect institutions that we have put in place to work but this Parliament does not give them money. How do you expect to have a bypass in Narok for Kshs15 million? That can barely buy my 20 suits. It is ridiculous. We have to be cognizant of the fact that we are in the 21st Century. We cannot allow Parliament to continue lamenting yet we are not sending money to institutions.

When we change the Constitution of this country, we want the Senate to be involved in the budget-making process so that when we are making budgets, we can also allocate enough money to our counties.

We are here for oversight---

**The Deputy Speaker** (Sen. Kathuri): I added you the 20 seconds. Actually, it was almost a minute.

*(Sen. Mandago spoke off record)*

No, what is this matter that you must canvass today, Sen. Mandago? Do it in under one minute and then we will have Sen. Ojienda.

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**Sen. Mandago:** Thank you very much, Mr. Deputy Speaker, Sir. I just wanted to add my comments on the issue of ghost workers and payroll. There is one problem that has never been addressed between the national Government and county governments. The payroll that is being used by county governments is actually run by national Government through the Department of Personnel Management. It is the Integrated Payroll and Personnel Database (IPPD) payroll.

The reason counties cannot put workers directly on payroll is because they have to wait for the State Department of Human Resources to allocate payroll numbers. Sometimes, it takes them even a year to allocate those numbers to new staff so that they can be paid through payroll. Therefore, I propose that counties be allowed to independently run their payroll system so that when they recruit, nobody is paid outside their payroll.

On the issue of continued increase of the wage bill; counties must be taken to task to ensure that they meet those limits.

On the matter of Kenya Power and Lighting Company (KPLC), I just want to add to what Sen. Ledama was saying. It is ridiculous for KPLC to erect a pole in the middle of the road and expect to be paid to relocate that pole. Therefore, I propose that through the Intergovernmental Act, a multi-agency infrastructure development committee in every county be established that brings together the Kenya Urban Roads Authority (KURA), Kenya Rural Roads Authority (KeRRA), Kenya National Highway Authority (KeNHA), the county government, KPLC, Rural Electrification & Renewable Energy Corporation (REREC), water agencies and all the data companies to ensure we have decent infrastructure development that does not cause losses through demolition.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): Sen. (Prof) Tom Ojiambo, proceed.

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Thank you, Mr. Deputy Speaker, Sir.

I wish to ride on the speech by my brother Senators; Sen. Olekina and Sen. Mandago, on the issue of KPLC. KPLC must be called to order to ensure that their infrastructural developments support the activities on the ground. Clearly, it is strange that KPLC should seek compensation for structures that are one; illegally erected and two; should be moved in the public interest. The right of access is an important right and KPLC should be helping government to improve infrastructure.

To comment on the Statement by Sen. Faki about accidents on Mombasa Road with 40 lives having been lost; I want this Senate to propose that Mombasa Road be dualled just as the ongoing Limuru Road is being dualled. I am glad the Chairperson of the Standing Committee on Roads, Transportation and Housing is here. The Rironi Road project was initiated by the Government and it will improve communication from Rironi all the way to Nakuru and eventually to Busia; an infrastructure that will open up western Kenya and the Rift Valley. I am glad that the Government is putting money in the right places.

We have the Chemelil Junction-Mamboleo Road in Kisumu, where the Government has allocated over Kshs4.5 billion. That will open up the entire sugar-growing zone. Those are the kind of things we want to see in this country; that the Infrastructure Development Fund that now stands at Kshs350 billion will be used to

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actualise infrastructural changes and transformation that will see this country move to a second level economy.

Mr. Deputy Speaker, Sir, I support.

**The Deputy Speaker** (Sen. Kathuri): Clerk, call the next Order.

The Chairperson of the Mediation Committee, Sen. Mandago, proceed.

**Sen. Mandago:** Thank you very much, Mr. Deputy Speaker, Sir.

First, let me start by thanking the Mediation Team of the National Assembly and the Senate for the tremendous work they have done in putting together this Bill, mediating and agreeing that the Cooperatives Amendment Bill is a very, very important law for the management and sustainability of cooperatives.

The Bill went to mediation because of the contention on matters that the Senate had passed and the National Assembly did not agree with the Senate on. As we met as a mediation---

**The Deputy Speaker** (Sen. Kathuri): Just a minute Sen. Mandago, approach the Dispatch Table first.

*(Sen. Mandago approached the Dispatch Box)*

## MOTION

ADOPTION OF REPORT ON THE COOPERATIVES BILL
(NATIONAL ASSEMBLY BILLS NO. 7 OF 2024)

**Sen. Mandago:** Thank you very much, Mr. Deputy Speaker, Sir. A report of the Mediation Committee on the Cooperatives Bill (National Assembly Bill No. 7 of 2024).

Mr. Deputy Speaker, Sir, I beg to move:-

> THAT, the Senate adopts the Report of the Mediation Committee on the Cooperatives Bill (National Assembly Bills No. 7 of 2024), laid on the table of the Senate on Wednesday, 4th November, 2026; and that, pursuant to Article 113(2) of the Constitution and Standing Order 167(3) of the Senate, approves the mediated version of the Bill.

As I move this Motion, there are a number of things that we had to agree with the National Assembly on bearing in mind the importance of the cooperative sector. Other than the banking industry, the cooperative sector holds substantial amount of savings of Kenyans from all walks of life; from farmers and workers of this nation to many other sectors that have federated themselves into cooperatives and saved their little resources. Therefore, the need to provide a comprehensive legal framework that then enables the cooperatives to be sustainable and grow the member savings.

The matters under contention included the issue of registration of cooperatives. In the old version of the Bill, registration of cooperatives was done by the national Government through the Commission of Cooperatives, while we all know that cooperatives is actually a devolved function. In order to make that registration easy and seamless, the Mediation Committee agreed that there is need to classify cooperatives into

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two; those cooperatives that operate nationally across the country and those that primarily operate in a specific county.

In that classification, the Committee then agreed that there is need to have a County Commissioner of Cooperatives with almost similar functions as the Commissioner of Cooperatives at a national level. The County Commissioner of Cooperatives will then be responsible for registration and overseeing the cooperative sector at the county level while the Commissioner of Cooperatives at the national level will be responsible for overseeing all the cooperatives that operate in more than one county for purposes of coordination.

In the registration of cooperatives, the Committee also agreed that there is need to maintain a national register of cooperatives and with recommendation that we have an electronic register. This is to make sure that there is no cooperative in the country that will operate without registration, regardless of whether it has been registered at the county level or at the national level. The National Commission of Cooperatives will then have the responsibility of maintaining that cooperative register.

Mr. Deputy Speaker, Sir, the other matter of contention that we had is the issue of audit. The Commission of Cooperatives in the old Bill had immense powers that were vested on one individual. Considering the number of cooperatives, we have in the country, it was not possible for the Commission of Cooperatives to go through all the audit and enquiry reports and make recommendations. That is why, in some of the recent incidences where we have had cooperatives collapsing, including the Apex Kenya Union of Savings and Credit Cooperatives (KUSCCO), governance issues were at the core.

Regarding KUSCCO - you remember that the principal auditor of the audit firm which was auditing KUSCCO had actually died more than five years ago, but the signature continued to be used to approve the books of KUSCCO. Therefore, the Mediation Committee agreed that there is good reason to establish the National Audit Office for Cooperatives and the County Audit Office for Cooperatives.

The roles of these two offices will be to ensure that all the audited books submitted by cooperatives, before they go to the Commissioner of Cooperatives, are reviewed by the County Audit Office before they are presented to members in the Annual General Meeting (AGM), to make sure they comply with accounting standards and to detect any fraudulent or manufactured books, as was the case witnessed in some of the cooperatives that are still under inquiry. The role of the National Audit Office will also be to look into cooperatives that operate nationally and make sure that they comply. The auditors who will audit cooperatives across the country will be drawn from registered, qualified and licensed audit firms as required by the Audit Act and by the Institute of Certified Public Accountants of Kenya (ICPAK).

