THIRTEENTH PARLIAMENT

THE SENATE

OFFICIAL REPORT



Fifth Session

Thursday, 12th November, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 12th November 2026

The House met at the Senate Chamber,
Parliament Buildings at 2.33 p.m.

[The Temporary Speaker (Sen. Veronica Maina) in the Chair]

PRAYER

DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING

The Temporary Speaker (Sen. Veronica Maina): Clerk, do we have quorum?

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

Serjeant-at-Arms, please ring the Quorum Bell for five minutes.

(Quorum Bell was rung)

Honourable Senators, we now have Quorum. We will proceed to Statements, beginning with Statements pursuant to Standing Order No.52(1).

Senator for Marsabit County, Sen. Mohamed Chute, you may proceed to give your Statement.

QUESTIONS AND STATEMENTS

STATEMENTS

ESCALATING CONFLICT AT THE KENYA-ETHIOPIA BORDER

Sen. Chute: Madam Temporary Speaker, I rise pursuant to Standing Order No.52(1), to make a Statement on a matter of national concern regarding the escalating conflict between the Oromo and the Somali communities at the Kenya-Ethiopia border town of Moyale and security, humanitarian and socio-economic consequences for the people of Moyale Constituency and the wider Marsabit County.

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The conflict, driven by unresolved territorial and administrative disputes, has intensified in recent weeks, resulting in loss of lives, destruction of property and large-scale displacement. Thousands have fled their homes, with many crossing into Kenya, thereby placing immense pressure on already vulnerable host communities in the town border of Moyale. Of particular concern is the direct impact on the Kenyan territory. Residents have been exposed to stray bullets and explosive ordinance originating from across the border.

There was the tragic death of the late Amina Guchi, a Kenyan citizen, who was fatally struck by a stray bullet on 2nd November, 2026, while at the Marsabit County Government offices in Moyale. This underscores the seriousness of the threat. Reports of injuries to other Kenyan citizens have been reported. Destruction of property and displacement of household further underscores the urgency of a decisive government intervention.

The conflict has also triggered a significant humanitarian crisis, with an estimated 50,000 displaced Ethiopians seeking refuge in Moyale and neighbouring areas. Many people face acute shortage of food, water, shelter, sanitation and healthcare.

Women, children, older persons and Persons with Disabilities (PWDs) bear the greatest burden. Regardless of the underlying causes, no dispute can justify the continued loss of innocent lives, forced displacement of civilians or destruction of livelihoods.

While the people of Moyale have demonstrated exceptional generosity and solidarity by accommodating displaced families, their capacity is also stretched to the limit. Communities already facing water scarcity, food insecurity and inadequate public services cannot be expected to shoulder this burden indefinitely. The national government, County Government of Marsabit, humanitarian organisations and development partners must therefore urgently scale up assistance to both displaced families and the Kenyan households hosting them.

Failure to secure a durable political settlement has allowed instability to persist, with recurring cycles of violence to intensify and innocent civilians to remain trapped in insecurity and uncertainty. The conflict has also severely disrupted cross-border trade, livestock movement, transport services and other economic activities that sustain livelihoods in the region.

Traders, transport operators, pastoralists and small businesses continue to suffer substantial losses, while interruptions in the supply of essential goods and electricity have compounded economic hardship. Targeting support measures will be necessary to facilitate recovery and restore normal economic activities once security conditions permit.

Madam Temporary Speaker, in view of these developments, I call upon the government, through the Ministry of Interior and National Administration and all the relevant security agencies, to urgently reinforce border security, enhance surveillance and deploy adequate personnel and resources to protect Kenyan lives and territory from further spillover of violence. The government, therefore, should also investigate circumstances surrounding the death of the late Amina Guchi, hold those responsible accountable, support her bereaved family and establish mechanisms to assist Kenyan

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citizens affected by injuries and displacement or loss of property as a result of the conflict.

Kenya must also intensify diplomatic engagement with the Federal Government of Ethiopia and the leadership of the Oromia and Somali regional administrations to secure an immediate cessation of hostilities and a sustainable political settlement. The African Union (AU) and the Intergovernmental Authority on Development (IGAD) should equally be called upon to support mediation efforts aimed at addressing the underlying causes of the conflict and preventing further escalation. Without urgent intervention, the economic consequences are likely to deepen, with far-reaching implications for stability and livelihoods in the entire border region.

Madam Temporary Speaker, I appeal to community elders, religious leaders and political leaders from both sides to exercise restraint and champion dialogue over confrontation. The Borana and Garre communities in particular share deep historical, cultural and socio-economic ties that should serve as a foundation for peace rather than division. Incitement, ethnic profiling, inflammatory rhetoric, retaliation and collective blame will only deepen suffering and prolong instability. Peaceful coexistence must prevail over conflict.

As the Senator for Marsabit County and Chairperson of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration, I remain committed to engaging all relevant institutions, stakeholders and partners in advancing measures that will protect affected communities and also address the humanitarian crisis, support affected families and pursue lasting peace and stability in the region.

The people of Moyale must not be left to bear the consequences of human, social and economic cost of this conflict beyond Kenya's border. Protecting innocent lives, securing our territorial security and preserving peace and social cohesion among our communities must remain an urgent national priority.

Finally, Madam Temporary Speaker, I therefore conclude, by urging all affected communities to remain calm, united and steadfast in their commitment to peace. A conflict across these borders must never be allowed to undermine the harmony and co-existence of our people.

I thank you.

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

The Temporary Speaker (Sen. Veronica Maina): Honourable Senators, I want to reorganise the Order Paper to give priority to Order Nos. 9, 10, 11 and 12. Thereafter, we will revert to Statements under Standing Order No.53.

I ask the Clerk to call out the next Order based on the rearrangement.

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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.

(Sen. Kibwana on 10.11.2026)

(Resumption of debate interrupted on 10.11.2026)

(Sen. Lomenen and Sen. Korir stood at the Bar)

Sen. Lomenen and Sen. Korir, please proceed to take your seats before I put the question. I am giving you one minute to do that.

(Sen. Lomenen and Sen. Korir bowed to the Chair and proceeded to sit)

(Sen. Chute, Sen. Beth Syengo and Sen. Mandago stood)

Sen. Chute, Sen. Beth and Sen. Mandago, please take your seats.

(Sen. Chute, Sen. Beth Syengo and Sen. Mandago sat at their places)

Hon. Senators, I will now proceed to put the question. This is not a matter affecting counties.

(Question put and agreed to)

Let us go to the next Order.

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.

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(Sen. Tabitha Mutinda on 14.05.2023)

(Resumption of debate interrupted 10.11.2026)

(Question put and agreed to)

The Temporary Speaker (Sen. Veronica Maina): Senator Omtatah, please take your seat.

MOTION

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE COUNTY LIBRARY SERVICES BILL (SENATE BILLS NO.40 OF 2024)

THAT, the National Assembly amendments to the County Library Services Bill (Senate Bills No. 40 of 2024) be now considered.

(Sen. Korir on 12.3.2025 – Afternoon Sitting)

(Resumption of debate interrupted on 10.11.2026)

(Question put and agreed to)

Senator Hamida, take your seat.

MOTION

ADOPTION OF REPORT ON PETITION 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.

(Sen. Kibwana on 11.11.2026 - Afternoon Sitting)

(Resumption of debate interrupted on 11.11.2026)

(Question put and agreed to)

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Senator Beth, can you please take your seat so that we can move the business faster? Why are Senators restless this afternoon?
We are going to resume the statements under Standing Order No.53(1) and I want to call Senator Samson Cherarkey to give his statements.

Sen Cherarkey: Thank you Madam Speaker. I have two statements and I request to read them concurrently.

The Temporary Speaker (Sen. Veronica Maina): You can proceed.

(Resumption of Question and Statements)

QUESTIONS AND STATEMENTS

STATEMENTS

MURDER OF MR. KIPRUTO SEUREI AND SECURITY SITUATION IN NANDI COUNTY

Sen Cherarkey: l have a request for a statement on the murder of Mr. Kipruto Seurei and the security situation in Nandi County.

Madam Temporary, I rise, pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on National security, Defence and Foreign Relations on a matter of county-wide concern regarding the murder of Mr. Kipruto Seurei, a 70-year-old resident of Tebeson Village in Mosoriot in Nandi County and the prevailing security situation in Nandi County.

Mr. Seurei reportedly disappeared on the evening of 21st October 2026, after leaving his home for a nearby shopping centre. His body was later found a short distance from his home with post-mortem examination report indicating signs of physical assault prior to his death. While two suspects have reportedly been arrested, the incident has heightened concerns over violent crime and the effectiveness of security intervention in parts of Nandi County, such as Kaiboi and the rest of the county. The matter has caused anxiety among residents and hence the need for swift investigations and strengthening public safety measures.

In the statement, the Committee should address the following-

(1) The circumstances surrounding the murder of Mr. Kipruto Seurei, including the status of the investigations, arrests made and steps being taken to ensure those responsible are brought to justice.

(2) The current situation in Tebeson Village, Mosoriot and the wider Nandi County, including trends in violent crime recorded from 2021 to date, investigations outcome and unresolved cases.

(3) Interventions being implemented by the government to strengthen the security infrastructure and policing in Tebeson Village and other affected areas in Nandi County, including Kaiboi, Kapsabet and Nandi Hills, including police patrol, police visibility, street lighting and community policing initiatives.

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(4) Strategies to enhance coordination among security agencies, protect vulnerable residents and prevent recurrence of similar incidences.

STUDENTS PROTESTS AT MOSORIOT
TEACHERS TRAINING COLLEGE

Sen Cherarkey: Madam Temporary Speaker, on to my second Statement with your indulgence, is request for a Statement on examination results and protests by students at Mosoriot Teachers Training College in Nandi County.

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 2026 Diploma in Primary Teacher Education, (DPTE) examination results at Mosoriot Teachers Training College in Nandi County and circumstances leading to the subsequent protests by the students.

Madam Temporary Speaker, reports indicate that 927 out of 944 candidates were required to undertake supplementary examinations, leaving only 17 students eligible for graduation. The affected students have attributed the outcome to technical challenges experienced during the online examinations, including poor internet connectivity, and have expressed concern over the requirement to sit supplementary examinations at an additional cost of more than Kshs10,000.

Similar concerns have been raised in other Teacher Training Colleges, prompting questions about the reliability, fairness and administration of Kenya National Examination Council (KNEC), as well as the impact of the results, academic progress.

(Sen. (Dr.) Oburu walked into the Chamber)

(Loud consultations)

Sen. Cherarkey: Madam Speaker, can we welcome the---

(Hon. Senators stood in their places and applauded)

The Temporary Speaker (Sen. Veronica Maina): Thank you, Honourable Senators, you may resume your seats. Welcome back, Senator Oburu Odinga, Siaya County, Party Leader of ODM, we are glad that you have recovered, and as you can already see, the Senators are very excited. Welcome back. Wishing you a quick recovery.

Thank you. We can proceed, Senator Cherarkey.

(Loud consultations)

Sen. Cherarkey: Madam Temporary Speaker, I will request to retake, because of the rousing welcome of the Party Leader of ODM, and I know he will live more than 1,000 years on this earth. We wish you a quick recovery and welcome back to the House. We will behave ourselves today because you are around.

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Madam Temporary Speaker, allow me to retake this statement for the interest of the House, our party leader and senior member of the broad-based government. This is a request for a statement on examination results and protest by students at Mosoriot Teachers Training College.

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 2026 Diploma in Primary Teacher Education (DPTE) examination results at Mosoriot Teachers Training College in Nandi County and circumstances leading to the subsequent protest by the students.

Madam Temporary Speaker, reports indicate that 927 out of 944 candidates were required to undertake supplementary examination leaving only 17 students eligible for graduation.

The affected students have attributed the outcome to technical challenges experienced during the online examination including poor internet connectivity and have expressed concern over the requirement to seek supplementary examinations and additional costs by the National Examination Council and Mosoriot Teachers Training College management.

Similar concerns have been raised in other teacher training colleges across Kenya prompting questions about reliability, fairness and administration of Kenya National Examination Council (KNEC) examination, as well as the impact of the results on the affected students' academic progression and unemployment prospects as the teachers of this country.

In that statement, the committee should address the following:-

(1) The factors that led to the referral of 927 out of 944 candidates being required to retake the examinations at Mosoriot Teachers Training College and whether similar trends were recorded in other teacher training institutions across Kenya.

(2) Whether technical challenges including internet connectivity issues, system interruptions or examination platform failures were experienced during the examination and the extent to which they affected candidates' performance and results.

(3) The investigations undertaken by KNEC into the reported challenges, the findings thereof, and the criteria applied in determining the referred candidates, including available avenues for review of the results.

(4) The basis for requiring affected candidates to undertake supplementary examinations, additional costs of Kshs7,200 and whether the Kenya National Examination Council will review, waive or reimburse such fees where technical or administrative failures are established and attributed to Kenya National Examination Council.

(5) The measures and timelines for resolving the grievances of affected candidates, facilitating the completion of the assessments and graduation and strengthening the reliability and integrity of online examinations to prevent similar occurrences in future.

I thank you, Madam Temporary Speaker. Those are my two statements.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator Cherarkey.

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Before we proceed, honorable Senators, would you please take your seats. Senator Joyce, I have an important communication to make from the Chair.

COMMUNICATION FROM THE CHAIR

ADDRESS TO PARLIAMENT BY HIS EXCELLENCY THE PRESIDENT

The Temporary Speaker (Sen. Veronica Maina): Honourable Senators, I have the following communication to make: -

As you are aware, Article 132(1)(b) of the Constitution mandates the President to address a Special Sitting of Parliament once every year. Article 132 (1)(c) requires the President once every year to: -

1 (a) Report in an address to the nation on all the measures taken and progress achieved in the realization of national values referred to in Article 10.

(b) Publish in the Gazette the details of the measures in progress under sub-paragraph one.

(c) Submit a report to the National Assembly on the progress made in fulfilling the international obligations of the Republic.

2. Further, Article 247 of the Constitution requires the National Security Council to report annually to Parliament on the state of the security of Kenya.

Ordinarily, this report is made during the address by His Excellency the President, referred to under Article 132(1)(b) of the Constitution and tabled in the Houses of Parliament.

Hon. Senators, vide Letter reference number EOP/CAB-26/4A, Volume 8, 4/115, dated 19th August, 2026, the Chief of Staff and Head of Public Service, Mr. Felix Koskei, EGH, informed the Speakers of the Houses of Parliament of the intention of His Excellency the President to deliver his address to Parliament in accordance with Article 132(1)(b) and (c) of the Constitution.

Subsequently, and following consultations, the Speakers of the Houses of Parliament acceded to the request of His Excellency the President and scheduled the address for Thursday, 19th November 2026.