Mr. Deputy Speaker, Sir, this will ensure that only auditors of good standing and in practice will be auditing our cooperatives, and therefore reduce the possibility of mismanagement or loss of members' resources. You are aware that a number of cooperatives have also been liquidated or have been put under statutory management. Previously, there was no mechanism to check whether a cooperative, before being put under statutory management or dissolution, could still have a chance of being revived with a few governance restructurings. Therefore, the Mediation Committee felt that

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before a cooperative is dissolved, the person with the final say should be the Cabinet Secretary.

After the National Audit Office and the County Audit Office, the County Commissioner of Cooperatives and the National Commissioner of Cooperatives have satisfied themselves that they have exhausted all the mechanisms of revival of those cooperatives, that office was introduced to make sure that members do not lose their resources through a decision made by one individual. Also, in the Mediation Committee, we discussed the issue of time limits.

The issue of time limits and academic qualifications had been introduced previously, and we felt that there are cooperatives in this country operating majorly in our rural areas, other than the ones for employees. We have farmer-based cooperative societies, we have other cooperatives that operate at the lower levels, and they are doing extremely well, although they are being managed by Kenyans who, you would say, do not have high academic qualifications. It was the consensus of the Committee that academic qualifications will discriminate against members who are contributing and have a right to be elected to manage the affairs of the cooperatives. Therefore, the Mediation Committee agreed that Form 4 qualification is sufficient for any Kenyan to be able to run a cooperative.

In fact, as we discussed the issue of qualifications, Members raised the matter that it will not be in order for this House and the National Assembly to be asking Kenyans to have higher qualifications for all offices, while the only qualification you need to be a Senator, to be a Member of Parliament, to be a Member of County Assembly (MCA), including being a governor, is a national identity card. We therefore thought it would be unfair to Kenyans for us to put high academic qualifications for management of cooperatives, cooperatives that some of them have been managed very well without these high qualifications.

Mr. Deputy Speaker, Sir, a good case of a well-managed cooperative is the one in your county that deals with milk, and is even going higher in terms of value addition, and they are now processing milk. It is one of the top cooperatives, but when you look at the old men managing those cooperatives, we do not have people with master's degrees, but they have the capacity to run those cooperatives. Therefore, it was the feeling and the agreement of the Mediation Committee that we do not introduce high qualifications.

Many cooperatives in the past have been dissolved by the decision of the National Commissioner of Cooperatives. A good classical example that was revived is the Cooperative Society of Moi University, KUSCCO, that through the intervention of the Cabinet Secretary and a proper independent audit, it was revealed that the debt that had been placed on KUSCCO was actually inflated. With that audit and the remedial process initiated by the Cabinet Secretary for Cooperatives and Micro, Small and Medium Enterprises (MSMEs), Hon. Wycliffe Ambetsa Oparanya, we thank him. He understands because he has a background of having been a governor, and knows the sector very well. KUSCCO is now up and running, and members' savings and assets have actually been saved.

Mr. Deputy Speaker, Sir, we therefore agreed as a Mediation Committee that cooperatives will not be dissolved just as a decision of a County Commissioner of

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Cooperatives or the National Commissioner of Cooperatives, but it needs involvement. It is a process that is established in this law that we agreed, so that cooperatives can be able to thrive and be used as a means of economic growth for the country.

There is the issue of the Cooperative Development Fund that was introduced in this Bill. The purpose of the Fund is to promote cooperative business in the country. The Mediation Committee agreed that the resources that will be raised for cooperatives under this Cooperative Development Fund will be shared between counties and the national Government to promote the activities of cooperatives, both at the county level and at the national level, following the classification of cooperatives.

The other matter that came up in our discussion is the issue of sale of shares by members of cooperatives who feel they want to retire. You know, a majority of cooperative members, particularly those who are employed, a number of times when they retire, they also want to step out of the cooperative movement, and they want to take their savings and shares. Previously, there was no provision for sale of those shares. The Mediation Committee has agreed and put a clause that requires cooperatives to establish a platform where members can sell their shares, so that they do not have to leave their hard-earned money in a cooperative while not continuing to benefit from the same. Therefore, the Committee agreed that it is necessary to provide a platform that will enable members to sell their shares when they retire.

Finally, the Mediation Committee also agreed on the issue of the Cooperative Tribunal. The Cooperative Tribunal shall have two Deputy Chairpersons. Because of the nature and the number of cooperatives that we have, and the number of issues that have arisen, it was agreed by the Mediation Committee that we have two Deputy Chairpersons. That makes it possible to even have two tribunals running concurrently to handle the matters that will arise because of the sheer number of issues that arise through cooperatives, and they need to resolve them within a shorter period of time, so that members can benefit.

Mr. Deputy Speaker, Sir, we also provided in the dissolution of a cooperative, the participation of members, so that it is not only the appointed liquidator who will sit there and decide how things will be run. We have provided through that tribunal participation of members, so that the dissolution can be fair, just, and safeguard the resources.

With those comments, I beg to move. I request Sen. Maanzo to second.

**The Deputy Speaker** (Sen. Kathuri): Sen. Dan Maanzo.

**Sen. Maanzo:** Thank you, Mr. Deputy Speaker, Sir. I was part of the Mediation Committee and we stated that as the Senate, we stand for devolution and cooperatives are devolved. A number of issues had been amended by the National Assembly to the disadvantage of cooperatives and we tried our level best to come up with a new Act of Parliament dealing with the cooperatives, which will be a big improvement into what we have currently.

I have history with cooperatives. First of all, I studied cooperatives law and secondly, when I was the Secretary of Cooperatives, I helped in the establishment of the Cooperative University, which is in Karen, from the Cooperative College. I am also aware that cooperatives run from the village to international status. We have KUSCCO in Kenya and the World Council of Credit Unions (WCCU), which is international. We also

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have the Cooperative Alliance of Kenya and the International Cooperative Alliance, where Kenya is the vice.

Therefore, Kenyans who are in cooperatives are 14 million in number, adults who are able to make their savings. In fact, for any nation to grow, they must invest in cooperatives, from the farming cooperatives, transport cooperatives and financial cooperatives. There are SACCOs also called credit unions in the USA and Canada.

Mr. Deputy Speaker, Sir, I support what the Mediation Committee finally came up with; that we strengthen cooperatives in counties and make them more accountable. While going on with this, we invited the Auditor General and she stated that she could only deal with cooperatives if the government had put money in cooperatives to revive that sector. As it is, cooperatives are private enterprises where there is cooperation within cooperatives and which are highly supported by the Cooperative Bank of Kenya. It understands how they operate and it works with many of them and it sponsors the growth of cooperatives.

We have training of cooperators by the Cooperative University, wherever they are and there is a proper network to that. The Ministry of Cooperatives and Micro, Small and Medium Entreprises Development is very important in this country. Remember hon. Kibaki. Cooperatives survive well in central Kenya and Meru, which are farmers SACCOs. Therefore, there is need to protect monies for cooperatives.

Mr. Deputy Speaker, Sir, cooperatives like Harambee Sacco is bigger than some banks in this country. Therefore, members' savings have to be safe, dealt with and invested properly. There are housing cooperatives and that sector is what grows a country. Therefore, there is a need for this Senate to strengthen them. The new law has been proposed.

First and foremost, I believe it is going to have regulations because some of the things you hear us talking about here can only best be implemented through regulations. We are looking forward to very good regulations touching in every sector of the cooperatives. This new Act is welcome and is subject to be amended further to make it better for Kenyans and to make cooperatives work better.

When it comes to auditing of cooperatives, they are audited by a known registered auditor in the country, appointed by the cooperative entity in its annual general meeting. The commissioner of cooperatives is a very important person in cooperative law and in the growth of cooperatives. Whoever will be the commissioner in charge of cooperatives at the county; the two of them must work together for the benefit of cooperatives, because cooperatives are at the county level and the national level.

Mr. Deputy Speaker, Sir, the registration of cooperatives is synchronized in this law so that there is no double registration. The national commissioner must know what is happening in the county. Remember, this is under a Ministry with a Cabinet Secretary and a Principal Secretary who is knowledgeable about cooperatives. However, the most important person when it comes to the technical dealing of cooperatives is the commissioner of cooperatives. Therefore, all that has been retained. What needs to be checked most is stealing and looting from cooperatives.

Mr. Deputy Speaker, Sir, as I second this Motion, I would like to state that this is a better law than what we used to have. It has been lobbied for by the cooperatives for a

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long time but it is subject to the voting of this House, the amendments which are going to be proposed and the regulations which are going to be made.

*(Question proposed)*

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, I now open the Floor. I can see those topping my list are not in the House. I start with Sen. Alexander Munyi Mundigi, Doctor.

**Sen. Munyi Mundigi:** Asante, Bw. Naibu wa Spika, kwa kunipa nafasi nichangie mjadala unaoendelea wa *cooperatives*. Wale walikaa kwa *mediation* walifanya vizuri kwa sababu *cooperatives* nyingi zimeteseka. Wale wako kwa hizo *cooperatives* ni wakulima wa maziwa, kahawa na majani chai. Pia, kuna wafanyikazi.

Hii sheria imesaidia kwa sababu itarudi kwa kaunti zetu kule watu wengi wako kule kwa vijiji. Ningeomba *commissioner* wa *cooperatives* ajaribu kufuatilia sheria saa zile kutakuwa na watu wanajaribu ku-register *cooperatives.* Nyingi zimeisha. Ni vizuri aanze kutoka mwanzo. Akifuatilia hesabu ya zamani, kazi haitakuwa mzuri. Ningeomba aangalie ile njia inafaa sababu kutakuwa na vikundi vya ku-register. Lazima kuwe na *gender balance* na *disabilities* ndio hivyo vikundi vifanye kazi kulingana na ile njia inafaa. Vikundi vingi vimezoroteka. Utapata ni kupeleka makaratasi na kutofanya kazi kulingana vile inafaa.

Bw. Naibu wa Spika, ndio hivi vikundi viendelee na njia mzuri, kuna mambo mengi serikali ya national Government na kaunti zingefuatilia na pia na imebadilishwe sababu tuko kwa *devolution.* Utapata vikundi vingi ni vya wakulima na wengi wako na kazi nyingi. Ningeomba serikali ipeane kazi kwa cooperatives ndio waanze kukopa kwa ile bei inafaa na ya chini. Pia, serikali ipeleke pesa mashinani ndio watengeneze *boreholes* na barabara kwa sababu, barabara nyingi kule mashinani zimeharibika.

Ndio vile vikundi vipate faida kwa ile njia inafaa, barabara zetu ziko na shida. Wale wanalima majani chai, mvua ikinyesha, majani chai inachelewa na vile vikundi vinafaa vijisaidie na zile pesa, pia wakilipa ile mikopo wamekopa kutoka benki. Utapata wameteseka sana.

Kule kaunti ya Embu, kutoka Makutano kwenda Mwea ana Tharaka Nithi, barabara imeharibika. Ningeomba Wizara ya Barabara na Uchukuzi itengeneze kama *express way* au *dual carriage* ndio wale wakulima wakiuza maziwa wauze haraka na warudi mashambani.

Bw. Spika wa Muda, kwa wakulima wa miraa, accidents zimekuwa nyingi. Kutoka Makutano hadi Embu ni takriban kilomita arobaini. Lakini kutokana na msongamano mkubwa wa magari, maziwa, kahawa na majani chai huharibikia njiani. Kwa hivyo, naomba Serikali Kuu itafute fedha na kupeleka mashinani katika kaunti zetu ili tuwe na dual carriage ili kilimo chetu na cooperatives zetu viweze kuendelea katika njia iliyo njema.

Pia, katika Kaunti ya Embu, magari yanaharibika haraka sana. Mengine hupata ajali na kusababisha msongamano mkubwa jambo linalosababisha mazao tunayolima kuharibika kabla hayajafika sokoni. Kaunti ya Embu pia ina cooperatives zinazopanda maua ambayo huharibika njiani kwa sababu barabara zetu ni mbaya. Kwa mfano, kutoka

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Embu kuenda Muthatari, kuenda Siakago hadi Runyenjes, barabara ni mbaya. Hata kutoka Embu kuenda Tharaka Nithi hadi Meru, barabara ni mbaya pia. Naomba Serikali iaangalie barabara zetu.

Wakulima wengi pia wanataka maji. Serikali Kuu ipeleke fedha mashinani katika kaunti ili watu wakope kwa ajili ya kununua matangi ya maji na kuchimba visima ili waweze kupata maji ya kilimo. Siku hizi kazi ni kidogo, lakini kila mtu katika kona zote za nchi yetu ya Kenya, kaunti zote arobaini na saba, wamekubali kulima. Kwa hivyo, Mswada huu ukipita, wakulima wataweza kusaidiwa kwa mambo ya maji na barabara.

Vile vile pesa watakazokopeshwa, wakopeshwe katika njia inayofaa. Pia, wakulima wakitengeneza cooperatives, wachague wale walio na maono na waelimishwe jinsi watakavyokopa fedha na kulipa katika njia inayofaa.

Kwa hivyo, Mswada huu si mbaya. Kama Seneta wa Kaunti ya Embu, naunga mkono Mswada huu kwani utasaidia kaunti zetu. Lakini barabara zetu ni mbaya hata mtu aliyekopa gari kwa cooperative linaharibika haraka.

Asante. Ni mimi Daktari Sen. Alexander Mundigi, Seneta wa Kaunti ya Embu. Pia, niko kwa broad based na nasema ni two term.

**The Deputy Speaker** (Sen. Kathuri): Sen. Nderitu John Kinyua.

**Sen. Kinyua:** Asante, Bw. Spika wa Muda, kwa kunipatia fursa hii. Kwanza, nataka kupongeza Kamati ya Maridhiano iliyoongozwa na Seneta wa Kaunti ya Uasin Gishu, Sen. Mandago, kwa kazi nzuri waliyofanya. Lengo kuu la Mswada huu wa Ushirika ni kuweka mfumo thabiti wa kisheria wa kusimamia na kuelekeza vizuri vyama vyetu vya ushirika.

Bw. Spika wa Muda, nimemsikiza Mwenyekiti akituambia majadiliano waliokuwa nayo na vile walivyoweza kuafikiana. Nataka kuwapongeza kwa sababu walisimama kidete kabisa. Vyama vya ushirika viko katika gatuzi zetu na mambo waliyokubaliana yalilenga kwamba gatuzi zetu ziwe na usemi katika mambo haya ya vyama vya ushirika.

Bw. Spika wa Muda, walisema ya kwamba kamishna wa vyama vya ushirika asiwe tu katika ngazi ya kitaifa. Anapaswa awe na mwakilishi ama ofisi kama ile ile iwe katika gatuzi zetu kwa sababu vyama hivi vinapatikana katika kaunti zetu. Kilichonifurahisha zaidi ni kwamba vyama hivi vinapaswa visajiliwe katika gatuzi zetu, lakini tuwe na nakala katika ofisi ya kitaifa. Kwa mfano, kama kuna chama kimesajiliwa Laikipia, chama kingine kama hicho kisisajiliwe Uasin Gishu. Hapo nawapongeza.

Jambo lingine ambalo wamesema vizuri ni kwamba Mkaguzi wa Fedha za Umma asiwe tu katika Serikali ya Kitaifa. Tuwe na mwakilishi katika gatuzi zetu kwa sababu mengi yanatendeka katika kaunti zetu.

Vile vile wameangalia mambo ya elimu. Nataka waeleze zaidi kwa sababu wamesema mwanachama halmashauri ya vyama vyetu vya awe tu na cheti cha shule ya upili. Lakini watu wengi katika Jamhuri ya Kenya wamesoma. Ukitembea vijijini na mitaani, utapata watu wengi wako na shahada na wengine wako na diploma. Pengine wakati wanajibu watatueleza walifikiria nini waliposema mwanachama awe mtu ambaye ana cheti cha shule ya upili.

Bwana Spika wa Muda, nasema hivi nikijua kwamba watu wengi wamesoma. Nimemsikia akisema ya kwamba katika sehemu uliyotoka, watu hawana vyeti vya vyuo

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vikuu lakini wanaendesha vyama vya ushirika vizuri. Lakini tunafaa kuendelea mbele. Hapo ndipo ninapohitilafiana nao. Lakini nakubaliana na mambo yote mengine kwa sababu walikuwa wakiangalia gatuzi zetu kwa makini.