Consequently, a special issue of the Kenya Gazette, Notice No. 176-88, was published on Wednesday, 11th November 2026, as well as a newspaper advertisement in two newspapers of national circulation, notifying honorable members of Parliament and the general public of the special sitting.

Hon. Senators, right upon further consultation between His Excellency the President and the Speakers of the Houses of Parliament, the Special Sitting pursuant to Article 132(1)(b) and (c) of the Constitution has been rescheduled to take place on Wednesday, 18th November 2026.

I, therefore, take this opportunity to inform you that His Excellency Hon. William Ruto, PhD, CGH, President of the Republic of Kenya and Commander in Chief of the Kenya Defence Forces, will deliver the State of Nation Address for 2026 to Parliament

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during a joint sitting of the Houses of Parliament on Wednesday, 18th November 2026, at 2.30 p.m., in the National Assembly chamber.

All honorouble Senators are invited to this Special Sitting. Further details on the event will be communicated through the office of the Clerk and that of the Speaker of the Senate.

Thank you.

The Temporary Speaker (Sen. Veronica Maina): Sen. (Dr.) Oburu Oginga. You have an intervention. I will give you two minutes, because you have been absent from the House, before we go back to the Statements.

Sen. (Dr.) Oburu: Thank you, Madam Temporary Speaker, for this very special opportunity given to me to thank the House. I thank the House for the prayers they have offered to me. Those who did not come to see me I am very sure were praying for me.

Madam Temporary Speaker, you were also praying for me. Could be there are people who were praying negatively, but that is up to them.

I believe that as Parliament, we are one people, making the same laws and representing the same people. Once elections are over, we take over our roles and we start playing that role wherever we belong be it the opposition or government.

As I am speaking, the party which I lead was a very fierce competitor of this government but we have ended up together, because of the interest of the people of this country. This country is bigger than all of us which is why today we are in the Broad-Based arrangement.

We do not have enemies but only have opponents. Let us not tear each other into split pieces. This country belongs to us. We do not want to open our nakedness in the public. Let us be respectful and continue to work together as leaders as we lead this country. Whoever wins, let them win fairly. Let democracy prevail and we remain one country, one people.

When I was sick, I thought I would go before I express some of my feelings. Madam Temporary Speaker, you are going to give me some other time to do this.

When I was lying there, I had the spirit that that told me I will not die before I finish my mission. That is why I am up. If you have the spirit that wants you to die, you will just die. For me, my spirit wants me to live with you people so that we continue to be friends.

(*(Applause)*

I want to mention something about my friend, the Secretary General (SG) of Democracy for the Citizens (DCP) Party, Sen. Methu. Sen. Methu comes to visit me and calls me when I am sick yet people think that we are enemies because of the statements we make out there. We make statements in regard to policies which are meant to help the people of Kenya.

We may differ but we are still leaders of this country and we are still friends. You do not destroy friendship because you have differed politically because tomorrow you will be together.

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Somehow, there are people who have changed. I was with Hon. Kalonzo. I have been his closest friend and sometimes advisor but sometimes things change. There was a time when Sen. Dan Maanzo sneaked into other issues and he found himself party-less. However, we were together.

Madam Temporary Speaker I do not want to take much of your time because I was not in the schedule. Asante sana.

(Applause)

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Oburu. You are not going anywhere. God is on your side. He will keep you and give you a long life.

We proceed to the next statement by Senator for Tharaka-Nithi County, Sen. Mwenda Gataya Mo Fire. Sen. Dan Maanzo do not leave people party-less another day.

An Hon Senator: Mo Fire, what is wrong?

Sen. Gataya Mo Fire: There is nothing wrong, Senior only that I am unwell.

Madam Temporary Speaker, I rise pursuant to Standing Order 53 (i) to seek a statement from the Standing Committee on Labour and Social Welfare on a matter of national concern regarding the persistent delays in the processing and payment of retirement benefits to retirees across the country.

Delayed pension processing has been a source of frustration for retiring public servants across the country. Thousands of retirees continue to experience inordinate delays in the processing and payment of their pension benefits. These delays have caused significant financial hardship particularly among elderly retirees who depend solely on these benefits for basic needs and medical expenses.

Some beneficiaries have sadly passed away while awaiting payment for their benefits, while others continue to endure prolonged financial, emotional, and psychological distress.

In this statement, the committee should address the following:-

(i) The underlying cause of the delays in processing and payment of retirement benefits and the measures being undertaken to address the existing backlog;

(ii) the current status of pending retirement benefit claims, including the number of affected retirees, the total outstanding liabilities and the timelines for resettlement of all arrears;

(iii) look at the adequacy of budgetary allocations and the funding for retirement benefits, including amounts disbursed and outstanding obligations for the Financial Year 2023/2024 to date;.

(iv) look at the interventions in place to safeguard the welfare of retirees, particularly vulnerable beneficiaries, including persons with disabilities and those suffering from chronic or terminal illnesses; and,

(v) look at the reforms and the administrative measures being implemented to strengthen pension administration, ensure timely processing and payment of benefits and prevent recurrence of such delays in future.

Thank you, Madam Speaker.

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This is Sen. Mwenda Gataya Mo' Fire, CBS, MP, Senator for Tharaka-Nithi County.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Mwenda Gataya Mo' Fire.

Please consult in low tone so the Senators can be heard when they are presenting their issues.

Proceed, Sen. Catherine Mumma.

PLIGHT OF KENYAN WORKERS DENIED ENTRY INTO THE KINGDOM OF SAUDI ARABIA

Sen. Mumma: Thank you, Madam Temporary Speaker. 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 the plight of Kenyan workers denied entry into the Kingdom of Saudi Arabia despite holding valid employment visas and work-related travel documentation.

On 2nd November, 2026, approximately 350 Kenyan workers seeking employment in Saudi Arabia were denied entry and subsequently returned to Kenya following travel restrictions reportedly over concerns of an Ebola outbreak in Kenya. The affected workers are reported to have been stranded for several days at Sharjah International Airport in the United Arab Emirates (UAE) before being repatriated.

The incident has cast uncertainty over the status of thousands of other Kenyans whose employment contracts, visas and travel arrangements had already been finalised, raising concerns regarding the protection of migrant workers, bilateral engagement between the two countries and the adequacy of communication on matters affecting labour mobility.

In the statement, the committee should address the following-

(i) The circumstances that led to the denial of entry and return of Kenyan workers holding valid visas and work permits, including the basis for the restrictions in light of the confirmation that Kenya was free from Ebola;

(ii) the number and status of all affected workers, the arrangements made by the Ministry of Labour and Social Welfare for those stranded in Sharjah Airport and the interventions in respect of individuals whose travel and employment plans were disrupted;

(iii) efforts made by the Ministry of Labour and Social Welfare through diplomatic engagements with the Kingdom of Saudi Arabia regarding the restrictions, the status of affected employment contracts and the visas, arrangements for the rescheduling of travel and the position of more than 2000 Kenyans ready to start their employment in Saudi Arabia;

(iv) whether the Ministry of Labour and Social Welfare had advance information on the travel restrictions, and if so, why it was not cascaded to travel agents, licence recruitment agents, immigration officers, and if they had no prior information, what steps they have taken to ensure future effective communication as they seek a favourable response from the Kingdom of Saudi Arabia.

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(v) plans by the Ministry of Labour and Social Welfare to compensate the workers for various non-refundable costs, fees incurred for inconvenience largely caused by the lack of communication from the two governments and,

(vi) measures by the Ministry of Health in collaboration with the Ministry of Labour and Social Protection and Ministry of Foreign Affairs and Diaspora Affairs to ensure clear, timely and coordinated communication to the international community on Kenya's Ebola status and public health measures to prevent contradictory government statements or advisories that may create confusion or undermine confidence in Kenya.

Madam Temporary Speaker, please allow me a minute to welcome back party leader, Sen. (Dr). Oburu Odinga. I know he loves his work here and he is on track to full recovery.

I want to particularly commend him for the message he has just given to us. I call upon all of us, politicians and Members of Parliament (MPs); the fact that we are in different factions does not mean we should set this country on fire. It is possible to have different opinions and argue differently without setting the country on fire. I really want to commend him for guiding us as one of our elders and leaders in showing that it is possible to violently or to fiercely disagree while keeping the country peaceful and united.

I thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Thank you. I am sure you did not intend to use the word "violent" you intended to use the words "fiercely guard". Yes, we heard you.

Let us proceed. Sen. (Prof.) Tom Ojienda is not in the House. Therefore, his statement is dropped.

ESCALATING INSECURITY IN KISUMU COUNTY

(Statement dropped)

We will pause there on statements and proceed to the next order.

(Sen. Oketch-Gicheru consulted with the Speaker)

The Senate is not aware that he has delegated his responsibility to Sen. Eddie Oketch.

Hon. Senators, I will allocate 15 minutes.

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

The Temporary Speaker (Sen. Veronica Maina): Sen. Shakila, can you please approach the clerk's desk? There is a Statement pursuant to Standing Order No. 57(1).

(Sen. Shakila Abdalla consulted with the Clerk-at-the Table)

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The Temporary Speaker (Sen. Veronica Maina): Sen. Shakila, as a Member of the Senate Business Committee (SBC), I request that you read out the statement pursuant to Standing Order No.57(1), on behalf of the Senate Majority Leader, Sen. Aaron Cheruiyot.

BUSINESS OF THE WEEK COMMENCING
TUESDAY, 17TH NOVEMBER, 2026

Sen. Shakila Abdalla: Thank you, Madam Temporary Speaker.

Pursuant to Standing Order No.57(1), I hereby present the business for the week commencing Tuesday 17th November, 2026.

The status of legislative business before the Senate is as follows-

(1) Sixty-three Bills are pending conclusion, of which 41 are at Second Reading and 22 at Committee of the Whole stage;

(2) Twenty-eight Motions are pending conclusion;

(3) Nineteen petitions are pending conclusion by respective Standing Committees out of which 16 are due for reporting; and

(4) Six hundred and twenty statements pursuant to Standing Order 53(1) are before Standing Committees.

As honourble Senators will note from the foregoing, a substantial amount of legislative business remains pending before the Senate. I, therefore, urge honorouble Senators to prioritise attendance of plenary sittings in a bid to make progress on business scheduled in the Order Paper.

I also request the Party Whips to mobilise the requisite number of county delegations whenever divisions are scheduled. Further, I urge Standing Committees to expedite consideration of the business pending before them and to table reports in accordance with the Standing Orders.

At the next sitting of the Senate on Tuesday, 17th November, 2026, the tentative business for the day will include business not concluded from today's Order Paper, as well as the business indicated in the Notice Paper.

The tentative business for the Morning Sitting on Wednesday, 18th November, 2026, will include Questions to Cabinet Secretaries as approved by the Senate Business Committee, as well as Motions. The Questions scheduled are those to the following Cabinet Secretaries-

(1) Cabinet Secretary for the Ministry of Roads and Transport; and

(2) Cabinet Secretary for Ministry of Agriculture and Livestock Development.

As honorouble Senators will recall, the Senate has adjourned on two consecutive weeks during Question Time due to lack of quorum. In view of this, I wish to urge honorouble Senators to make themselves available in the chamber during Question Time. Our presence and participation are essential to ensuring that we make effective use of Question Time and fully utilise the time granted to us by Cabinet Secretaries to respond to the issues raised.

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(Laughter)

The business for the Afternoon Sitting on Wednesday, 18th November, 2026, will include business not concluded from Tuesday's Order Paper as well as various Bills at the Second Reading and Committee of the Whole stages, and Motions.

Article 132(1) (b) of the Constitution requires the President to address a Special Sitting of Parliament once every year. In this respect, His Excellency the President made a request to the Speakers of the Houses of Parliament for scheduling of the State of the Nation Address. The Speakers of the Houses of Parliament acceded to the request from His Excellency the President and have scheduled the State of the Nation Address to be held on Thursday, 19th November, 2026, at 2:30 p.m., in the National Assembly Chamber.

I thank you and hereby lay the statement on the Table of the Senate.

Sen. Aaron Cheruiyot, Senate Majority Leader.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen Shakila, for dispensing that business.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM KENYATTA UNIVERSITY

Honorouble Senators, I have a Communication from the Chair on visiting delegation of teachers and students from Kenyatta University, Kiambu County.

Honorouble Senators, I would like to acknowledge the presence of a delegation of 40 students from Kenyatta University in Kiambu County who are seated in the public gallery. The delegation is visiting the Senate for an academic exposition. On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a very fruitful visit. I thank you.

I request Sen Wahome Wamatinga to welcome them to Senate.

Sen. Wamatinga: Madam Temporary Speaker, thank you very much for giving me this opportunity to welcome the students from Kenyatta University who are here for an academic exposition. I want to welcome them to this House. This is the upper House. This is the House that is mandated to do the oversight, legislation and most importantly, representation of people.

When we sit here, we debate, discuss and most importantly formulate laws that guide this country. I wish you all the best as you go back to school. Most of us passed through where you are today and no man is limited. You can one day get yourselves here. I want to wish you all the best.

On behalf of the House, *karibuni sana*.

The Temporary Speaker (Sen Veronica Maina): Thank you very much, Sen. Wamatinga.

We will continue. We proceed with the comments on statements. Once given a chance, each senator will use three minutes only so that we can take a few Senators' comments within the 15 minutes allocated for the comments on statements.

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Sen. Dan Maanzo.

Sen. Maanzo: Thank you, Madam Temporary Speaker for giving me an opportunity to comment on a statement by the Hon. Cherarkey about the murder of Mr. Kipruto Seurei and the security situation in his county.

Madam Temporary Speaker, there has been quite a number of murders in different parts of the country. Ordinarily, the Director of Criminal Investigations (DCI) takes matters very seriously when there is a murder. However, recently it appears like when some people disappear or they are found dead, the DCI takes very little action.

In fact, in one or two murders, the homicide division, does a very thorough job. However, at times, investigators seem to present to court evidence they are so sure about, leaving crucial evidence which they are so sure the accused persons found are obviously going to be released by the courts.

Madam Temporary Speaker, the security of an individual in this country is very serious. The right to life is the most important right, to every citizen in Kenya and it is secured by the Constitution. It is the first in the Bill of Rights.

When it comes to this situation, it is not just this gentleman who disappeared and was found dead. There was another gentleman in Baringo who disappeared the same day. Mr. Abshir disappeared and has been missing ever since. I have not yet received a report. I know this was reported to the Law Society of Kenya (LSK). However, it has not been reported whether he has been found.

Madam Temporary Speaker, we have been in the courts, in the streets and at the police headquarters.

(Sen. Maanzo's microphone was switched off)

The Temporary Speaker (Sen Veronica Maina): Proceed, Sen. Boni Khalwale. Your minutes are gone, Sen. Dan Maanzo.