Bwana Spika wa Muda, ufisadi umekuwa changamoto katika hivi vyama vya ushirika. Na si tu ufisadi, vyama vya ushirika vinakumbwa na ukosefu wa hela. Chanzo cha ukosefu huu wa hela ni wale wanaokopa hawatumii vizuri fedha walizokopa. Baadaye, vyama hivi vya ushirika vinaingia katika ukosefu wa pesa na tunajipata katika hali ya sintofahamu. Kwa mfano, Afya Sacco na KUSCCO zimekuwa katika hali hiyo. Ni vyama vya ushirika vichache vilivyobobea katika kazi hiyo, hasa vyama vya ushirika vya maziwa na majani chai. Lakini vyama vya ushirika vingi vinaingia katika hali ya ukosefu wa hela na vinapotea.

Kamati ilifanya kazi vizuri. nawapongeza na ninawaunga mkono. Ikiwa kutakuwa na kupiga kura, nitapiga kura kuunga mkono Mswada huu kwa sababu wamefanya kazi nzuri. Waliwakilisha Seneti vizuri. Bunge la Kitaifa lilitaka majukumu yote yabaki katika Serikali Kuu ili Kamishna General awe na mamlaka yote. Akisema anafunga chama fulani, anafunga. Lakini naunga mkono walivyokubaliana kwa sababu gatuzi zetu zimepewa mamlaka. Hawezi akafanya jambo kiholela bila kuhusisha makamishna watakaokuwa katika gatuzi zetu.

Bw. Spika wa Muda, naunga mkono na nashukuru kwa kunipa fursa hii.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey Samzon.

**Sen. Cherarkey:** Mr. Deputy Speaker, I thank the Mediation Committee for the wonderful report they have done, especially Members of this House. We are proud of what they did, led by the Chairperson, the Senator for Uasin Gishu County. Coincidentally, the Vice Chairperson is also a Member of Parliament from Aldai Constituency, which is in my county, and colleagues who sat down and processed this mediation.

Mr. Deputy Speaker, Sir, you are aware that what we are doing is provided for under Article 113. This is a mediated version of the Bill that will be passed. You remember when farmers met at the Summit a few weeks ago in Nairobi, where the President addressed them. He alluded to the Cooperatives Bill (National Assembly Bills No.7 of 2024), being processed by Parliament for his assent so that we can continue to encourage the cooperative movement in this country.

I am happy that our team from the Senate and the National Assembly must know this: that cooperatives is a devolved function. The Senator of Uasin Gishu County, who is the former Governor of Uasin Gishu, was well aware that the cooperative movement, or cooperatives, is devolved. The future of this country, even to capture and create wealth, is through Savings and Credit Cooperative Societies (SACCOs).

Cooperatives are very important in this country. Even the "*Harambee"* slogan in 1963 was *Harambee*: let us come together. These cooperatives will come together. We have seen that the region I come from, and of course, the region where the Chairperson comes from, is a region where we rely heavily on the agriculture sector. Therefore, the cooperative movement in this country is very critical.

I am happy that we have set the legal framework and allowed our farmers and business people. I am aware that you are a member of the Parliamentary SACCO, Bunge

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Cooperative Savings and Credit Society (BUCOSO), where I am your director; I am your boss. I sit on the board, and I have formerly served as the Vice Chairperson of the Parliamentary SACCO. I can see the Clerks-at-the-Table are smiling. They do not know the person who controls the purse calls the shots. Even if he is a junior, when you have cash, you control everything.

So even as parliamentarians, and Kenyans should know, I was with the Mothers' Union of Kabiyet, Arch-Deaconry of the Anglican Church of Kenya (ACK). I had been invited by Reverend Rop to a Mothers' Union. They are doing a project within Kabiyet Township. We made the Mothers' Union come up. They are building something under Kabiyet Arch-Deaconry. I was encouraging them. I was telling the ACK Arch-Deacons and the Mothers' Union, and I want to commend them and congratulate. They have purchased land; they have come together; they are building property. They are farmers of Sireet OEP who deal with tea. They are farmers in Koylot who are in the dairy sector.

I think there is Canon Netunya and the rest. There are many who are in the dairy sector. Lelchego, we have the Koilot dairy there. Although we pass our deepest condolences, we lost our senior retired Chief Moro in Koilot, and we continue to pass our deepest condolences.

So, in those areas, even Kabiyet Dairies, among others, all these are run by SACCOs, and I was encouraging them. When I engaged the women, I told them that even we, as Members of Parliament, also do SACCOs, because you get fair terms of engagement, especially when you have shares. You can do projects; you can improve. It is what we call---President Museveni, when he was running for the sixth term, he said: "Protecting the gains." The only way we will create wealth is through cooperative societies. Therefore, I want to thank the committee for this mediated version of the Bill that we need as a country so that we can allow our SACCOs to thrive.

The Senator of Uasin Gishu should tell you that the people who could work to marshal where they used to sell Peugeot 504 and 404, kind of vehicles and buy zero-mileage vehicles were farmers who used to be in the cooperative movement in Uasin Gishu and Nandi counties, who supplied milk and they used cooperatives from 1963. So that one, you no longer get somebody who can buy zero mileage in Toyota, even Members of Parliament. We buy used cars from Japan. In fact, they have been dumping them in Africa. That is why you have reached for seven years, five years, because there is no money. However, when the cooperative movement was strong in this country, there were no Harambees. People would purchase things, children would go to school, and family living standards would go up. It is only through the cooperative movement.

I want to encourage the young people to also be part of this change of cooperatives in this country, but the people who should allow us to do so and create cooperatives are our county governments. I expect that even Nandi will lead the cooperative movement, especially in coffee. There are a number of cooperatives in Tinderet, including Kipsilel Farmers Cooperative Society that deal with coffee. We must protect these movements and give them the necessary support.

Therefore, I want to agree with Sen. Mandago, who has brought the Mediated Version of the Bill and the report to the House that we need to process. We do not need to waste a lot of time; let us allow the President to assent.

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I agree on the aspect of the audits. You remember that KUSCCO collapsed with Kshs17 billion because of lethargy or lack of the law. I am happy that the distinguished Senator of Uasin Gishu County and the Committee on Mediation have introduced stricter measures of oversight and audit, where we are no longer---

The Commissioner General of Cooperatives had sweeping powers, but now that we shall have national auditors based in counties, we will ensure most of these cooperative societies--- You have seen most of the cooperatives like Harambee SACCO; we used to have Mwalimu SACCO, KUSCCO, and some other SACCOs even in Meru and across the country that used to die. Even the one where, when the President comes to your region, people say, Your Excellency, can you bail our cooperative societies of coffee from their debts, or being worn out? It is somebody who stole that money and probably their directors.

Therefore, I agree with Sen. Mandago that we need stricter mechanisms of audit and integrity so that we ensure that we give the audits, the audit at county level or at the national level so that they can be able to audit those issues and ensure that we put it in place.

On the audit, again, the National Auditor for Cooperatives, Article 229 provides that the Office of the Auditor General will ensure that we have in place the necessary office to audit, but, of course, if it is public funds, then there is Article 229. I want to commend the Office of the National Auditor for Cooperatives, which will ensure that there is proper auditing of our issues, and to ensure that we prevent loss of funds, especially in cooperative movements in this country.

Mr. Deputy Speaker, Sir, if you notice, even in Meru and Nandi and across the country, the reason most people no longer believe in cooperatives is that even my brother from Kirinyaga County, the reason most of the coffee cooperatives have collapsed is that most directors stole from those cooperatives and that is a fact.

We expect the Ethics and Anti-Corruption Commission (EACC) to ensure that most of the losses that are being incurred, even if it is in Mwea Cooperative Movement for farmers, or coffee cooperative movement, where people became rich overnight, most of these directors--- In fact, the EACC should do asset recovery. Instead of requiring Parliament to appropriate budget to remove them from the debt, they must---

I know the distinguished Senator of Kirinyaga County, who happens to be the former Chairperson of the Standing Committee on Agriculture, understands this. He comes from that region where directors stole and went away with billions of shillings from coffee, like the Chepkube one that we used to have. So, on the issue of audit and oversight, I want to leave it there and agree that we must have stricter measures. We must have at the county level so that----

On the qualification, I have heard people talking about academics. We, as Members of Parliament, are being selfish, and I know you have been in these corridors of Parliament for long time. I know very good farmers who did not go to school, and they can run SACCOs efficiently. I know we need directors who know how to read and write, but leadership should not be based on academic qualifications. And that has been our argument.

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You remember the Elections Act; we wanted to amend and say an MCA, a Member of Parliament, a governor should have a degree, at minimum, but what did we do as Parliament? We postponed it until 2022. We came to 2022; we postponed again. We said leadership is not based on academics.

Why are we being selfish? Let us allow a farmer in Imenti who wants to run a dairy cooperative, or in Makutano, or in Meru, who wants to be there, or in Nandi, to be a director and run the cooperative movement.

In fact, we should reduce it to reading, writing, speaking and understanding at least one national language because there are three national languages. We have Kiswahili, English and Kenyan Sign Language (KSL). That should be the minimum. Introducing post-secondary education for directors is unfair because most of cooperative societies are run by *wazee* who were never lucky to go to school like some of us.

We, politicians, are saying that it is okay to elect anybody so long as they know how to read and write but why should we introduce academic credentials to Kenyans? We are being unfair. In this Parliament, we have seen Members of Parliament (MPs) who do not know how to write even their names or do a signature, yet we want to force that on Kenyans who are doing a good job?

When that issue came here, we told Kenyans that leadership should not be based on academics. I am also telling them that leadership of cooperative societies should not be based on academics but experience. Let members of the board of directors just know how to read and write and understand at least one of the three languages. That is either KSL, Kiswahili or English.

Mr. Deputy Speaker, Sir, a miraa farmer, be it from Imenti North, Imenti South or Tigania may not understand English but they know Kiswahili and they can scribble. We should not come to Parliament and say that leadership should not be based on academics, then turn against the people because that is unfair. Let us start with us here in Parliament. If you want to talk about academic qualifications---

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, you know that from where I sit, I cannot ask you questions or seek clarification but you need to tread carefully. Miraa farmers from Imenti and Tigania understand English. I want to confirm that to you.

Please proceed.

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, I am not saying that miraa farmers, whether from Imenti, Nkubu or other parts of Meru do not understand English. What I am saying is the majority because of age and other factors.

Most cooperative societies are in the villages. Therefore, we should allow them to run them how they know as long as they follow the law and are transparent and accountable.

If you want to introduce academic qualifications, then you should start with MPs. If you were to demand a diploma as a minimum qualification or even the Kenya Certificate of Secondary Education (KCSE), 80 per cent of MPs will go home on that account.

I can assure you that some of them only have birth certificates and perhaps baptismal cards because you do not need any qualification. You only need a birth

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certificate, baptismal card and perhaps a certificate of participation in sports. You can find them with those ones.

Let me leave it there and move to the final point on dissolution and winding up of cooperative societies. I agree with the issue of having a tribunal. Let us have a chair of the tribunal to serve for a term of five years non-renewable because that is necessary.

There is also the issue of registration of cooperative societies and we must be on the lookout.

Another one is the issue of shares because we have seen what happens when people retire. We should allow for transfer and the right to sell shares so that we are also careful on the issue of insider trading. I want to encourage our cooperative movements across the country that we need to ensure that---

Mr. Deputy Speaker, Sir, before I finish, the word "shares" is not good because I remember somebody was impeached for talking about shares. A former Deputy President was impeached for saying that when you do not vote for a government, you do not have shares. Therefore, I am not comfortable with the word "shares".

The United Opposition should impeach that gentleman again. Yesterday he said that the President sent the Cabinet Secretary for Health, Hon. Duale, to Somalia to bring voters and Hon. (Dr.) Pukose to bring voters from Uganda. That is threatening the stability of the region. In fact, the United Opposition should impeach him.

*(Sen. (Dr.) Murango spoke off record)*

Mr. Deputy Speaker, Sir, the Senator for Kirinyaga County should keep quiet when I am submitting.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, there is a point of order from Sen. Murango James.

**Sen. (Dr.) Murango:** Asante sana, Bw. Naibu Spika.

Kweli ni nidhamu kwamba kila wakati Seneta wa Nandi Kaunti akichangia, lazima ataje watu ambao hawako kwa hii Bunge na hawawezi kujitetea? Tunajua kwamba siku hizi, wachafu wengi ndio wanavaa nguo safi kama Sen. Cherarkey.

**The Deputy Speaker** (Sen. Kathuri): Umesikia vile umeombwa?

**Sen. Cherarkey:** *Nimesikia*.

Standing orders are very clear; I did not mention anybody's name. You should be careful and learn to listen, not hear.

*Ajue kuelewa sio kusikiza tu* because I did not mention anybody's name. However, the Bible says, the guilty are always afraid, so if the shoe fits, wear it. Not you, Mr. Deputy Speaker, Sir, but the person who raised the point of order. I did not mention anybody's name, I just alluded. The Standing Orders are very clear that, if you want to discuss an individual, you bring a substantive Motion. I am safe from those stray bullets. I know he needs to defend that gentleman from Wamunyoro so that he can get the nomination certificate for the Governor of Kirinyaga County. At the moment, he is looking at it in Viusasa, he might not get it.

Finally, on the Mediated version; there was the issue of voting where shareholders must vote directly. I agree that especially, for the decisions of annual general meeting of

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cooperative societies, let us have the universal sovereign where we vote directly and not through a delegate system. You have even seen that in the United States of America (USA) people have direct votes and it is easy for them to make their decisions.

I am happy that in the midterm elections in the USA, they have rejected the empty rhetoric hate and division that was being propagated by the Republican Party just like united opposition of this country where their currency is hate, negative ethnicity and lethargy. They go to Meru and say "fagia kakofia"; that is hate and incitement. The USA voters have spoken and said that if you give hate, bring division, negative energy and become lethargic, voters will send you home. That is why the Democrats have now flipped the majority in the Senate and the House of Representatives in the USA.

I inform the disunited opposition that under the one man-one vote basis in the Cooperative Movement Bill, a similar fate is waiting them in 2027. The disunited opposition is no longer united; they are fighting each other. I even saw our former colleague, your predecessor, the former Senator for Meru County kneeling down somewhere in Wamunyoro facing Mount Kenya and saying that he will never, never again say anything about government.

Next year, Kenyans will reject hate, division, lethargy, negativity and ethnicity. In fact, they will reject the politics of shares which are in the Cooperative Bill and will divide the country based on shareholding. We rejected that as a House and I am happy it has been resolved in the Cooperative Bill to accommodate cooperative issues not the way my brother who is seated behind me has changed profession from being a Senator to a video vixen.

With those many remarks, I beg to support.

**The Deputy Speaker** (Sen. Kathuri): Sen. Okenyuri Essy, proceed.

**Sen. Okenyuri:** Thank you, Mr. Deputy Speaker, Sir. I also want to support the Report that has just been tabled by Sen. Mandago by saying that I was a Member of this Mediation Committee. I am proud to say that I have prior knowledge because we initially worked on this Bill in the Standing Committee on Trade, Industrialisation and Tourism.

We were some of the Members who were fortunate enough to be in the Mediation Committee. The Mediation Committee gave us an avenue to enlighten our counterparts in the National Assembly on some of the positions the Senate had taken with regard to this Bill. Interestingly enough, they accepted most of these because they never understood the reasoning that the Senate had when it was proposing some of the clauses we proposed.

If we pass this Bill, it will be a major milestone for this country and the administration, because the cooperative movement has waited for a very long time to have a new legal framework that also captures the devolved government and the national Government.

Mr. Deputy Speaker, Sir, there are so many issues which are addressed in this mediated version. However, just to say, cooperatives are a very key thing when you look at our communities. We have farmers who are in cooperatives, we have small businesses, we have women in households. Now, through cooperatives, they are able to organise and save, and if they do that in a good way, they are able to grow economically.

Some of the challenges we faced for a long time in this country and in the cooperative sector have to do with governance, transparent management, and protecting

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members' interests. Failure to have these is the reason why we have some of the cries we see. Some time back, I think we were looking at the issue to do with KUSCCO where we had a dead auditor who was still auditing books.