Sen. Maanzo: They did not show the light, Madam Temporary Speaker.

Sen. (Dr.) Khalwale: Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen Veronica Maina): Since we have already moved, just accept it as it is.

Proceed, Sen. Boni.

Sen. (Dr.) Khalwale: The issue of security or lack of it, as requested by the Senator of Nandi, is critical. The cowardly, primitive, and heinous murder of Mr. Kipruto in Nandi should not only receive condemnation from this House but should be accompanied by direct demand for security from the state.

I would like Kenyans to know that Parliament has played its role. The Executive came and informed Parliament that the Kshs563.3 billion given to the in the last financial year was not enough. They wanted us to step it up to Kshs591.6 billion which they now have. Out of this money, the National Police Service (NPS) has a whopping Kshs144 billion. The National Intelligence Service (NIS) received Kshs63 billion. What is more, even village elders were given Kshs3.9 billion. Why are they not providing security?

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Madam Temporary Speaker, how we miss Prof. Kindiki as a Cabinet Secretary of this docket. If Hon. (Prof.) Kindiki was still the Minister, probably this would not have happened because he had contained this malaise of insecurity.

I want to urge the President to relook at the Constitution. It gives him sweeping powers to allocate Hon. Prof. Kindiki extra duties as the Cabinet Secretary for Interior and National Administration and should give this *TikToker* called Murkomen an opportunity to go and sit on the website.

(Applause)

(Sen. Cherarkey spoke off record)

You have your chance to contribute. You have not learned that all these years.

The Temporary Speaker (Sen. Veronica Maina): Sen. Boni, the Chairperson is in charge. Could you withdraw your reference to Cabinet Secretary, Hon. Murkomen, as a *TikToker*? Withdraw that title against the Cabinet Secretary

Sen. (Dr.) Khalwale: Madam Temporary Speaker, I have withdrawn.

The Temporary Speaker (Sen. Veronica Maina): Thank you, proceed.

Sen. (Dr.) Khalwale: Madam Temporary Speaker, if Prof. Kindiki was in charge of this docket, I insist, a few days ago, what we witnessed, the return of Al-Shabaab, would not have happened. Colleagues, as we defend our friends in this House, I want you to know that engineers, five of them from the universities of Kenya, two of them foreign, were murdered.

The Temporary Speaker (Sen. Veronica Maina): Your minutes are over, Sen. Boni Khalwale.

Sen. Tabitha Mutinda, you may proceed.

Sen. Tabitha Mutinda: Thank you, Madam Temporary Speaker. I rise to make comments on the statement by Sen. Cherarkey on the examination results and protest. What catches my attention in this statement is that about 17 students who did these examinations passed. Looking at the issues that resulted in about 927 not making it, these are more administrative issues.

We are talking about the technical challenges in this institution. The Mosoriot Teachers Training College, during the examination period, as the statement has clearly indicated, had issues with the internet. Some challenges were technical. It is unfair for the KNEC to ask students to retake examinations by paying more fees.

If the issues were not caused by the students, the KNEC administration, led by our very good CEO, Dr. David, whom I personally know is a performer, should relook at the request by the students. Subjecting them to more payment becomes unfair. But, yes, for them to retake the exams, it is important to ensure that the environment is suitable. When it comes to the basics that are needed, for example, the issue of the internet is very critical.

Yes, we are in a digital space. I champion digital platforms. I welcome the fact that the teachers training college uses the online platform for the diploma primary teacher education examinations. It is okay. It is alright. However, that should not disadvantage

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students when there are technical challenges which should be addressed by the institution. That should subject them not to feel that the opportunity was unfair for them to undertake their examination.

This is not an issue that should take long. It is an issue that the institution, KNEC, should prioritise and sort out. Let this issue not just address the Mosoriot Teachers Training College. It should cut across and be an example. The online examinations are taking place and the institution should ensure that the students have the technical equipment needed for them to undertake the exams.

It is actually very unfair---

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator Tabitha.

Sen. Nderitu John Kinyua, you have the Floor.

Sen. Kinyua: Asante, Bi. Spika wa Muda kunipa---

The Temporary Speaker (Sen. Veronica Maina): Oh, sorry. Okay, just proceed, then we will have Sen. Eddy. I think the problem was my dashboard, yeah? The problem was my dashboard. Let him finish and then we will take this other side.

Sen. Kinyua: Asante, Bi. Spika wa Muda kwa kunipa fursa hii. Nataka kuchangia taarifa iliyoletwa na Seneta wa Kaunti ya Nandi, Sen. Cherarkey, kuhusu kuawa kwa Bw. Kipruto.

Kazi kuu ya serikali yoyote ni kulinda mali na maisha ya wananchi. Itakuwaje, mzee wa miaka sabini na moja hawezi kulindwa ila yumo katika sehemu ambayo anapaswa kuwa? Alienda kutembea majuma matatu yaliyopita na hadi sasa hatujaweza kuambiwa na maafisa wa ujasusi wale watu waliohusika na ni nini kilichotendeka hadi Bw. Kipruto kuawa jinsi alivyouwawa.

Imekuwaje kila wakati Wakenya wanatekwa nyara na hatujui wanapopelekwa, kama vile Bw. Abshir? Tunapoongea haijulikani aliko, ilhali tunaambiwa kwamba tuna Waziri wa usalama ambaye anahusika. Anapaswa kuwa ametuambia ni nini kilichotendeka kwa huyu wakili. Tumeambiwa vizuri sana na Sen. (Dk.) Boni Khalwale kwamba--- Hata ijapokuwa amembiwa ayaondoe hayo maneno, tayari tulikuwa tumeyasikia.

Jambo ambalo ni la kuvunja moyo zaidi ni wakati tunapoongea hapa lakini watu wanazidi kuingia katika Jamhuri ya Kenya kiholela bila kuwa na udhibiti na bila kujua watu wanaandikishwa vitambulisho jinsi gani. Hiki ndicho chanzo cha maafa ambayo tunapata kutoka kwa Al-Shabaab. Tayari wameanza kutuvamia kwa sababu kila mtu anaingia katika Jamhuri ya Kenya kiholela. Hatuulizi mtu huyu ametoka wapi na anaenda wapi. Shida yetu kubwa ni kwamba watu wanapewa vitambulisho kwa njia rahisi ili wapate kura. Ni vizuri tuangalie usalama wa Jamhuri ya Kenya. Sio kila mtu yeyote ambaye hajakaguliwa vizuri anafaa kuingia nchini. Hii ndiyo sababu tunapata maafa. Sisi tunasema ya kwamba wale ambao wanapaswa kupewa vitambulisho kihalali wapewe. Wale ambao hawapaswi kupewa hawafai kupewa ili kura zipatikane. Haya ni mambo ya usalama na yanapaswa kuwa yakiangaliwa.

The Temporary Speaker (Sen. Veronica Maina): Sen. Eddy Oketch, you may proceed.

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Sen. Oketch Gicheru: Madam Temporary Speaker, I want to thank you for this opportunity. I wanted to quickly comment on the statement by Sen. Mwenda Gataya on the delayed processing and payment of retirement benefits to retirees across the country.

I am sure that those in this House who have a family member who has been a teacher or a public servant who has worked as an employee in any state corporation, you have definitely experienced this in one way or another, where we have got serious delays in benefits to people who have worked for the government.

Despite the fact that we know that we do have a statutory requirement that we have a ninety-day payout period, we have experienced in our homes, time and time again, people waiting for their benefits for months and sometimes going to twenty years, especially even amongst fraternities. This is a very critical statement. I hope that the committee will take it as a matter of inquiry to the extent that we deal with this issue as a systemic challenge.

Why am I saying systemic challenge? I am hoping that this committee will first go and deal with the issues of incomplete and missing employment records. In TSC, you will find that most teachers, some of them in my own family, take almost five to seven years to trace their files.

Right now, you have seen that the National Treasury has tried to implement things around the area of---

The Temporary Speaker (Sen. Veronica Maina): What is your point of order, Sen. Mandago?

Just resume your seat, Sen. Eddy. Take your seat, please.

Sen. Mandago: Madam Temporary Speaker, I stand on Standing Order No.105. I did not mean to interrupt the distinguished Senator for Migori County. However, having served as an employee of TSC, it is not true that files disappear for seven years.

I want to put it on record that TSC has the best file management system in this country although it is a manual process. Today, if you ask for the file of the first teacher, the late President Daniel Toroitich arap Moi, it will be brought to this House in less than 30 minutes. Could the Senator for Migori County get his facts right when it comes to matters of files in the TSC?

(Technical hitch)

Sen. Oketch Gicheru: Madam Temporary Speaker, I think this is now working. It is unfortunate that Sen. Mandago would say such a thing because in a service file of a teacher, there are so many things used to process their pension and other benefits. They include the pay slip which we have seen many times missing in the files; appointment letters which we have seen times without number missing in the files and other simple things such as clearance forms. It is not something that only affects Eddy Oketch, but many teachers in Migori County.

When Sen. Mandago says that where he comes from in Uasin Gishu teachers do not experience this, then he is lucky because teachers in other places such as Kakamega, Migori and Nandi are experiencing this issue. I have talked to many teachers whose files are missing. Some of this manually filed things such as pay slips delay their pensions

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processing forever. That is why this Committee must deal with the issue of manual handling of files that delay teachers from getting their pensions.

Secondly, among county workers, we have seen issues of unremitted deductions that end up delaying the payment of their benefits. In counties today, we have Kshs100 billion owed to people such as the ---

The Temporary Speaker (Sen. Veronica Maina): Time up, Sen. Eddy.

Sen. Essy Okenyuri, proceed.

(Sen. Oketch Gicheru spoke off record)

Nobody has an additional second, so we will keep the rule.

Sen. Okenyuri: Thank you, Madam Temporary Speaker.

(Loud consultations)

The Temporary Speaker (Sen. Veronica Maina): Sen. Essy, proceed.

Sen. Okenyuri: I wanted to be heard in silence.

The Temporary Speaker (Sen. Veronica Maina): Proceed Sen. Essy, the House is in order now.

Sen. Okenyuri: Thank you, Madam Temporary Speaker. I support the statement by Sen. Mo Fire on benefits to retirees. Retirees should never spend their sunset years chasing what they worked for in a long time. The impact of the challenges does not just affect them. It also trickles down to us. I feel that this committee should go ahead, dig deeper and get to know what reforms can be done so that the matter is handled once and for all.

The issue of retirees not getting their benefits is not only felt in Tharaka- Nithi County. However, it is a matter that cuts across the country. We have many retirees who have died without getting their benefits, which is very sad. If retirees can die without getting whatever they spent many years working for, what happens to their dependents or themselves when they get sick for example? They are not able to meet their basic needs whereas they gave their life serving members of the public.

I really wish that beyond responding to the questions that have been brought by Sen. Mo Fire, the committee could go deeper and propose a lasting solution. The National Treasury should think about how to avail funds as a long term solution.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Essy.

Sen. Abass, proceed.

Sen. Abass: Thank you, Madam Temporary Speaker. I would like to contribute to the statement sought by Sen. Chute on security in Moyale where many lives have been lost. Moyale is at the border of Kenya and Ethiopia. It is not clans but two regions that are fighting. Therefore, many people have been left homeless. They have been displaced. I think we need to have high level consultations with the government on the other side, so as to solve this problem. There is high intolerance of people coming from across the border.

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Another thing is that I send my condolences to the families of the eight Kenyans who were killed by the Al-Shabaab. It is a very unfortunate situation. They were young Kenyans who lost their lives while serving Kenyans in that part of the country. We do not wish to hear that kind of news again. Kenya has about 600 kilometers of borderline with Somalia which has no proper governance. This is a very unfortunate situation that has become a menace in both Somalia and Kenya. I condole with those who lost their loved ones.

Finally, I would like to correct one notion. Sen. Kinyua was alleging that there is a high registration of non-Kenyans. That is not a true story, I want to correct that. In the past, the people of northern Kenya have been denied the right to be issued Identification Document (IDs). You will meet a 50 or 60-year-old who has not been issued with an ID because of the strict measures of registering them.

I thank His Excellency the President for allowing those punitive measures to be thrown away. Officers should not be panicking when the people of northern Kenya arrived. They must also get birth certificates, IDs and passports rightfully, as other Kenyans.

Thank you.

The Temporary Speaker (Sen. Veronica Mumma): Sen. Jackson Mandago, proceed.

Sen. Mandago: Thank you, Madam Temporary Speaker. Allow me to comment on the statement sought by the Senator for Nandi County on the matter of diploma primary teacher education. Indeed, it is a very sad state of affairs to have over 900 students failing their examination and only 27 passing. This is a very serious matter that puts into question the reputation of the KNEC, the institution itself and even the future of the teachers.

Remember, this country is now implementing a new curriculum. These are almost part of the first phase of teachers who have been trained for delivery of the new curriculum. I call upon the committee to investigate the circumstances under which these students failed their examinations. If it is a matter of internet, this nation is one of the most connected nations in terms of technology and even mobile connectivity. I urge the committee to take the matter very seriously because it puts the lives of over 900 teachers in jeopardy.

Finally, on the issues of pensions and retirement; the delay in payment of pensions does not happen at the departments and Ministries. However, it occurs at the Director of Pensions because they are the ones with the purse. I urge the committee, in their recommendation, to consider institutions such as the TSC which manage over 500,000 employees. The funds for payment for retirement should be sent to the TSC so that as a teacher exits, their last pay is paid plus their pension.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator. The statement hour is over. So, I could give the final one. Sen. Wamatinga, I am very hesitant to do that but I will give you one minute and Sen. Joyce, one minute, because the statement hour is over. Then we will proceed to an important order on cash disbursement to counties.

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Sen. Wamatinga: Thank you, Madam Temporary Speaker, for being considerate. I add my voice to the statement sought by the Senator for Tharaka-Nithi, Mo Fire, and I concur with my colleagues. Pension is money deducted from employees and because we know the date of employment and the date of exit, we must have an automated system where on the last day of your exit, you also get your money.

At times it is very disheartening when our constituents come to the office to seek help. They tell you how they have waited for three, four or five years for their pension to come. It is also not lost to us that people retire at the age when the body starts failing them health-wise. These are people who will retire into poverty.

Madam Temporary Speaker, it is very important that we come up with law and policy which will force these organisations to ensure---

The Temporary Speaker (Sen. Veronica Maina): That is over. Sen. Joyce Korir.

Sen. Korir: Thank you, Madam Temporary Speaker. I do not have much. The issue is that the committee should address the teachers' pension with immediate effect. This is because they have served for a number of years. It is not their duty to run up and down looking for the pension. The most important thing is for the Treasury to release funds to the Ministry of Education or the TSC, so that once a teacher retires, they are paid off during their last phase.

They, therefore, need to address this so that at the end of the day, we do not have these problems here and there.

The Temporary Speaker (Sen. Veronica Maina): Next Order.

MOTION

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

Chairperson Standing Committee on Finance and Budget. Sen. Mutinda, representing the Chairperson, proceed.

Sen. Tabitha Mutinda: Thank you, Madam Temporary Speaker. I beg to move-

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2026/2027.

Before I proceed, just in a second, allow me to really appreciate the party leader of ODM, Dr. Oburu Odinga.

The Temporary Speaker (Sen. Veronica Maina): Sen. Tabby, could you move the Motion to the very end? You have read it partly. Approach the Clerk's desk for guidance.

Sen. Tabitha Mutinda: Madam Temporary Speaker, I beg to move-

THAT the Senate adopts the report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2026/2027, laid on the Table of the Senate on Wednesday, 11th November, 2026, and that pursuant to Section 17(7) of

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the Public Finance Management (PFM) Act and the Standing Order No.189(3), the Senate approves the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2026/2027.

Madam Temporary Speaker, in the spirit of joy, happiness and prayers answered, allow me to say that I am very happy this afternoon, having seen the party leader of ODM, Dr. Oburu Odinga. He has resumed his duties as assigned by the great people of Siaya County and put to shame those that championed his death. He is here, standing strong as the Senator for Siaya and the party leader of ODM. He has talked about peace as we continue looking for votes for 2027. He said that we should not forget our common denominator which is that we are all Kenyans. Let us do our politics but still respect one another.

I will proceed with my role as the Vice-Chairperson of the Committee on Finance and Budget on the Cash Disbursement Schedule. Apparently, each and every financial year, I am the one who has always tabled this report. I start by thanking my Chairperson, His Excellency, Dr. Ali Roba and the colleagues we sit with in the same committee. They include Sen. Eddy, Senior Sen. Boni Khalwale, Sen. Faki, Sen. Mariam and Sen. Essie Okenyuri who joined us, and who has been very active in this committee.

I also appreciate our secretariat led by Mr. Gitonga, Beverline, Lucy, Kioko, our legal team, and the larger team for always having walked this journey with us very well. I speak like this because we have very few months and probably next year, from Financial Year 2027/2028, someone else might be presenting this. However, we wish them well.

Madam Temporary Speaker, as I proceed, the cash disbursement has four schedules. What is important to note is the total amount in this financial year for the counties. Through this schedule is Kshs70.6 billion that cuts across the three schedules.

The first schedule comprises of the revenues from the minerals in different counties. It also comprises of the court fines and the unconditional allocation. Unconditional allocation in the first schedule is Kshs1.9 billion. Court fines total to Kshs148 million and Kshs1.8 billion, which comes from the 20 per cent from minerals, an indication that there is revenue when it comes to the mining sector. If this is just 20 per cent of the minerals, what about the 70 per cent before we go to the 10 per cent that goes to the community?

These are funds that each and every Senator representing their different counties should note, that even when your people are arrested, the legal process takes place within the county through the courts, these monies still are additional funds to that particular county.

Madam Temporary Speaker, I am happy when I talk about the second schedule. This is because I sit in the Committee on Health. This has given me an opportunity, as the Vice Chairperson of the Committee on Finance and Budget, to correlate two very critical issues of our brothers and sisters across this country. These are our Community Health Promoters (CHPs) and our Universal Health Coverage (UHC) workers.

In the second schedule, we have Kshs12.7 billion, which is the total allocation in the second schedule. In this Kshs12.7 billion we have Kshs3.2 billion for CHPs who do a very great job; a job that is voluntary. At the same time, that is in correlation between the national government and the county government. Wherever they are, there should not be

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any delays. The Senate has done what its mandate requires and ensured that these funds have been allocated to our CHPs. We have another critical issue.

I am happy that, our committee, at least, the term we have served in the 13th Parliament, has brought the issue of county headquarters to a close. The five county headquarters had stalled for the longest period due to lack of funds. An amount of Kshs525 million is part of the Second Schedule for our five county headquarters. Isiolo will receive Kshs194 million while Lamu will receive Kshs107 million. I was privileged to visit Lamu and saw the building myself when I went to do oversight on health.

I am happy that we have been able to support these five counties to ensure that they complete their county headquarters. Tana River County will receive Kshs159 million; Nyandarua County will receive Kshs197 million and, lastly, Tharaka-Nithi County Kshs153 million. I hope that when I visit these counties one day, I will see the fruits of the efforts that we put in and see these counties serving people as required.

Madam Temporary Speaker, one issue that I have always been passionate about is that of the Universal Healthcare Workers (UHC) workers. These are workers, in this country, who have held demonstrations to protest against their payments for the longest time. The matter was tabled before the Committee on Health and, as I serve in the Committee on Finance and Budget, we have been able to, once and for all, address the issue of UHC.

The UHC allocation is Kshs8.6 billion. This takes care of all the arrears that the UHC workers have had and, concurrently, the current payments that they need to continue receiving. We have only one pending issue; that of them being made permanent and pensionable. The amount of Kshs8.6 billion allows the county governments to give them their letters of appointment on permanent and pensionable terms. We have seen some governors going on air taking their microphones during their *barazas* and saying that this is not possible. That is wrong because what they lacked were funds. As the Committee on Finance and Budget, we stand before this House requesting that it adopts this Schedule which includes the Kshs8.6 billion for our UHC workers, so that this issue, once and for all, comes to an end.

I hope we will not hear voices of some governors saying that employing the UHC workers is not doable, because they have the money now. That will take care of the arrears. We had to include it in this Schedule as a county additional allocation so that those counties that had a bigger number of UHC workers have all the arrears cleared. In the next financial year, we should bring it to the Division of Revenue Bill, making it a recurrent expenditure as the others fall due. Again, we have Kshs365 million from the Affordable Housing Levy.

The Affordable Housing project, as we all know, has created a lot of job opportunities for our young people. Dr. Oburu said we should call them opponents. We are not enemies; we are just opponents. They have really fought the issue of affordable housing. Today, as I stand here, I am saying that Kshs365 million is part of the allocation from the Affordable Housing Levy, which is additional revenue for the counties and for the Senators who represent these counties. More money is coming to the counties. Why do you want to refuse more monies to these counties?

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The Affordable Housing units fall in different counties. We have driven around and travelled while doing our oversight and seen these structures. We have seen Kenyans who have also benefited from these homes. The notion being communicated is that when some of our opponents get into office, one of their agendas will be to scrap this, is unnecessary. We need to look at the value and the bigger picture because we have seen Kenyans occupying these residences. It is in that spirit and in Schedule 2, that I request colleagues to adopt and pass this Schedule because it will benef our counties.

One of the things we always champion is that counties get more monies. At the same time, our mandate of oversight is very critical. Today, through our committee, we looked at one of the reports from the Controller of Budget (CoB) and from the different stakeholders who appeared before us when we were doing different Bills. The report that we got today is very sad. It is shameful to say that we have counties that have over 50 stalled projects. You ask yourself: why does a governor, each financial year, start projects that eventually stall, hence, pending bills continue to increase?

We got a report where contractors have abandoned sites. Looking at the amount that had been allocated versus the amount that has been paid and where the project is, there is a lot of wastage. As much as, constitutionally, 30 per cent is what is required to do development, when you look at the development percentage and status, you feel sad. Nairobi has 57 stalled projects. Machakos County, just our neighbour here, has close to 27 stalled projects, among many other counties. That is why, as the Committee on Finance and Budget, we give details to our colleagues.

We have urged our Clerk to ensure that the offices of each Senator, all the 67 Senators, get this report so that they understand that as much as we lobby for more funds to the counties, it is our role to ensure that we also do the oversight that is needed. We have noticed in our subsequent meetings that Own Source Revenue (OSR) has decreased and yet, Facility Improvement Fund (FIF) has increased to close to 100 per cent;. To be more specific, there is a 122 per cent increment in FIF. These is under the hospitals. Yet, these counties are under one CEO, the governor.

How come the FIF is increasing at 122 per cent and the Own Source Revenue is decreasing? What is not happening? Our hope was that as we continue, instead of the county governments depending on the allocation of 15 per cent from the national government, as much as is constitutional, they would benefit more when they seal all the loopholes of losing Own Source Revenue. That leaves a lot of questions on why one sector's collection is increasing very highly, and yet the Own Source Revenue is decreasing. The estimates are not being achieved. It is quite alarming. The debt schedule is Kshs56.3 billion which is now the total allocation for conditional allocation that comes from the loans and grants that we get from our different partners led by the World Bank.

Madam Temporary Speaker, you know I serve as a board member of the World Bank in the International Monetary Fund (IMF). I am happy to look at this schedule of a total of Kshs56.3 billion. We have noticed that some counties are not able to meet the conditions that have been set. These funds are conditional and there are terms and conditions that county governments need to meet. What is so difficult in meeting the conditions yet other counties are doing it? They say that the challenges of not doing development are caused by not having enough funds. These are funds that can help our

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different counties. We have close to over 15 partners and over 15 donor-funded projects. So, let counties adhere.

In our subsequent deliberations on this fund, allow me to speak to the National Treasury. As a committee, we are keen and have observed a few issues that the National Treasury should look into. The National Treasury had indicated that disbursement of the unconditional allocation under the First Schedule and the conditional allocation from the national government share, which is in the Second Schedule, shall be based on the performance of the revenue raised by the national government. This implies that in instances of revenue shortfall, the indicated disbursement targets may not be achieved.

The Third Schedule also provided for the disbursement of conditional allocation of Kshs14.4 billion from proceeds of loans and grants, which now gives us the total of Kshs56.4 billion, as I had earlier communicated. The National Treasury had indicated that Kshs41.9 billion, for seven programmes, shall be accessed by counties after meeting the criteria and performance appraisal.

Lastly is the amount for the county headquarters. As I said earlier, there was an error by the National Treasury, which the Committee has communicated. The Schedule that we adopt is what will be given to the Cabinet Secretary for the National Treasury to adopt, so that the funds are remitted to different counties.

Madam Temporary Speaker, I emphasise that when we agree and add funds to the counties, let us ensure that we also push for results, not only on the assets that we need to see in terms of development but also on service delivery. That is important.

With those many remarks, I request my colleague, the young Senator; very ambitious, committed to his role and very passionate about matters of finance because he is a professional economist, to second. He brings a lot to the table during these discussions. It has been an honour to always serve with Sen. Eddy from Migori County. I beg that he seconds this.

Thank you.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Tabitha.

Sen. Eddy Oketch can take up the Floor.

Sen. Oketch Gicheru: Madam Temporary Speaker, I thank you for this opportunity and congratulate my sister, Sen. Tabitha Mutinda, for stepping in very strongly for our Chairperson of the Committee on Finance and Budget, Sen. (Dr.) (Capt.) Ali Roba, who had to leave for Mandera because of the insecurity crisis we have in that part of the country.

That shows how much he is dedicated to making sure that, as a country, we can always put in a collective effort where our country is facing different challenges, such as security issues. I hope that Sen. Roba will be proud of my sister, Sen. Tabitha, who has moved this report very well.

I also hope that the challenge that Sen. Roba is facing in the northern part of Kenya, which is our collective challenge, will be dealt with accordingly. I trust in the Government of President Ruto, together with the Broad-based team, to deal with this issue.

As you may see, some Senators might be walking out because this is a routine report that does not have to be challenged too much. I remember the County

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Governments Additional Allocations Bill (Senate Bills No.8 of 2026) that we passed, had already absorbed many of these issues. This is just a Cash Disbursement Schedule that is going to highlight how the monies we had already allocated, as two Houses, in the County Governments Additional Allocations Act, 2026, are going to flow.

Therefore, it is a routine report that I want to urge Senators to pass, so that they give us a tool, which we can hold the National Treasury accountable. This will make sure that money arrives in counties on time and in a predictable manner. Most importantly, counties will plan based on the programme of disbursing these amounts.

As you have heard from the Vice-Chairperson of the Committee on Finance and Budget, Sen. Mutinda, the Cash Disbursement Schedule recaptures the Kshs70.6 billion that was spread across the three schedules that we are going to have.

Usually, the County Governments' Additional Allocations comes in three formats. The first one is unconditional amounts of money. These are monies that the respective counties that end up getting have the power and the right to receive. Therefore, when those monies are given to them, they are not restricted by the national government, if I may use that word.

This is the rationale indicated in the Constitution. Counties deserve some of the revenues that the national government ends up raising in its ordinary revenue share. Those counties deserve them. For instance, in the First Schedule, you will find the unconditional grants or allocations in terms of court fines. Some specific counties have been given money towards court fines and they deserve it. Therefore, it is at the discretion of the respective county governments to put the monies where they want.

That is why in this Cash Disbursement Schedule, we have about Kshs148 million court fines going to a number of counties. If you look at that Schedule, you will find them spread out so that we do not have Senators complaining about why they did not get the unconditional grant or the court fines. If there are no problems in your county that led to people being fined in courts, then you do not receive it. So, do not politicise it because if you do not have it, you do not have it. If you do not have criminal activity that led to court fines in your counties, you will not get it.

Another part of that unconditional allocation is about Kshs1.8 billion, which forms part of the 20 per cent share of mineral royalties as required by the Mining Act. Again, this is specific to counties that have minerals that contribute to royalties.

I have seen a number of people politicising this a lot. For instance, if you go to Kakamega, despite the fact that we have had the government of the day working so hard to build a gold refinery in that area, we still have a number of artisanal miners in Kakamega that might not be captured as part of the revenue that comes from royalties. You might end up thinking that those royalties disadvantage Kakamega, yet it is because those artisanal miners, who form the bulk of miners in these areas, might not have been remitting those royalties to the government, so that they are brought back to Kakamega as required by the Mining Act. I am not singling out Kakamega because of Sen. (Dr.) Khalwale. I am just giving an example of counties that might have been disadvantaged regarding mineral royalties.

This could be a baptism of fire for us, as Senators, encouraging some form of formalities and registration of miners and building of capacities of miners for whichever

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mineral that we have in our counties. Those minerals should be captured within the mineral royalties that can then come back in form of these unconditional allocations to our respective counties.

That First Schedule, therefore, is for governors to use the money in a way that is appropriate and as they deem fit. However, if you look at the Second Schedule, the amount totalling to about Kshs12.7 billion is conditional allocation. It is conditional because it is given to governors to do specific functions.

I want to caution our governors that we are sending these monies to do specific functions. You cannot go and take the Kshs12.7 billion to do whatever you want. This is part of national government share of revenue that has been given to bolster some of the issues that you are dealing with, which you might be struggling with. Therefore, the intervention is specific to those issues.