Mr. Deputy Speaker, Sir, it is because of such reasons that the clause on audit and having the office of the National Auditor of Cooperatives was introduced, so that we cure such matters, where audits, before they even get to the national level, are conducted at the county level. So, before issues go amiss, alarm is able to be raised and that is looked at, so that we do not have issues lying there for a very long time. By the time we realise that there is a problem, it is too late, huge amounts of money have been lost, and we have no one to take responsibility for the same.

Mr. Deputy Speaker, Sir, on the issue of governance, you know the current laws that we have been acting on are from 1997. So, the current proposal we have is actually factoring in current modern governance issues, where we have the issue of a term, so that someone is not in a position for entirely their life, so long as they are in that cooperative. Because the moment we introduce the issue of how those terms go by, we are curing the aspect of governance. We had people who stayed in leadership without any stipulated term for them, so they actually could do whatever they wished, knowing they will always go through the same system and they get away with it.

This Bill, the mediated version, also introduces the matter of transfer and sale of members' shares. Once a member has ceased being a member of that cooperative, they can actually transfer their shares to any other willing member who is willing to buy the shares through a platform, and this platform brings in the issue of digital technology, so that through a platform, members are able to transfer their shares so that they do not lose at all. The only thing you cannot transfer is the share capital, because that is retained there.

Mr. Deputy Speaker, Sir, the mediated version really carries the spirit that we initially had on cooperatives. I am happy to just note that our counterparts in the National Assembly were able to buy into most of our proposals, because I think, initially, in most of these mediation committees, our counterparts from the National Assembly, always come with a formed opinion. They are willing to reject because of our sibling rivalry, but this time round, we were reading from the same script on most of these issues after the engagements we had.

Mr. Deputy Speaker, Sir, this mediated version is not to capture on registration of new cooperatives but to ensure that the existing cooperatives and new ones are well governed and properly supervised. It has been long overdue and I know that Members are going to vote in support of this report because we know most of our people out there are waiting for this Bill to be signed into law so that changes are effected. Then they will be safe and take pride in being members of cooperatives and SACCOs from the different places they are in.

I have been receiving so many messages from stakeholders asking, when we are passing it. I am happy that we have gotten to this far and we are going to ensure that cooperatives are well governed. Members can put their money in there feeling safe so that they are able to advance themselves economically. For a long time, as much as

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people got into cooperatives, they were still fearful in case someone came into power and something would happen.

Therefore, this gives very strong proposals for internal controls that, matters to do with cooperatives in the counties will be handled internally first before they escalate. I say this is a good way because we are arresting the challenge before it goes very far and a lot of money is wasted.

Mr. Deputy Speaker, Sir, something else just to mention, as the Committee on Trade, Tourism and Industrialization, we initially handled cases of cooperatives like Drumvale and KUSCCO. When those members appear in the Committee and you hear their narrations on what is going on, it is really sad. That was our motivation behind trimming down the powers given at the national level. This is because, people just sit in one sitting and say; okay, we are going to liquidate Drumvale. You liquidate and within a short time, the pieces of land are sold out and it ends there. Then later, members come up and say we were never compensated and we are not aware of that.

Mr. Deputy Speaker, Sir, this is a very strong proposal. I believe it is going to become law so that we emancipate most of our people and also give them confidence to keep saving and encourage the culture of saving so that our people can grow economically. I thank you.

**The Deputy Speaker** (Sen. Kathuri): Sen. Murango James.

**Sen. (Dr.) Murango:** Asante, Naibu Spika. Nilikuwa nataka kumjibu Seneta wa Nandi lakini ametoroka. Baada ya kejeli na masimangwa, ametoroka. Ningemwelekeza kwa methali inayosema, aswa na nadhari ni ng'ombe. Kwa hivyo, ningeomba akue na nadhari.

Ninasimama hapa kuunga mkono na kuwapa kongole wanachama wote wa kamati ya maridhiano ambayo mimi nilikuwa mwanachama, tukiongozwa na Seneta Mandago, waliovalia njuga na kukaa chini kwa masaa mengi kuhakikisha kwamba, sheria tulio nayo saa hii, inafaa wakulima waliojiunga na vyama vya ushirika na zaidi pia, haihujumu nguvu ambazo gatuzi zetu zimepewa.

Ya pili, kuna mambo mazuri katika sheria hii. Miaka miwili imepita, tulikuwa na chama cha ushirika cha Rwang'a ambapo fedha za wakulima ziliporwa na waliopora, wakatoroka nazo. Bado tunangojea wale waliopora fedha za wakulima, washikwe na kushtakiwa na kurudisha fedha walizopora. Faida mojawapo kwa sheria hii ni kukinga mambo kama yale yasije yakajirudia tena.

Cha kwanza kushukuru ni kwamba wanachama waliotoka Bunge la Seneti walikalia jambo hili na wakaweka vigezo kwamba ni lazima wale wanaongoza vyama vya ushirika wawe na shahada. Ni kweli kwamba wengi waliochaguliwa kuja Seneti na Bunge la Kitaifa wako na cheti cha kuzaliwa peke yake. Cheti kingine ambacho wana uhakika watakipata ni cheti cha kifo kwa sababu kifo ni lazima. Kwa hivyo, ni kinaya kutunga sheria inayohitaji shahada ya kwanza na itungwe na wale watu ambao wameshindwa kusoma. Wengi wanaongoza vyama vya ushirika ni wakulima ambao ujuzi wao si wa darasa peke yake, bali wako na ujuzi wa ukulima na jinsi ya kuendesha vyama vya ushirika.

Mstahiki Spika wa Muda, mahali nimetoka tumekomaa sana katika vyama vya ushirika. Ukienda katika chama cha ushirika cha wakulima wa mchele upande wa Mwea

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na vyama vya ushirika vya kahawa, tuko na kumi na nne, ambavyo viwanda sabini na tano vimeungana na kutengeneza vyama vya ushirika sabini na nne. Tuna chama kimoja cha ushirika Kirinyaga, ambacho ndicho kinachoangalia jinsi vyama vingine vya ushirika vinavyofanya kazi. Tumeyaona matunda yanayotokana na vyama vya ushirika.

Jambo la pili ni kuhusu masomo. Hapo awali masomo yalikuwa ni ufunguo wa maisha. Siku hizi kwa sababu ya ukosefu wa kazi kwa wengi waliosoma, masomo yamekuwa ni kifungo cha maisha. Ukiangalia wengi wanaoongoza vyama vya ushirika ambavyo vinafanya kazi vizuri sana, hasa katika eneo la Kirinyaga, kama Rungeto Farmers Cooperative Society ambavyo imekuwa ikiongoza katika bei ya kahawa nchini, ukiangalia yule mama ambaye amekaa pale ana ujuzi wa miaka mingi. Inawezekana hana shahada yoyote, lakini ana ujuzi wa ukulima na kukaa pamoja na wakulima na kuwaweka pamoja kwani amemfanya hivyo kwa miaka mingi. Juhudi hizo zimezaa matunda ya kwamba Rungeto Farmers Cooperative Society wamekuwa wa kwanza kama mara kumi mfululizo. Wamekuwa wakilipwa takribani shilingi mia moja na arobaini na zaidi kwa kilo moja ya kahawa. Kwa hivyo, si kuangalia masomo peke yake. Tuangalie pia ujuzi unaotokana na kufanya kazi ambayo mtu amepewa.

Jambo la tatu ni kuhusu kupiga kura. Kwamba wakulima wenyewe ambao ni wanachama wa vyama vya ushirika watakuwa wanapiga kura moja kwa moja bila kuchagua watakaopiga kura kwa niaba yao. Hilo lina mambo mawili. Kwa sababu hawa ambao wanachaguliwa, hasa ikifika wakati wa kupiga kura ama kujadili jambo la maana, inaweza kuwa rahisi kuwahonga na kuwapeleka kwa njia isiyofaa. Kwa hivyo, wakati mkulima anajipigia kura yake moja kwa moja, atajali maslahi yake moja kwa moja na atahakikisha kwamba chama chake cha ushirika kinafanya ipasavyo kwa sababu anajua ya kwamba asipofanya hivyo, atakayeumia ni yeye mkulima mwenyewe.