Among those issues I wanted to highlight, so that the country knows, is that we have Community Health Promoters (CHPs). These are some of the most important people. You remember that at some time, when they were being called Community Health Volunteers (CHVs), they never even used to get stipends. Now, the government of the day has worked so hard to make sure that it sends money to counties to give to the CHPs.

I want to urge governors that the Kshs3.2 billion that is being sent under this Schedule must go to the CHPs. Otherwise, we will come for you because we do not want CHPs working day and night to make sure that they deter diseases from entering our homes and then you do not pay them.

So, this is money we are sending to you, starting from the Governor of Migori, to the Governor of Nandi, to the Governor of Kakamega, to the Governor of Kisii. All the governors in our regions, I want to urge that we are sending this money for you to give it to CHPs.

The second one under the Second Schedule is about Kshs525 million. That is a supplementary amount that we are sending for the construction of headquarters in specific counties. It is good that the country knows that the five counties that we are going to target with this amount of money include Isiolo, Lamu, and Nyandarua. I wish the Senator of Nyandarua were here. I do not know where he has gone to campaign. He should be here when this kind of money is being passed, instead of politicking outside there. We are sending to Nyandarua Kshs525 million, a portion of that, to complete building their county headquarters.

We will send the money also to Tana River and Tharaka-Nithi counties. It is very important that those counties catch up with other counties that have been funded in the past three to four years to build their headquarters.

It is important that those counties have a dignified place for work by county staff, by county government, by the county assemblies, and that they have a dignified space that represents their people. That is why we are sending this money to them. We are urging them not to do what other counties have done.

In some other counties, we have seen time without number, when people are using the current budget to actually build headquarters and then find a way of siphoning

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this money. We will be tracking this money to make sure that it has gone to build county headquarters.

Alongside this, there is Kshs8.6 billion under this Second Schedule that is a conditional allocation that has been sent to all our counties to help with the transition of Universal Health Coverage (UHC) workers.

[The Temporary Speaker (Sen. Veronica Maina) left the Chair]

[The Temporary Speaker (Sen. Mumma) in the Chair]

Madam Temporary Speaker, remember some time back--- It is good that Madam Speaker who has now taken over is Sen. Mumma. You remember some time back, Madam Temporary Speaker, in good faith, you sent me out of this House because I was very passionate about UHC workers who had not been transitioned to permanent and pensionable terms.

I think Sen. Cherarkey and I were in big trouble when we tried to talk about them very strongly here when the Cabinet Secretary, Hon. Duale, was here. Now the government has sent Kshs8.6 billion to help with salaries and transitioning them into permanent and pensionable terms. We insist that the counties must honour this money and make sure it helps those workers.

Even as we send this conditional grant to be a buffer in this financial year, county governments must start allocating these permanent and pensionable amounts in their wage bill from next year so that we have stable working of the health care infrastructure of our counties.

Alongside that, I will mention very quickly that under this schedule, there is the Affordable Housing Levy apportioned to counties, of about Kshs365,991,000. It is extremely critical that this portion also goes to ameliorate some of the housing conditions within our counties for those counties that will receive it.

Lastly, in the Third Schedule, we have about Kshs56 billion that is also being put as a conditional allocation that proceeds from loans and grants. This is money that is not dependent on our ordinary revenue infrastructure. This amount of money is dependent on development partners. We have about 15 specific donor-funded projects.

You know that this money, of course, is guaranteed. It is not like the first two schedules where the revenue is dependent on whether the government meets its targets in this financial year, or rather in the next three months, between now and January, or not. This one is guaranteed because it is from development partners.

I must comment that when this particular money is sent to counties, some of it goes into things like Financing Locally-Led Climate Action (FLLoCA), which is a donor-funded project. We have World Bank projects and settlement schemes that are happening in our counties.

If there is a place that has been elusive to us, as a House, in terms of audit and in terms of oversight, it is the money from donors. We, as a House, must put a mechanism in place that will track all the money that goes through donors. The donors have a

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different framework that is ordinarily elusive to us, as a House, in terms of oversight mechanisms.

I want to urge the House to pay attention to the Kshs56 billion that is sent to counties. This is because if we do not audit and oversee it properly, this is where we will have shady kind of specs for projects that are done but are not properly oversighted. I want to urge the House. As you look at this schedule, pay attention to the Kshs56 billion that is being sent to counties.

Very quickly, I want to comment that even as we send this schedule, there are some observations that we made, as a committee, that the House should pay attention to. Number one, the Office of the Auditor-General has indicated that the disbursement of the unconditional allocations in the first and the second schedules will be dependent upon revenue raised by the national government. This is important. As we track the schedules, we must also track the exchequer releases and receipts that we will have in the next three or four months.

Why am I saying this? We are going into an election period, and I must speak like the Rt. Hon. Raila Amolo Odinga's son. When we go into an election period, and we do not watch exchequer receipts and exchequer releases, they can be concocted in a way that they do not honour these schedules. The money is then distributed to other things. It might go to campaigns. We must fight for devolution and make sure that those shortfalls of revenue do not become a stumbling block to sending money to counties. We must watch over that as a Senate.

Number two is the disbursement schedules, as forwarded to us from the National Audit Authority office. The unconditional allocations under Schedules One and Two have proposed two tranches; one in November and one in January. Again, it is my view and the view of the committee that some of these amounts are very small and should not be split.

If the National Treasury ends up achieving its money in November, it must send those monies to counties in November. We must not wait for January when governors will start saying that they do not have the capacity to absorb all the money and then start using it towards campaigns. We must watch that as a House.

Then, we also saw that the Third Schedule provides that the disbursement of the conditional allocation grants of Kshs14 billion, from the proceeds of loans and grants by the development partners, will go. However, there is about Kshs41.9 billion out of Kshs56 billion that will not go immediately. This is because we had put conditions in the mother Act that they can only be accessed by counties after meeting some criteria in terms of performance appraisal.

I have to comment on this because there are counties that are seriously notorious on not meeting specifications put by the statutes in these Houses and donors so as to access some of these monies such as the FLLoCA. Remember, last year, Lamu, Mombasa and Nairobi City counties could not access money already given to us by donors simply because they could not meet the criteria. We must go ahead and deal squarely with counties that cannot meet criteria.

The criteria include things such as a simple fact of serious trade payables in the books of county governments and pending bills that reflect a lot of money being held in

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abeyance of what I would call stalled projects. If you go to Isiolo, for instance, you will find that we have almost Kshs1.7 billion worth of stalled projects. In Nairobi County, we have almost Kshs208 million worth of stalled projects. If you go to Kilifi County, you will find 10 stalled projects of about Kshs48 million and many more that I can mention. As a House, we must go to these counties in the next two months and ensure that all of them meet the criteria provided for in the schedules so that they do not disadvantage others.

Lastly, since I only have about two minutes left, as a committee, we also noticed that the schedule that came from the National Treasury had some serious errors in terms of some monies that were supposed to go to some specific counties. For instance, the error was on what the monies were meant for which is the headquarters.

Even as you read them, as Senators, realise that some of these cash disbursement schedules have some errors that are not in congruence with what we had passed in the mother Act. For instance, if you look at the money for Isiolo County, what is indicated in the schedule is wrong. The money that is supposed to go to Isiolo County is Kshs194 million; Lamu, Kshs107 million; Tana River, Kshs 159 million; Nyandarua, Kshs197 million; and, Tharaka-Nithi, Kshs153 million, not as the National Treasury had indicated. We must take note of those errors and then most importantly, go and check on your respective counties to see the monies you are sending to your county.

I can proudly say that the Governor and the County Government of Migori must know that in this Cash Disbursement Schedule, I have worked hard together with this House; to send them a total of Kshs16 million in November. I hope that the Governor of Migori County will use the money appropriately to help our people.

Madam Temporary Speaker, with that, I second.

I thank you for the opportunity to contribute to this particular report.

The Temporary Speaker (Sen. Mumma): Hon. Senators, I now propose the Question---

Sen. Oketch Gicheru: Point of order.

The Temporary Speaker (Sen. Mumma): There is nobody on the Floor.

(Sen. Oketch Gicheru spoke off record)

But I have not put a question for you to---

(Question proposed)

Honorouble Senators, before I call on those who want to contribute, I have another Communication from the Chair.

(Interruption of debate on the Motion)

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COMMUNICATION FROM THE CHAIR

SUBSTANTIATION OF FACTS BY SEN. CHERARKEY

The communication is Communication No.052 of 2026 on substantiation of facts that a Senator alleges to be true pursuant to Standing Order No.105 by Cherarkey, MP.

Honorouble Senators, as you will recall, during the Afternoon Sitting of the Senate held on Wednesday, November 11th, 2026, while commenting on the report of a petition concerning public transport in Lake Victoria between Mfangano Island in Suba Central, Suba County, and Mbita, the Senator for Nandi County, Sen. Samson Cherokee MP, stated as follows, and I quote-

> "The former President must be told off because it is during that time that the Standard Gauge Railway (SGR) did not reach Nyamira. It is under President William Ruto that we have Magwagwa and Ikonge stations".

It was at this point that the Senator for Nyamira County, Senator Okong'o Omogeni, SC, MP, rose on a point of order pursuant to Standing Order No. 105 challenging Sen. Cherarkey, MP to substantiate his allegation that there were two stations in Nyamira County for the SGR. The Speaker thereupon directed Sen. Cherarkey, MP to substantiate his statement as required by Standing Order No.105(1).

Hon. Senators, as you are aware, Standing Order No.105 states that;

> "(1) A Senator shall be responsible for the accuracy of any facts that the Senator alleges to be true and may be required to substantiate any such facts instantly".

If a Senator has sufficient reason to convince the Speaker that the Senator is unable to substantiate the allegations instantly, the Speaker shall require that such Senator substantiate the allegations not later than the next sitting day, failure to which the Senator shall be deemed to be disorderly within the meaning of Standing Order No.121, which is disorderly conduct unless the Senator withdraws the allegations and gives a suitable apology if the Speaker so requires.

Honorouble Senators, Sen. Cherarkey, MP, did not substantiate his statement instantly and requested for more time to do so at the next sitting. In accordance with Standing Order No.105(2), having acceded to the request, the Speaker directed that the Senator substantiate the statement at the next sitting day.

Accordingly, and pursuant to Standing Order No.105(2), I now invite Sen. Samson Cherarkey, MP to forthwith present evidence to substantiate the statement he made, failure to which the Senator shall be deemed to be disorderly within the meaning of Standing Order 121. In the absence of such evidence, Sen. Cherarkey, MP, will be required to withdraw the statement and apologise to the Senate.

I thank you.

Sen. Cherarkey, proceed.

Sen. Cherarkey: Am I allowed to just table or say what is therein?

The Temporary Speaker (Sen. Mumma): If it is a long document, I suggest that you table it, then we look at it.

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Sen. Cherarkey: Madam Temporary Speaker, the House knows that what I am tabling is proof that Magwagwa and Ikonge railway stations are in place. It is proposed development of Naivasha-Kisumu Standard Railway Phase 2---

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, just hold on for a second. Before you proceed, I wish to guide you. Briefly describe the documents that you are tabling and then I will make a ruling after that.

Sen. Cherarkey: Madam Temporary Speaker, quickly, so that I contribute to the next issue, I have a copy of the proposed Naivasha-Kisumu Standard Gauge Railway Phase 2B SGR Section within Nyamira County, which has everything including a passing station in Ikonge North and also Magwagwa, as I had indicated there. Even the drawings are there.

I beg to table.

(Sen. Cherarkey laid the document on the Table)

I have the letter written to the NLC, an acquisition for Magwagwa SGR Station and Ikonge as part of the corridor, and I table that.

I have the Gazette Notice that I beg to table also, that was issued in Nairobi, 9th October, 2026 to indicate the acquisition of the document and Magwagwa and Ikonge as part of the process.

Madam Temporary Speaker, I also beg to table the proposed programme for sensitisation and public participation for the proposal of Magwagwa SGR Station in Nyamira County on 23rd October, 2026 at Magwagwa grounds. There is also the intention to compulsorily acquire that is Gazette Notice No.4886 and the rest as indicated. That is Gazette Notice No.16162.

Another document that was issued for land acquisition for SGR 2B project inspections within Sindo West and Chika in Kisumu and Magwagwa Station in Nyamira County. Finally, on the Phase 2B of construction of Naivasha-Kisumu-Malaba SGR that is indicated. I beg to table.

(Sen. Cherarkey laid the document on the Table)

The Temporary Speaker (Sen. Mumma): Clerk, you may receive the documents. The Chair shall review and report to the House.

Honorouble Senators, I have another communication to make.

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COMMUNICATION FROM THE CHAIR

THIRD GLOBAL PARLIAMENTARY SUMMIT AGAINST HUNGER AND MALNUTRITION

Honorouble Senators, I wish to inform the Senate that the Parliament of Kenya will host the Third Global Parliamentary Summit against hunger and malnutrition on Monday, 16th and Tuesday, 17th November, 2026 at the Parliament buildings in Nairobi.

The Summit themed "Legislating for Resilient Agri-Food Systems and Zero Hunger in a Changing Climate" is being jointly organised by the Parliament of Kenya, the Food and Agriculture Organization (FAO), and the United Nations FAO and the Spanish Agency for International Development Cooperation (ACID). The Summit builds on the previous events held in Spain in 2018 and Chile in 2023 and is expected to bring together over 250 Members of Parliament from more than 100 Parliaments alongside representatives of FAO, development partners, civil society, the private sector and other stakeholders.

Honorouble Senators, the Summit seeks to strengthen Parliamentary action against hunger and malnutrition and advance sustainable agri-food systems in support of the 2030 Agenda for Sustainable Development. It will provide a platform for Parliamentarians and other stakeholders to exchange experiences and strengthen legislative and oversight responses to food security and nutrition.

The discussions will focus on among others; realising the right to food, promoting access to healthy diets and advancing efficient, inclusive, resilient and sustainable agri-food systems. These discussions are particularly relevant at a time when countries across the world continue to grapple with the interconnected challenges of food insecurity, malnutrition, climate change, poverty and the sustainability of food production systems, all of which have a direct bearing on the lives and livelihoods of the people we represent.

Honorouble Senators, the Summit presents an important opportunity for Parliament, in the discharge of its constitutional mandate, to contribute to discussions on strengthening food security, agricultural productivity and climate resilience. Further, the hosting of this gathering provides Parliament with an opportunity to share Kenya's experiences and perspectives with other Parliaments, while strengthening Parliamentary diplomacy and international cooperation.

In preparation for the event, the Speakers of Parliament have appointed a Steering Committee to ensure the success of the Summit. The following Senators will represent the Senate-

1. Sen. (Prof.) Tom Ojenda, Senior Counsel, MP
2. Sen. David Wafula-Wakoli, MP
3. Sen. Hezena Lemeletian, MP

The Summit will be officially opened by His Excellency, the President of the Republic of Kenya and Commander-in-Chief of Kenya Defence Forces, His Excellency Dr. William Samoei Ruto, PhD, CGH, on Monday, 16th November, 2026, at 9.00 a.m. in the National Assembly Chamber, Parliament buildings.

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Hon. Senators, in conclusion, I, therefore, invite and encourage all Senators to attend the opening ceremony.

I thank you.

We now move to contributions to the Motion and I have Samson Cherarkey.

(Resumption of debate on Motion)

Sen. Cherarkey: Thank you, Madam Temporary Speaker, for that Communication, and I hope we will attend as you have directed.

This is a procedural Motion on the additional allocation to counties. The reading of Article 202 of the Constitution provides that county governments may be given additional allocation from the national government share of the revenue, either conditionally or unconditionally.

I will make a few comments on this report that has been prepared by the Committee on Finance and Budget. One of the critical roles of the Senate under Article 96, is to ensure division of revenue and also do oversight of resources. There are many people that imagine that counties can get allocation and division of revenue without the input of the Senate.

I sat with a Member of the National Assembly, and I will not mention their names. They were arguing that we needed to abolish the Senate so that we empower Members of the County Assemblies (MCAs). I told them devolution is tied to the Senate. When the Senate is not there, devolution is not there because the interest of the Senate is to ensure counties receive adequate resources to function.

I told them that the Senate also plays another critical role in the impeachment proceedings of the presidents, either the deputy president or the president. So, Senate is tied up. The only challenge and Kenyans agree with us - and I am saying this because I am aware that you are the Vice Chairperson of the Committee on Devolution and Intergovernmental Relations – is that we have given much to the counties. The Bible says that; "whoever much is given, much is expected." However, in terms of value for resources that we have allocated to counties, we are yet to see that.

I remember, if my memory serves me right, the last time you visited Kakamega, you were the mediator and the peacemaker between Sen. Khalwale and the county officials. I understand the pain of Sen. Khalwale because we cannot be working round the clock to get resources to counties but when you go to the ground, you do not see the value. Sometimes, some of us get worked up and sometimes use unpalatable ways to try and ensure that the money we fight for in the Senate is of value.

Madam Temporary Speaker, you led the delegation on fact-finding on the projects that were stalled in Kakamega County. I understand why Sen. (Dr.) Khalwale was emotional. I would like to request him to be more vibrant and exuberant, especially in the oversight of county resources in Kakamega, and leave this other agenda that he is pursuing nowadays.

Madam Temporary Speaker, I am happy that 15 years down the line we have disbursed Kshs4 trillion since the inception of devolution. I do not want to go that direction. I want to contribute to the Motion. However, when you walk around our

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counties, do you see the Kshs4 trillion? People will argue, no. Even in this additional allocation, where we are allocating Kshs70 billion to counties, before I make a few comments on individual items, my point is that we have not seen the Kshs4 trillion.

In my county, Nandi, there is no value for money that the county has got for the last two terms that the governor, Hon. Sang, has been in office. He has always presided over maladministration, poor governance, a poor development record and corruption.

Under Hon. Sang's watch, Nandi County has lost over Kshs250 million per financial year to ghost workers courtesy of his administration. You can imagine the pain. In Nandi, Kshs250 million is paid to ghost workers. If that Kshs250 million was allocated for bursaries, for the children of Nandi, you can imagine how it would alleviate the suffering and pain of many. However, because of corruption----I remember when the Ethics and Anti-Corruption Commission (EACC) went to Nandi County, took a lot of things from the county office of Governor Sang. They took away computers and the payroll. Up to today, they have never prosecuted any person over the payroll scandal and the issue of ghost workers.

The biggest threat - and I want to repeat without fear of contradiction - to the growth and flourishing of devolution in this country is the EACC, which has failed to fight corruption. The EACC has failed miserably in our counties.

I want to remind governors that even as they steal, their day will come. They say every dog has its day. When I saw the former Governor of Kiambu County, Hon. Waititu walking in the corridors with handcuffs, being taken to the cells over corruption issues--- Governors should learn. They should watch what Hon. Waititu is going through. However much you steal or think you are politically-correct now, a time will come when you will be held accountable and prosecuted for corruption in our counties.

That is our prayer and agenda. I have always said in many forums that we want to appropriate money for people to get medicine, roads, drugs, water, bursaries for our children and a better life. It is the intention of the Senate to see that to the end. We want governors to be held accountable.

Madam Temporary Speaker, you have been with us when governors refused to appear before the Senate County Public Accounts Committee (CPAC) and other committees to account for resources. Why is it hard for governors to account for the resources that we oversight here for purposes of accountability as per Article 96?

The Bible says that the guilty are always afraid. Why is it hard when we tell the Governor of Nairobi City, the Governor of Nandi, the Governor of Kakamega--- I do not remember the last time the Governor of Kakamega appeared before the County Public Accounts Committee (CPAC). He always requests for rescheduling. I thank the Inspector-General of Police because on many occasions when we have issued warrants of arrest against governors, he has gone ahead and ensured those warrants are enforced. We are aware that there are many governors who do not want to appear before the committee.

In fact, as a Senate, we must come up with a proposal that if a governor does not want to account for the money, we should stop funds to his or her county. It cannot be that we allocate money to Nandi County and when we tell the governor to come and account, either before the Devolution and Intergovernmental Relations Committee, the County Public Investments and Special Funds Committee (CPI&SFC), the Finance and

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Budget Committee on procurement issues or the CPAC, he does not want to come and account. Then why should we allocate the county the money?

That is why I want to challenge the EACC. If the EACC wants to regain faith and confidence, Bishop Oginde, who is the Chairperson, must restore it by ensuring that they deal with corruption in counties. We must also spend money wisely. Remember the case in Vihiga where the county allocated Kshs5 million for a housewarming. Remember in Bungoma, where the governor allocated Kshs3.6 million to buy a Christmas tree in November, before Christmas Day. You remember about Mandera? We send our deepest condolences for the lives that were lost in Mandera and hope that the security agencies and the Anti-Terrorism Police Unit will arrest those Al-Shabaab terrorists. In Mandera, they were buying almost Kshs70 million worth of maize seedlings yet Mandera does rely on rain-fed agriculture. You cannot plant maize in Mandera.

You remember in Nandi where the governor, despite having official vehicles was doing vehicle leasing of Kshs42 million yet there are no drugs in Kapsabet County Referral Hospital (KCRH). In fact, my governor made it worse. He used almost Kshs200 million to travel abroad and one of the places he visited is where Jesus Christ was born. For us Christians who go to church, Christ has been born in our hearts. You do not need to go to Jerusalem to see where Jesus Christ was born. These are some of the wastages that we expected the EACC and accountability mechanisms to deal with.

I would like to highlight three points. We must empower the Controller of Budget (CoB), Ms. Margaret Nyakang'o, to stop payments when they notice wastage or voiding of payments in counties so that our people can get value for money. That is what we must agree on as a House. Whenever I travel in Nandi, people tell me: "Do you know there is corruption in Nandi, wastage of public funds and poor governance? Why do you, as a Senator, not arrest and prosecute?"

Let me inform Kenyans that the Senate only makes recommendations just like the National Assembly. The work of prosecution is by the Director of Public Prosecutions (DPP), Renson Ingonga, as per the Constitution. The work of investigation and prosecution of corruption is done after we have recommended. I challenge Kenyans to go to the HANSARD, guided by you, Madam Temporary Speaker. We have made many recommendations for prosecution of corruption cases against Nandi County and many counties. However, the EACC is sleeping on the job. If Kenyans think that the Senate should arrest and prosecute corrupt governors, then they need to go to the Constitution, amend it and give us powers. Whenever we go around, people telling us: "Senate, you are doing a good job, but we do not see the value of the money that you devolve, including the additional allocation."

Look, for example, at the county headquarters. Isiolo is getting over Kshs194 million to do its county headquarters. Nyandarua is getting Kshs197 million plus to do its county headquarters. Tharaka-Nithi County, just as an example, is getting Kshs153 million. When the Tharaka-Nithi Governor appeared here and saw an item he did not like, he said he did not have his reading glasses. He escaped. Governor Muthomi is now the Chairperson of the Council of Governors (CoG). I was telling some friends in the CoG that you are jumping from the frying pan into the fire, because Governor Ahmed Abdullahi, the former CoG Chairperson and Governor of Wajir, was worse. But now

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Governor Muthomi is the worst CoG Chairperson because he has shown open disrespect. Remember the issue of the incinerator, where he incited companies, and yet he was here investigating that matter. On this Kshs153 million going to Tharaka-Nithi, we must see value in the construction and completion of the county headquarters in the county, *Kathwana*.

Madam Temporary Speaker, I will move quickly to agree with Sen. Eddy on the Kshs14.4 billion by development partners. I remember when the Kenya Devolution Support Programme (KDSP) was given to counties, I tried writing to the World Bank to demand an audit, where they were doing footpaths in Kapsabet Town.

Madam Temporary Speaker, as the Committee on Devolution and Intergovernmental Relations, where you deputise, and also the Committee on Finance and Budget, we must get the full view. I do not know why development partners do not want the Senate to have a view of the money they give to us. The money that the World Bank and other development partners give us is not free. It is a loan. Why do they not want us to do oversight on the money they give?

I want to appeal to the World Bank and other financial institutions or development partners to respect our local laws, allow us to do oversight, because the money that was being sent in Kapsabet to construct a foot path could not even allow two dogs to pass on the same foot path. You can imagine. When it rained, the whole footpath would be swept away.

We wrote to the World Bank to give us an explanation on how they allowed money allocated to Nandi County and other counties, through the Kenya Urban Support Programme (KUSP), went unaudited. I want to challenge the World Bank and other development partners on the Kshs14.4 billion. They must allow the Senate to do oversight of those resources so that we get value for money. I thought the World Bank and other institutions want prudent use of resources, transparency and accountability.

Madam Temporary Speaker, on the issue of mineral royalties, there is Kshs916,564,410. I can see Nandi County is getting Kshs60.7 million through mineral royalties. I appreciate the local content. You are our neighbour. We have gold at a place called Chemase in the Karebe Gold Mine. We have many minerals in Nandi County, including rare gems, gold and many others. On the border we share between Kisumu and the Nyando belt, the Nandi Escarpment, though some call it the Nyando Escarpment, there is gold around Aldai and many other areas.

We are set to get Kshs60.7 million to the counties. However, we want enforcement of local content, where 70 per cent goes to the national government, 20 per cent goes to the county governments and 10 per cent goes to the local communities, so that the people of Chemelil and Chemase, where gold is found, get what we call community development agreements as per the Mining Act, 2015. That will also ensure that they get value for the minerals extracted as well as to build schools, hospitals and roads, just like across the country in Taita Taveta, Mrima or where there are gemstones in the coastal part of this country and many others. In Tanzania, the former President ensured that there was proper management of minerals.

Madam Temporary Speaker, I am happy that the Universal Health Coverage (UHC) has been allocated Kshs8.6 billion. We have fought as a House and I want to tell

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all the UHC staff that we have put in Kshs8.6 billion. Go and pick your permanent and pensionable letters from your governor wherever you come from across all the 47 counties because we have resolved the UHC matter. We have put in Kshs8.6 billion. I want to challenge the CoG to implement this directive so that we get value.

On the issue of stalled projects, we have Kshs4.21 billion worth of stalled projects across 21 counties. Nairobi City County leads with Kshs2.4 billion worth of stalled projects. In Baringo County, there are stalled projects worth Kshs1.63 billion. In Nandi County, there are almost Kshs100 million worth of stalled projects, including the Chepterwai Hospital Complex Phase II, education facilities and other youth facilities. Even in Siaya County, there are stalled projects.

Madam Temporary Speaker, I know you are a woman leader. You saw the Governor of Elgeyo-Marakwet insulting and demeaning the Deputy Governor and that is in the public domain. Even if they had political differences, he should not have spoken to her in Kiswahili saying; *"huyu ni mjinga."* This is the same governor who spent Kshs273 million to buy semen instead of fixing roads and Early Childhood Development Education (ECDE) centres. He has stalled projects yet he was busy demeaning his Deputy Governor. She must be respected so that we have togetherness.

I hope that as the Kenya Women Senators Association (KEWOSA), you will protect her, because that is Gender-Based Violence (GBV). A governor insulted and demeaned a deputy governor at the Kapkeya function and the supporters of the governor attacked the deputy governor. That is GBV in leadership. We must take a stand and we hope that the Governor of Elgeyo-Marakwet County will apologise to Kenyans and not only to the deputy governor.

The people of Elgeyo-Marakwet, especially the women--- If the governor can demonise, show contempt and insult a woman like that, then the women of Elgeyo-Marakwet should not give their vote to him. That is what we call male chauvinism, which we do not want. As a man, I would not wish---In our culture, you do not fight women. You just show love and appreciation *na unawapiga na leso*.

Madam Temporary Speaker, ghost workers are still a big problem. We have Kshs33.5 billion that has been lost to ghost workers. Nandi County lost Kshs250 million to ghost workers, people who are not on the ground, but are being paid. I suspect that those are goons used by the governor alongside what we call court jesters and radio callers. Not all radio callers are bad, but there are a few of them who praise and worship the governor. They are consuming Kshs250 million in Nandi County. A sum of Kshs250 million on ghost workers!

In Nairobi City County, there are ghost workers consuming Kshs839 million. In Garissa County, they are consuming Kshs731 million. I am just giving three examples of true ghost workers. The menace of ghost workers must and should be fixed once and for all.

Madam Temporary Speaker, the reason I am using these examples as I contribute, is to show Kenyans that we are working hard to give governors resources. However, they misuse and abuse them. If Nandi is losing Kshs250 million to ghost workers and we have reported to the EACC and no one has been arrested, then it means that the EACC is complacent. I am told that the reason prosecution has never happened is because

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somebody somewhere is blocking it. How can you lose Kshs250 million? Are you aware that Nandi County gives Kshs60 million to bursaries, yet the governor is losing Kshs250 million to ghost workers? Meanwhile, we pay around Kshs4 billion to our workers.

Madam Temporary Speaker, I want to appreciate and indicate that this report is one that we must consider as we go into the future. In conclusion, I want to refer to Article 219 of the Constitution regarding the National Treasury. When money is appropriated by Parliament, it should be released without undue delay.

My experience at the CPAC shows that one of the reasons that governors argue is late exchequer releases. They argue that yes, we pass money as the Senate, but they do not see that money. I challenge the National Treasury to ensure they release money in good time so that counties can fix roads and deliver services.

Madam Temporary Speaker, with those many remarks, allow me to rest there. I support this report.