Naongezea kwamba jambo lililofanywa na Seneti, hasa wale ambao wamekaa katika Kamati ya Uridhiano, ni jema. Mimi nilikuwepo wakati wa kutunga sheria za sukari na kahawa. Nilikuwepo pia katika kamati ambayo ilikuwa inajadili sheria hii ya vyama vya ushirika. Huwa ni jambo gumu sana. Kama vile Mheshimiwa Okenyuri amesema, tunapoenda kukaa na Wabunge, jambo linajitokeza kila wakati ni kwamba wanataka kuchukua zile nafasi ambazo zimepewa gatuzi zetu na kuzirudisha juu. Imekuwa ni kazi ya wanachama ambao wametoka katika Bunge la Seneti kuhakikisha kwamba majukumu ambayo Katiba imepea gatuzi zetu hazichukuliwi tena na kurudishwa juu kwa sababu hiyo itakuwa si haki kwani Katiba yetu inafafanua wazi.

Jambo lengine ni kwamba watu wanachukua muda wao wa ziada kukaa katika kamati zile kwa sababu bila kujitolea kwa jasho, mabishano, kejeli na masimango, hatuwezi kupata sheria kama hii.

Ningetaka niseme kwamba sheria yoyote ambayo imepita, mwanachama yeyote ambaye ashawahi kukaa katika kamati ya maridhiano anafaa apewe maua yake akiwa hai. Waswahili wanasema, "Heri kitanda kibofu kuliko jeneza la dhambu." Wengi hawajui matatizo ambayo Seneti huwa inapitia katika kamati zile.

Na kwa hivyo nitafunga kwa kusema kwamba waliohusika wote wakiongozwa na rafiki yangu, Sen. Mandago, kazi waliofanya ni nzuri, dadangu, Sen. Okenyuri na wengine. Na niendelee kusema pia mpaka hata makarani ambao sana sana huwa wanasahaulika katika kazi hii wamefanya kazi nzuri kabisa. Nimesema hiyo kwa sababu

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ni heri ukumbukwe mchana kutwa, kuliko kukumbukwa tu jioni kama ng'ombe ya Kimasaai ama kurunzi wakati matatizo yamepatikana.

Kwa hayo machache, nimeshukuru na kusema kwamba naunga mkono Hoja hii, Mheshimiwa Naibu Spika.

**The Deputy Speaker** (Sen. Kathuri): Very well.

Hon. Senators, there is no other Senator willing to contribute to this Motion. So, I now call upon the mover to reply.

**Sen. Mandago**: Thank you very much, Mr. Deputy Speaker, Sir. Let me take this opportunity to thank colleagues who have contributed to this Cooperatives Amendment Bill, the Mediated version, for their comments, which have been positive in supporting the Bill.

The Senator for Laikipia County had asked whether the Mediation Committee considered matters of education and the importance of qualifications in the running of cooperatives. The committee considered the fact that we have existing board members without qualifications who have done a tremendous job, and therefore, the Mediation Committee provided for transition clauses, but then reduced the qualification requirement from that of graduate status to that of a Form Four certificate. This was just to make sure that there's continuity, particularly in the primary cooperatives and the farmer-based cooperatives.

I thank all members, the Secretariat, your office, Mr. Deputy Speaker, Sir, the Speaker of the National Assembly, the Vice Chair of the Mediation Committee, Hon. Marianne Kitany, a Member of Parliament for Aldai, and the Members of the National Assembly who participated, Hon. Gichimu, Hon. Adagala and many others and the Members of this Senate who put in a good number of hours to make sure that we have this Bill.

With that, I beg to reply and request that the putting of the question be deferred to another available time.

**The Deputy Speaker** (Sen. Kathuri): Very well. The putting of the question has been deferred.

*(Putting of the Question on the Motion deferred)*

Hon. Senators, pursuant to Standing Order No.45(2), I want to reorganize the business from Order No. 13; we proceed to Order No.23.

The Vice Chairperson, Standing Committee on Trade, Industrialization and Tourism, Sen. Essy Okenyuri.

## MOTION

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS NO.51 OF 2024

**Sen. Okenyuri**: Yes. Okay. Thank you, Mr. Deputy Speaker, Sir.

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Mr. Deputy Speaker, Sir, I beg to move-

THAT, the National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bills No. 51 of 2024) be now considered.

These amendments to the business laws came from the National Assembly. The Senate Standing Committee on Trade, Industrialization and Tourism considered them, and I now beg to move and request Sen. Mandago to second.

**The Deputy Speaker** (Sen. Kathuri): Sen. Mandago, you may proceed.

**Sen. Mandago:** Thank you very much, Mr. Deputy Speaker, Sir. I beg to second this Bill. This is a Bill that creates an enabling environment for foreign direct investment. This is part of the very progressive Bills that have come to this House from the National Assembly that create an enabling environment for those who intend to invest directly in this country. Most importantly, what I have noted, is the requirement for transfer of knowledge, technology, and skills from the investors who come to this country.

Honourable Deputy Speaker, you will realise that this nation is undertaking major infrastructural programmes, for example, the Rironi-Mau Summit Road and the Express Way that was developed. There was little transfer of knowledge and skill when some of this infrastructure was being undertaken. With this Bill, it is now a requirement that anybody who comes to invest in this country, is first registered. It is now a requirement in law that you must transfer the skills so that this country cannot be held hostage when we adopt technologies from some countries.

Honourable Deputy Speaker, with those remarks, I beg to second.

*(Question proposed)*

**The Deputy Speaker** (Sen. Kathuri): From my dashboard, no other Senator is willing to contribute. Clerk, confirm if we have quorum to put the question.

*(The Clerk-at-the-Table consulted the Deputy Speaker)*

I defer putting of the question until a later date.

*(Putting of the Question on the Motion deferred)*

Therefore, I also defer Orders number 13 to 22 and business under Order No.24 to Order No.38.

## MOTION

### ADOPTION OF REPORTS OF THE COMMITTEE ON DELEGATED LEGISLATION ON TRAFFIC RULES AND NATIONAL TRANSPORT AND SAFETY AUTHORITY REGULATIONS

THAT, the Senate adopts the Reports of the Select Committee on Delegated Legislation on its consideration of the –

i) The Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026;

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ii) The Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and

iii) The National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No. 14 of 2026);

laid on the Table of the Senate on Wednesday, 10th June, 2026; and that pursuant to Section 18 of the Statutory Instruments Act, the Senate resolves to annul the Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026; the Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and the National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No. 14 of 2026).

*(Motion deferred)*

## MOTION

ADOPTION OF REPORT ON CONFERMENT OF CITY STATUS TO THIKA MUNICIPALITY

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the conferment of City status to Thika Municipality, laid on the Table of the Senate on Wednesday, 15th July, 2026 and, that pursuant to section 8 (6) of the Urban Areas and Cities Act, approves the conferment of City status to Thika Municipality.

*(Motion deferred)*

## MOTION

ADOPTION OF REPORT ON COOPERATION AGREEMENT BETWEEN THE NATIONAL GOVERNMENT AND NAIROBI CITY COUNTY GOVERNMENT

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the Cooperation Agreement between the National Government and the Nairobi City County Government laid on the Table of the Senate on Wednesday, 15th July, 2026.

*(Motion deferred)*

## BILL

*Second Reading*

THE PUBLIC PARTICIPATION BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2025)

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*(Bill deferred)*

## COMMITTEES OF THE WHOLE

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO. 36 OF 2024)

THE REFERENDUM BILL
(SENATE BILLS NO. 3 OF 2026)

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 66 OF 2023)

THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2024)

THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL
(SENATE BILLS NO. 4 OF 2025)

*(Committees of the Whole deferred)*

## MOTION

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL
(SENATE BILLS NO. 12 OF 2022)

THAT, the National Assembly amendments to the Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022) be now considered.

*(Motion deferred)*

## MOTION

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS NO.51 OF 2024)

THAT, the National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bills No.51 of 2024) be now considered.

*(Motion deferred)*

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## MOTION

ADOPTION OF PETITION REPORT ON RE-INTRODUCTION OF THE ELECTIONS (AMENDMENT) (NO. 3) BILL (SENATE BILLS NO. 48 OF 2021)

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Mohamed U. Alasow concerning the re-introduction of the Elections (Amendment) (No. 3) Bill (Senate Bills No. 48 of 2021), laid on the Table of the Senate on Tuesday, 8th September, 2026.