The Temporary Speaker (Sen. Mumma): Sen. (Dr.) Khalwale.

Sen. (Dr.) Khalwale: Thank you, Temporary Speaker. As colleagues will notice, I am a Member of this committee and I voted to defeat the schedule, not for any other reason but because, as the adage says; garbage in, garbage out of the computer. The so-called Kshs916,464,410 that we are sharing as additional allocation is just garbage in, garbage out.

Madam Temporary Speaker, what do I mean? There is no record before the Committee on Finance and Budget confirming what the National Treasury collected from court fines to enable the committee to agree with the Cabinet Secretary for the National Treasury and Economic Planning that out of court fines, Kshs74 million should be shared amongst counties. There is no evidence from the National Treasury presented before the Committee on Finance and Budget to confirm the total amount of money realised as mineral royalties before they settled on sharing Kshs916,464,410. It is a question of garbage into the computer and garbage out.

Be that as it may, I rise to support this report because even when we are unhappy the way I am, the money is there. We have to support the sharing because it cannot stay at the National Treasury forever. Even if you allowed it to stay there, that would be the same amount of money they would use in their famous empowerment rallies.

Madam Temporary Speaker, to highlight why I am unhappy, is the issue of mineral royalties. Everybody knows that there is gold mining in many counties in Kenya. In fact, there are up to 970 different minerals that are mined in this country, including titanium, gold, rare earth elements, copper, graphite, gemstones, soda ash, salt, limestone, gypsum, diatomite, and phosphor, to name but a few.

According to the African report, the global mineral resources in Africa account for 30 per cent of the entire mineral resource in the world and yet, foreign companies that are exploiting this resource take away US$38.4 billion as profit at the expense of the local communities. A sum of US$38.4 billion translates to approximately Kshs39 trillion that these guys walk away with from the African continent.

The conversation must change. If we do not do it, then we are no different, a leader, from the age-old politicians who have led Africa that has seen this exploitation go on year in, year out. It all boils down to leadership. That is why, at a place like the United

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Arab Emirates (UAE), 22 per cent of the mineral wealth contributes to the GDP because they are bold; they negotiate contracts with the investors who come to extract their minerals. Compare that with Kenya; it is only one per cent, truly, truly laughable.

This document is telling us that Vihiga County, where gold mining takes place, will receive zero, and that in Kakamega, where gold mining takes place, we will receive Kshs29. How can I go back to Kakamega and defend myself if I support this report when it is suggesting that the National Treasury has given us royalties equal to Kshs29? Siaya County, which has gold in Ramla, is ongoing now in Gem Constituency; they are saying Siaya will get zero. This is the injustice that this House must attempt to rectify.

I have listened and heard our colleagues say, look, it is because the gold mining in Siaya, Vihiga, Kakamega and so on, is done by artisanal miners, true, and that artisanal miners do not pay royalties, true. Let it be on HANSARD, on record, that the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs almost weekly, issues certificates and licenses for mining to foreign corporations.

If you go to the birthplace of Madam Temporary Speaker, a village called Bushiangala, a very beautiful place with beautiful ladies such as Madam Speaker; there is a heavy presence of foreign investors who are competing with the artisanal miners. If they are licenced, why are they not paying so that royalties can then be worked out on their agreed legal ratios, so that the people of Kakamega, Siaya and Vihiga counties can get access to what they deserve?

I am very happy that the Chairperson of Land, Environment and Natural Resources, Sen. Faki of Mombasa County, took the trouble of coming to Ikolomani in Kakamega to see for themselves what Sen. Catherine Mumma and I have been talking about on the Floor of this House. I hope they are going to expedite their report; we are waiting to see their recommendations. Dear colleagues, the gold in Kakamega is so much that even the government has gone ahead and constructed a gold refining factory running into hundreds of millions at a place called Lidambitsa in Kakamega County and yet, we do not get any royalties.

So that I do not use my time agitating only for Kakamega; look at this report. I do not know the specific minerals mined in Kirinyaga but they are saying they will be given one shilling. They will get 50 cents in the first financial year and again 50 cents in the next. What is this mineral that is being extracted in Kirinyaga County that accesses them only to one shilling in two tranches of 50 cents and 50 cents? The people at the National Treasury who are eating this money, we challenge you to do us only one favour; at least be ashamed. When you must lie, lie, as Kibaki said, in an intelligent manner.

Madam Temporary Speaker, how do we end up being so short-changed when we have leadership? I remind the drivers of governance in this country that exploitation takes place through the very extraction of raw materials since we do not add any value. Then there is that mischievous, clever by a half practise of unequal trade structures. These unequal trade structures are such that there is mispricing. If you go to Malinya - the gold trading centre of Kakamega - you will find that none of the people selling their gold there in the evening have any idea of what they deserve. There is so much mispricing that they accept what they are given because if you do not, you have nowhere else to sell. You

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either take it or leave it and when you leave it, you go home with your gold where goons visit you at night, take away the gold and they go and sell it at a mispriced level.

We also have weak local processing capacity. I want to thank the Government of William Ruto for speaking to this issue and by bringing the processing machine at Lidambiza. I hope that they mean it because we are used to a government that propagates lies more than the truth. In my speech, I have already told the government about the need for them to be more determined and aggressive in negotiating the contracts that bind the investors with the communities. This is important because the government must ensure that profits and value that is transferred to foreign corporations is also shared by the local communities.

Purely on the issue of governance, African governments, including Kenya are allowing the age-old mineral curse that has visited many African countries to prevail in Kenya to the extent that, the government either watches and does not see, hear or they abet insecurity. Where I come from, Madam Temporary Speaker, the Government abets insecurity by sending state machinery to come and protect the interests of investors at the expense of locals. This has on many occasions led to the loss of lives.

This issue is so prevalent that we are already on record that in Tanzania, the late President, John Pombe Magufuli, lost his life because he stood firm on the need for the transfer of profits and value to Tanzania, rather than to foreign nationals. In DRC Congo, Patrice Lumumba, also lost his life for the same reasons. I, therefore, urge the Government of the Republic of Kenya to go and familiarise itself with the famous UN document christened, the African Mining Vision. Anybody who aspires to be president for Kenya must acquaint himself or herself with this vision that gives the promise of economic and social transformation from our minerals in Africa.

I support the report. I thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Senator Karen Nyamu.

Sen. Nyamu: Thank you, Madam Temporary Speaker. I rise to support this report by the Committee on Finance and Budget on the additional county funds to the tune of Kshs70 billion. This is quite a significant amount to be added to the already allocated funds to our county governments. These funds must be felt on the ground. This committee has done a great job but allocating these funds to counties is one thing and having them disbursed on time is another.

We have witnessed cases where, as a Senate, we do our work but the National Treasury delays disbursements. We have witnessed situations where county governments have gone ahead and done their budgets and made contractual commitments to suppliers and contractors and then the National Treasury ends up delaying this amount and we abandon projects in our counties. This affects the very service delivery that the county governments are committing to. That is why I laud the committee for having a very strict schedule. I urge the National Treasury to adhere to the Schedule as provided by our Committee.

Secondly, Madam Temporary Speaker, I will speak to the issue of accountability. Some of these monies are grants, some of them are loans and some of them have come from our development partners. A lot of it also has come from our national Government contribution.

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Madam Temporary Speaker, if an amount has specifically been allocated for roads, we want to see the roads benefiting our people. If an amount has been allocated for healthcare, we want to see this translated in our hospitals. We want to see the medicine, equipment and everything meant to be supported by this money.

I want to speak on devolution. As a Senate, we are charged with protecting devolution and ensuring that funds get to county governments. Article 96 of the Constitution has given us that mandate to ensure that we are the ones protecting devolution. If it means legislation, we are empowering the counties through our legislation and the work we do here but at the same time, counties have to be accountable. We do not want to hear the kind of stories we continue to hear of money being diverted, and governors bloating their budgets to accommodate projects that were not envisioned and were not part of it, just to find a way of siphoning money.

We have to take steps on accountability, so that governors who are found not to be following their budgets or who are not accountable for the money that is sent to them, face serious consequences, so that it acts as a deterrent to other governors.

On the issue of CHPs, I can see they have been allocated Kshs8 billion. This administration of President William Ruto has really invested in primary healthcare. The CHPs are right at the centre of primary healthcare. They are the ones who go from house to house. They are the ones who know that this home has this case and this home has that case. They also play a big role in preventive health care. So, we cannot continue to have such a heavy role on them and continue to under-remunerate them. On this, I want to speak to the county governments, because the national government continues to give its share of the stipend. We have reports time and again that they have not matched the national government's contribution.

We want the committee to take stock. We want to know which county governments have arrears, which county governments still owe CHPs money, which county governments have cleared, and which ones have a notorious habit of delaying CHP funds. We also want to know what measures are being taken to ensure that our CHPs continue to receive their stipend on time.

I would like to see a clear career progression path for our CHPs. I would like to see them having constant training, promotions and additional remuneration. We know what they get is still little. We want them to earn more money than they are earning right now. They are all highly motivated for the key role that they play.

With those few remarks, I want to say the committee did a great job, and should continue to support counties financially. Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Proceed, Sen. Veronica Maina.

Sen. Veronica Maina: Madam Temporary Speaker, thank you very much for this opportunity to speak to this important report of the Standing Committee on Finance and Budget on the important question of the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2026/2027 in line with the stipulation of our Constitution.

I am happy to note that this is one of the most hard-working committees in the Senate. I believe it is second to the Senate Committee on Justice, Legal Affairs and Human Rights (JLAHRC). This is one of the committees that has made sure it brings a

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lot of accolades to the Senate for doing its work and dispensing with its mandate within the timelines that are required. This ensures that our counties are not starved of the disbursements that are due to them. Therefore, congratulations to the committee, the Chairperson and the Vice-Chairperson who has presented this report to the Senate for further interrogation and discussion.

Hon. Temporary Speaker, the report presents four schedules. The First Schedule is for Kshs1,981,388,191, that is just shy of Kshs2 billion, being the total allocation for unconditional allocations, comprising Kshs148,259,370 from court fines and another amount of Kshs1,833,128,821 from the 20 per cent share of mineral royalties.

It is pleasant for me and you who are in the legal profession to see that our judicial system, under Hon. Chief Justice Martha Koome, is also raising court fines that are being mainstreamed right into the disbursements required for much-needed development for our nation. That is very good from the Judiciary because it means they have very good systems that are able to return those court fines into the public coffers, ensuring an allocation and a contribution from the Judiciary and the justice sector. That is commendable.

Indeed, in other jurisdictions, you will find that court fines are used for infrastructure. In actual fact, in one of the states in the United States of America (USA), they disclose to the public and advertise that for any motorist who is speeding on a highway beyond the stipulated speed limit, any fine paid towards that ticket goes directly into improving or maintaining the road infrastructure within the state. They fix an interstate road and indicate that the court fines are going to be deliberately used for that infrastructure because they accrued when motorists were using that same road.

Maybe when we become more advanced in the way we manage our resources and are more accountable regarding which sector raises which resource, we will achieve the building of roads using fines collected from reckless and negligent motorists. They will build the same road and it will be their contribution towards making the roads safer and transport better for all citizens.

We urge the Judiciary to keep it up and continue showing this best practice to other sectors, so that they become part of the sectors raising enough resources to be disbursed for the growth of the counties and sectors that require attention and cash disbursement.

Hon. Temporary Speaker, I am looking at the Second Schedule and my very big interest is in the Second Schedule of Kshs12,731,765,814, being the total allocation for conditional additional allocations from the national government share of revenue, comprising of Kshs3,234,930,000 for CHPs.

Madam Temporary Speaker, if this cash disbursement schedule is adhered to, we should not have our CHPs complaining that their allowances have been delayed, especially seeing the fact that the allowances they are being given are so little, it cannot even serve the CHPs for a week in their own homesteads. It cannot sustain them, and yet they are spending many hours providing primary healthcare to the communities.

I look forward to the day when this cash disbursement schedule is going to read, not Kshs3 billion, if that is what is being utilised to give them the Kshs2,500 or the Kshs3,000 that they are being paid, but the amount tripled, so that they take, at least,

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Kshs10,000 home. They can take that from the national government. We should commit more resources, we are looking forward to primary healthcare being improved. If that is just the allowance that they pocket, we need to see much more disbursements going to CHPs towards their training and advancement of what they are dealing with.

I do not think many CHPs can do anything beyond checking the pressure and the temperature. But this is important in terms of being able to diagnose that a patient or a person, a parent, or an older parent, is having issues with hypertension. They are very crucial because, before CHPs or volunteers, there was no one to even alert citizens that they were having issues with their health. They can detect this using the kits that they have been given.

We look forward to a point where we will not only budget for the allowance but for the technical capacity of CHPs, so that the youth who are serving within the CHPs, can now be adequately taken care of in terms of training. We should have some of them becoming registered nurses and taking steps towards advancing their capacity to help the community.

For the supplementary that has been given for construction of county headquarters, that is very long overdue. I hope that counties like Tharaka-Nithi - I think I have seen Tharaka-Nithi is one of the counties - will eventually get county headquarters that can be useful to the people.

I am looking at the observations of the committee. I am looking at the first observation that there is a possibility that, though this is supposed to give certainty of how the cash flow should run into the counties, there is the risk of instances of revenue shortfalls. Even the targets that are set here, which I believe are the bare minimum that could be achieved, are threatened by revenue shortfalls. These disbursement targets may not be achieved. That is not very good coming from an observation of the committee. However, it is very good that they have shown us the reality of the possibility of it not being achieved.

We hope that we can have more certainty because the purpose of the constitutional provision was to ensure there is predictable cash flow on a month-to-month basis, so that we stop having counties running with workers who are not paid on a month-to-month basis. Indeed, if you look at some of the disbursements that are being made, it is for the transition of the UHC to county governments. It is very sad, and I am sad to report that the UHC workers in Murang'a County, for instance, have not been paid for three months. Can you imagine? Therse are workers whose pay is so meagre, yet for three months, those workers do not have anything they can take home to even buy food or pay their rent. They have approached me as one of the leaders in Murang'a County and have told me we must bring a petition before this Senate to bring to their attention, and to the whole nation, that for three months they have not been paid.

I want to trust and believe that when this cash disbursement is approved by this House; it will not be a testimony against Murang'a County. Murang'a County has been held in very high regard. Many people believe many things are running right in Murang'a County. However, we have heavy complaints on the ECDE teachers and on the UHC workforce that is being transitioned. I hope and pray that once this is approved with the

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certainty with which this document comes to this House, it will assure the workers crying right now in Murang'a County that they can have a brighter tomorrow.

We are adhering to the Constitution. The purpose and intent for which these provisions were made will be observed and revered by the counties and the governors. It is my prayer that these gaps can be bridged so that we are not doing documents for routine. Sometimes I fear when I hear Senators in their submissions indicating that this is a Procedural Motion or a procedural item we are dealing with. There is a sense in which we can lose the reality of the impact that a document or a legislative action is supposed to be have on citizens in terms of implementation of programmes. They could be so crucial that they should never be subject to being dismissed as just Procedural Motions or something that needs to be done to meet the stipulations in the Constitution.

This is not a House where we come to tick boxes to see if we met the requirements of the Constitution. You would rather tick the box of saying we have done what ought to have been done so that naturally we ticked the box in the Constitution. However, we must also tick the box that indicates the impact of that provision or legislation as experienced by Wanjiku. That the *mama* in the village should be able to say that with the CHPs transitioning, healthcare has been improved in an area which is far from hospital establishments; citizens are now able to access healthcare.

We must guard ourselves against just ticking boxes and passing legislation or reports just for the sake of making sure we have done our duty. We must pass these reports and follow up to the respective counties to ensure that the impact of that legislation is being felt out there.

Madam Temporary Speaker, look at how the Constitution has structured the office of the Senate and the office of a Member of the National Assembly. It is unfortunate that many Kenyans do not seem to even understand the purpose for which a Senator has been put in office. It is lost in the fact that maybe a Senator does not have a road they are pushing for or a big building they are showing to the public. The fact is, without the oversight and legislative mandate that has been given to this House, we cannot talk about devolution. Devolution cannot exist without the Senate and without the Senator.

I hope that one day, Kenyans will understand and reject whoever has preached the gospel that the best way to deal with our bloated Houses in the Republic of Kenya is to amend the Constitution to remove Senators. Another time, I heard that we should remove the County Woman Representative position even before we have been able to achieve gender parity. Sometimes, some of the simplistic arguments being used in the country to override governance systems are to the disadvantage of the very Kenyan that we want to serve.

I thank the committee for having worked on this Cash Disbursement Schedule that, of course, has been forwarded from the National Treasury. I thank them for looking into the details and giving observations that are so quality. For example, look at the next observation that some of the transfer allocations have been scheduled to be disbursed in two tranches. They are so minimal and insignificant that they will be of no use if they insist on doing it within two tranches. There is a sense in which if somebody owes you say, for instance, Kshs200 million and they decided to be disbursing Kshs20,000 every month, they have in effect destroyed the capital that would be within the Kshs200

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million. We urge the National Treasury to ensure that we do not give allocations in tranches that are so insignificant that they have no impact to the county resources or the county programmes that are being ran.

Madam Temporary Speaker, with those remarks, I urge all the counties to ensure that when this cash disbursement schedule is adhered to by the National Treasury, which I believe the National Treasury intends to adhere to, they will equally adhere to a proper implementation of the programmes that are cited here; noting that some of them are conditional. I am also taking note that unless we have good performance on where we need it, some of the disbursement will be a nullity and may not be helpful to the counties.

I, therefore, beg to support this report and once again congratulate the Committee on Finance and Budget for the good work they have done. I thank you.

The Temporary Speaker (Sen. Mumma): Sen. Daniel Kitonga Maanzo.

Sen. Maanzo: Thank you, Madam Temporary Speaker, for giving me an opportunity to comment on this very important Motion. This is a report of the Standing Committee on Finance and Budget on the County Governments Additional Allocation (Cash Disbursement Schedule) for Financial Year 2026/2027. This report has a lot of extracts from the Cabinet Secretary for the National Treasury and Economic Planning, which have been put together that we have additional finances going to the counties.

Our work is to make sure that the counties have money to work with. Over the last four years, we have made sure that every county receives billions of shillings every year. We also do secondary oversight. The primary oversight is done by the county assemblies and we make sure that as Senators, we do not interfere with the work of county assemblies. Also, the county assemblies in one way or another, account to us in quite a number of aspects.

Therefore, when we send money to the counties, there are auditors. There are the internal auditors of the county, there is the Auditor-General and there is also the EACC who attend our meetings when we are dealing with the governors, when they come before us. I would like to say that every coin which we allocate to the counties and the monies they generate from the counties, all of it has to be accounted for.

Madam Temporary Speaker, earlier there were delays of three or four months. Despite announcement by government officers that monies have been released, you would still go to the county and find that the monies are not there. This additional allocation would have been bigger were it not for the monies which are being used by government officials to go around the country doing the work the ministers can do, especially the office of the President.

Moving the office of the President is very expensive. I wish when the President came to Makueni or to eastern Kenya, all the monies used to travel by the helicopters was sent to the counties. Then all the roads in those counties would be greater today. I believe in every single county. If you go to counties, including Makueni, most roads are still undone. You can see the counties have done a little bit but we have got a lot more to be done because the monies are not yet enough.

Madam Temporary Speaker, if you visit health facilities - and I am happy Sen. Tabitha Mutinda is here – she is a member of the Committee on Health and she has gone

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round the 47 counties. She is an expert in matters health. She has worked in that sector and knows exactly what government officials do. So, she was very useful when we went to Makueni. She was able to unearth the system of drug dispensing and she caught the officers.

We made recommendations for improvements in Makueni. We also made recommendations for improvement of how you destroy the refuse from hospitals, and how to do it in a clean way. I believe enough monies have now been sent to make sure that incinerators have been put especially in Wote Hospital so that in the evening, smoke is not running over the town and many other places, bearing in mind some of these drugs and things, which may be carcinogenic could be a cause for cancer. We still do not have enough drugs in the counties, including in Makueni.

This allocation is important. More money is going to the counties, more money is going to Makueni, and we will do oversight to make sure it is put to good use. Makueni is generating income. I have seen where there are minerals and we will mine. Then, what allocations should go to the national government and what should come to the county government? Although Makueni has not been allocated a lot, I want to say that in Makueni there are copper deposits, iron deposits, precious stones - the equivalent of Tanzanite. Therefore, we have Makueniites. You will find the Makueniites in the rivers. When the rains are gone and the rivers dry up, people walk through the rivers and pick precious stones some green in colour, some very good blue. When people pick these, a lot of them are conned by middlemen. When they want to market them, they are told they are cracked and not useful, but when those people go and process them, they sell them for a lot of money.

You would not believe how beautiful people look when they wear precious stones from Makueni, and how beautifully they shine but they are not harvested through the proper channels. Also, when minerals are discovered in an area, the government compulsorily acquires the land, so that it can exploit the minerals.

We do not want what has happened in western Kenya, where gold has been found, to happen in Makueni. I believe we also have gold in Makueni, just that it has not been exploited and surveyed to make sure that we know what our minerals are in total. Therefore, when these companies come to mine, we want the county government, the county assembly and the Senate to have serious control on this, so that we do not end up with people being exploited in Makueni the way we have seen in other counties. We will be reviewing the rates you have given to Makueni, as soon as the minerals are realised. We will make sure that the right thing happens so that the people of Makueni do not lose their land and at the same time lose their minerals.

Madam Temporary Speaker, the CHPs are very important people. In Makueni, we have several medical training institutions where our people can improve their skills. For someone to become a CHP, they already have an interest in the area of medicine. The moment they have an interest, they should be trained continuously, and the monies for training them should be allocated so that they can attend seminars when they are not very busy.

These people are in every village. They have volunteered their precious time. They volunteered during the COVID-19 time. We were very surprised that the national

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government mistreated them for a long time. They have been coming to the Senate on demonstrations. We have gone there and received their petitions, and something has now been done. I hope that the ones in Makueni will go to the Kenya Medical Training Colleges (KMTCs), which are there.

We have a KMTC almost in every sub-county, and more are now being built. The local Member of Parliament (MP) is doing one right now. When I was a Member of Parliament, I did the ones in Makueni. The National Government Constituencies Development Fund (NG-CDF) worked together with the national government, and we did quite a number of KMTCs there. In fact, I vacated my MP's office for the KMTC in Wote, and worked with the county government then, and made sure we realised a KMTC at a place called Buvo. In fact, one sub-county has three KMTCs. Even in Kibwezi West, there is a KMTC. They are all over the place. Therefore, these Community Health Promoters should renew their skills, because medicine is very important. It keeps on changing. The technology and information keep on changing. They are very important in informing the community about the health of women and of men, about medical check-ups in the community, and in making sure that people do regular medical check-ups for cancer of different kinds. As you know, prevention is better than cure. We also have a mother and child hospital.

Therefore, we want all the monies that have now gone to Makueni County to be put to good use. I believe they will. I keep on visiting Makueni County. Recently, I was in Kibwezi West and one of the roads has not been done well. It had a lot of loam soil, meaning that when the rains come, vehicles do not move at all. I immediately got the local Member of County Assembly (MCA) and the County Executive Committee Member (CECM) in charge of roads to make sure that that section is murramed. I keep on checking to make sure that the little monies coming from the national government is put to good use.

We also make sure they account for the monies when they come to the Senate. We go through the Auditor-General's report together with the EACC so that in case some monies are lost, we have a method of recovery.

I know this is a very important Motion that needs to sail through this House. I can see Sen. Tabitha Mutinda, a great legislator in Nairobi but from our region, has worked very hard and wants to reply so that on Tuesday, we vote for this and money to be released to the counties with immediate effect.

Therefore, I thank her for the good job she has done and for taking care of Nairobi City County and all the counties in Kenya. I have seen some favour for Kitui County and I hope next time you will favour Makueni County too, so that the merry-go-round covers all the 47 counties.

Madam Temporary Speaker, I wish to support this great Motion. I hope that more Motions like this will keep coming, so that we keep amending our revenue allocation and adding more until we meet the constitutional threshold.

Thank you.

The Temporary Speaker (Sen. Mumma): The Mover may reply.

Sen. Tabitha Mutinda: Madam Temporary Speaker, I rise to reply to the Motion by first thanking all colleague Senators who have dedicated and taken their time to put in

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their submissions. I have listened very keenly to submissions that have mostly focused on the issue of timely disbursements of these funds. I have also heard concerns raised of some counties that have not received an allocation for the First or Second Schedule because we know that not all counties receive the 20 per cent revenue for minerals.

In that regard, I have shared on our pages the reports that contain all the figures in this Cash Disbursement Schedule, so that colleagues can narrowly look at the exact figures that have been allocated across all the 47 counties. An example to give is the allocation for UHC funding. For example, for Murang'a County, I heard my colleague, Sen. Veronica Maina raise the concern that the UHC workers in Murang'a have not been paid for the last three months. I want to inform my colleague that she is valid in raising it and update her that Kshs224 million is in this Schedule for the great County of Murang'a. In Nairobi City County, we have about Kshs108 million. Therefore, the Schedule details all the allocations for each and every county, for the minerals, court fines, UHC, Community Health Promoters (CHPs) and for the county headquarters, where there are only five counties, for both the conditional and unconditional allocations. Everything has been factored in there.

What is important is for the National Treasury to do their part. We have done our part, let the National Treasury ensure that this Kshs70.6 billion gets to the counties on time. We have had counties and governors complaining about late disbursement which definitely affects recurring expenditure, hence the issues of the delayed salaries. However, as a committee and as the Senate, I am very happy that most of these issues have been brought to closure.

The issue of the headquarters, we have brought this to closure. It has been long overdue for years and years that these counties have been pending with their structures not finished. The issues of CHPs as well and also critically the issues of UHC, whereby the Kshs8.6 billion as I said earlier is going to sort all the areas and now bring the financials to date.

So, as far as we are concerned, everything has been done and done well. I urge next week when colleagues will resume the House to pass the schedule. I appreciate that they have all given positive remarks and indicated support, so that our counties can get their funding on time.

Madam Temporary Speaker, I request that the putting of the question, pursuant to Standing Orders No.66(3) to be more precise, to be put in our next sitting.

With those many and few, I really appreciate colleagues and the House and thank you so much I submit.

The Temporary Speaker (Sen. Mumma): The putting of the question is deferred as proposed.

(Putting of the Question on the Motion deferred)

Hon. Senators, I hereby defer all pending business on the Order Paper for lack of the movers.

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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)

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 COUNTY LIBRARY SERVICES BILL (SENATE BILLS NO.40 OF 2024)

THAT, the National Assembly amendments to the County Library Services Bill (Senate Bills No. 40 of 2024) be now considered.

(Motion deferred)

MOTION

ADOPTION OF REPORT ON PETITION 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

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Central Sub-County and Mbita, laid on the Table of the Senate on Wednesday, 16th September, 2026.

(Motion deferred)

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 –

(1) The Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026;
(2) The Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and
(3) 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)

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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)

MOTION

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

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.

(Motion deferred)

BILL

Second Reading

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

COMMITTEE 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)

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THE BUSINESS LAWS (AMENDMENT) BILL
(SENATE BILLS NO. 51 OF 2024)

(Committee of the Whole deferred)

BILL

Second Reading

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

(Bill deferred)

MOTION

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE ELECTIONS (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 29 OF 2024)

THAT, the National Assembly amendments to the Elections (Amendment) (No. 2) Bill (Senate Bills No. 29 of 2024) be now considered.

(Motion deferred)

MOTION

ADOPTION OF REPORT ON PETITION ON EVICTION OF SINGLE MOTHERS ASSOCIATION OF KENYA FROM PROPERTY NO.LR2096738

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Single Mothers Association of Kenya concerning their eviction from Property Ref. No: CP & ARCH/00219, Excision of L.R. No. 209/6738 in Ziwani Ward in Nairobi County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

(Motion deferred)

MOTION

ADOPTION OF REPORT ON PETITION ON WINDING UP AND LIQUIDATION OF TECHNICAL UNIVERSITY OF KENYA STAFF RETIREMENT BENEFIT SCHEME

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate regarding the winding up and

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liquidation of Technical University of Kenya Staff Retirement Benefit Scheme, laid on the Table of the Senate on Wednesday, 7th October, 2026.

(Motion Deferred)

MOTION

ADOPTION OF REPORT ON PETITION ON ALLEGED GRABBING OF PUBLIC LAND IN KITHIMA LOCATION, BUURI EAST SUB-COUNTY, 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 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 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)

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BILLS

Second Readings

THE ARTIFICIAL INTELLIGENCE BILL
(SENATE BILLS NO. 4 OF 2026)

THE QUALITY HEALTHCARE AND PATIENTS' SAFETY BILL
(NATIONAL ASSEMBLY BILLS NO. 41 OF 2025)

THE PLANT PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2025)

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2026)

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

THE BASIC EDUCATION (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 3 OF 2025)

THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2025)

(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

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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 per cent increase over the previous year, while nearly 400 people were killed in road traffic accidents in January 2026 alone, representing an 11 per cent 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:

(1) 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;

(2) 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;

(3) 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

(4) 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

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ADJOURNMENT

The Temporary Speaker (Sen. Mumma): The House is adjourned.

The Senate rose at 6:13p.m.

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