*(Motion deferred)*

## MOTION

ADOPTION OF REPORT ON PETITION ON EVICTION OF KOROGOCHO COMMUNITY LIVING ALONG NAIROBI RIVER CORRIDOR

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Mr. Hezekiah Kuria Karanja and others concerning the eviction of Korogocho community living along the Nairobi River Corridor after its declaration as a Special Planning Area, laid on the Table of the Senate on Wednesday, 16th September, 2026.

*(Motion deferred)*

## MOTION

ADOPTION OF REPORT ON NON-COMPENSATION AND DELAYED ISSUANCE OF TITLE DEEDS TO RESIDENTS OF JAMII BORA ESTATE IN KAJIADO COUNTY

THAT, the Senate adopts the Report of the Standing Committee on Roads, Transportation and Housing on a Petition to the Senate by Mr. Calvin Luther Munayi and other residents of Jamii Bora Estate regarding the delayed issuance of title deeds to residents of Jamii Bora Estate in Kisaju, Kajiado County, laid on the Table of the Senate on Wednesday, 23rd September, 2026.

*(Motion deferred)*

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## MOTION

ADOPTION OF REPORT ON PUBLIC TRANSPORT IN LAKE VICTORIA

THAT, the Senate adopts the Report of the Standing Committee on Roads, Transportation and Housing on a Petition by Mr. Daniel Rakoro and others concerning public transport in Lake Victoria between Mfangano Island in Suba Central Sub-County and Mbita, laid on the Table of the Senate on Wednesday, 16th September, 2026.

*(Motion deferred)*

## MOTION

ADOPTION OF REPORT ON ALLEGED GRABBING OF LAND IN MERU COUNTY

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Kithima location concerning alleged grabbing of public land in Meru County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

*(Motion deferred)*

## MOTION

ADOPTION OF REPORT ON CONVERSION OF PUBLIC TO PRIVATE LAND IN PUMWANI MAJENGO

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Cultural Environmental Care Society concerning conversion of L.R. No. 209/2378/1 Pumwani Majengo from public to private land, laid on the Table of the Senate on Wednesday, 16th September, 2026.

*(Motion deferred)*

## BILLS

*Second Readings*

THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL

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(SENATE BILLS NO.13 OF 2023)

THE KENYA NATIONAL LIBRARY SERVICE BILL
(NATIONAL ASSEMBLY BILLS NO. 20 OF 2023)

THE BASIC EDUCATION (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO. 59 OF 2023)

THE COUNTY GOVERNMENTS (AMENDMENT) BILL
(SENATE BILLS NO.5 OF 2026)

THE GOLD PROCESSING BILL
(NATIONAL ASSEMBLY BILLS NO.46 OF 2023)

THE SPORTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO.5 OF 2026)

THE KENYA ROADS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.31 OF 2024)

*(Bills deferred)*

## MOTION

DECLARATION OF ROAD TRAFFIC ACCIDENTS
AS A NATIONAL DISASTER

AWARE THAT, Article 43 guarantees the right to the highest attainable standard of health, including emergency medical treatment and Article 21(1) of the Constitution obligates the State and all State organs to observe, respect, protect, promote and fulfil the rights and fundamental freedoms contained in the Bill of Rights;

NOTING THAT, Article 238 of the Constitution provides that national security includes the protection of the people of Kenya and their property against internal and external threats, which encompasses safety on national transport networks;

COGNIZANT THAT, road traffic injuries are among the leading causes of death in Kenya and constitute the leading cause of mortality among adolescents and adults in their most economically productive years, surpassing many communicable and non-communicable diseases resulting in significant loss of human capital and productivity;

NOTING THAT, in 2025 more than 4,400 Kenyans lost their lives with over 17,000 injuries from road crashes, a 3% increase over the previous year, while

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nearly 400 people were killed in road traffic accidents in January 2026 alone, representing an 11% increase compared to the same period in the previous year, illustrating a continuing trend of preventable loss of life;

CONCERNED THAT, beyond loss of life, road traffic accidents result in long-term disability, psychological trauma, family disruption and significant economic loss, with estimates suggesting losses amounting to billions shillings annually to the national economy, while placing severe strain on health facilities and emergency services;

FURTHER CONCERNED THAT, despite the existence of the National Road Safety Action Plan (2024–2028) and other statutory measures, road carnage persists due to preliminary causes including over-speeding, impaired and distracted driving, non-compliance with traffic laws, inadequate driver training, unsafe road infrastructure, unroadworthy and overloaded vehicles, as well as systemic challenges arising from inadequate investment in road safety infrastructure, weak coordination among transport, enforcement, health and county authorities, and limited emergency medical response capacity;

NOW THEREFORE, THE SENATE resolves that:

Road traffic accidents in Kenya be declared a National Disaster, requiring urgent, coordinated and sustained multi-sectoral intervention across prevention, emergency response, rehabilitation and long-term systemic reform;

(i) The Ministry of Roads and Transport and the Ministry of Health in conjunction with the National Transport and Safety Authority, the National Police Service and the Council of Governors, urgently strengthen the implementation of the National Road Safety Action Plan (2024–2028), including enhanced enforcement of traffic laws, safer road design, public education, data-driven interventions and improved emergency response capacity;

(ii) The Ministry of Health in collaboration with the County Governments to set aside adequate resources to support road safety interventions, emergency medical services, trauma care systems and post-crash rehabilitation services; and

(iii) The National Treasury in collaboration with the Ministry of Roads and Transport establishes a Road Safety Disaster Response Fund to support road safety interventions, victims and families affected by the road accidents.

*(Motion deferred)*

## MOTION

### DELINKING JUNIOR SECONDARY SCHOOLS FROM PRIMARY SCHOOLS

THAT, AWARE that, the Ministry of Education in Kenya, introduced Junior Secondary Schools (JSS) as part of the Competency-Based Curriculum (CBC) implementation marking a major milestone for the country's education

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system, and a key opportunity to improve the quality of education available to students;

APPRECIATING THAT, the Junior Secondary Schools program play a vital role in shaping the academic trajectory of learners by providing students with a strong foundation in core subjects, helping them develop essential skills and offering them opportunities to participate in extracurricular activities promoting greater social inclusion;

CONCERNED THAT, the integration of Junior Secondary Schools within primary school setups has posed major challenges for Junior Secondary teachers, including inadequate training on the new competency-based curriculum, limited opportunities for career advancement, conflict in leadership, decision-making and resource allocation leading to strained relationships with head teachers;

FURTHER CONCERNED THAT, Junior Secondary Schools (JSS) face critical shortages in essential infrastructure such as laboratories, libraries, ICT hubs, and science equipment necessary for the implementation of the JSS curriculum, coupled with inadequate access to approved learning materials and teaching resources, resulting in inconsistencies in curriculum delivery hindering effective teaching, learning, and overall student development;

NOW THEREFORE, the Senate resolves that the Ministry of Education, the Teachers Service Commission and the Kenya Institute of Curriculum Development should:-

i) Provide for an independent administrative and operational framework for Junior Secondary Schools to enhance governance, streamline management, and create a more focused learning environment for the learners;

ii) Allocate adequate funds for the construction and equipping of Junior Secondary Schools with essential facilities such as science labs, libraries and ICT rooms, and provide adequate learning materials relevant with the curriculum;

iii) Offer professional development programs for Junior Secondary School teachers to help them specialize in specific subjects to effectively implement the JSS curriculum;

iv) Develop a clear career progression framework for Junior Secondary School teachers, including opportunities for promotions and additional responsibility allowances;

v) Formulate clear policies and guidelines outlining the structure, curriculum, and management of Junior Secondary Schools; and

vi) Ensure an optimal teacher-student ratio to facilitate personalized student attention and effective learning.

*(Motion deferred)*

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## ADJOURNMENT

**The Deputy Speaker** (Sen. Kathuri): Honourable Senators, therefore, we now rise. There being no other business on the Order Paper, the Senate stands adjourned until tomorrow, Thursday, 5th November, 2026 at 2.30 p.m.

The Senate rose at 5.57 p.m.

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