

PARLIAMENT OF KENYA
THE NATIONAL ASSEMBLY

THE HANSARD

Tuesday, 17th March 2020

SECOND SITTING

The House met at 4.30 p.m.

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

PRAYERS

PAPERS LAID

Hon. Speaker: Majority Whip.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Speaker, on behalf of the Leader of the Majority Party, I beg to lay the following Papers on the Table:

List of nominees to the 44 National Government Constituencies Development Fund Committees from the National Government Constituencies Development Fund Board for the following constituencies:

1. Alego Usonga;
2. Bahati;
3. Baringo North;
4. Bonchari;
5. Butula;
6. Changamwe;
7. Emuhaya;
8. Funyula;
9. Hamisi;
10. Igembe Central;
11. Kajiado Central;
12. Kaloleni;
13. Kandara;
14. Kapseret;
15. Kibwezi East;
16. Kigumo;
17. Kilgoris;
18. Kilome;
19. Kipipiri;
20. Kipkelion East;
21. Kipkelion West;

22. Kitutu Masaba;
23. Kwanza;
24. Lari;
25. Maara;
26. Magarini;
27. Malava;
28. Marakwet East;
29. Marakwet West;
30. Masinga;
31. Matungulu;
32. Mavoko;
33. Moiben;
34. Moyale;
35. Nakuru Town West;
36. Narok West;
37. Ndhiwa;
38. North Horr;
39. Sigor;
40. Suna West;
41. Tarbaj;
42. Teso North;
43. Webuye West; and
44. Wundanyi.

REQUEST FOR STATEMENT

STATUS OF NHIF COVER FOR CIVIL SERVANTS AND POLICE OFFICERS

Hon. Anthony Oluoch (Mathare, ODM): Hon. Speaker, I rise to request for a Statement regarding the status of NHIF cover for all civil servants and police officers.

Pursuant to Standing Order No. 44(2)(c), I wish to request for a Statement from the Chairperson, Departmental Committee on Health regarding the suspension and/or status of NHIF for civil servants and police officers.

Following the outbreak of the coronavirus disease commonly known as COVID-19 worldwide and declaration by the World Health Organisation (WHO) of the outbreak, of a pandemic and a continuous rising of cases that have affected the country, with the efforts by the Government to contain the situation and the assurances provided for treatment to handle cases of the infection to deal with inevitable isolation and self-quarantine, it is of great concern that the enhanced medical insurance cover by the NHIF has been suspended. This not only affects civil servants including their families, placing them in serious medical risk, but is in contradiction to what the Government has given in terms of assurances on medical preparedness for this pandemic.

Further, the suspension of the NHIF medical cover to the civil servants and police officers at this critical time is wanting with the country in dire need of 100 per cent preparedness in terms of medical cover.

It is against this background that I seek a statement from the Chairperson of the Departmental Committee on Health on the measures the Government has put in place to ensure that the thousands of civil servants and police officers covered under NHIF are not affected by the termination of the NHIF enhanced medical cover.

Thank you.

Hon. Speaker: The Statement is referred to the Departmental Committee on Health which will deal with the matter.

(Hon. Aden Duale spoke off record)

I thought the Leader of the Minority Party is supposed to ensure that there is tranquillity. You will deal with that when the House comes back. It will be referred to you so that you can schedule meetings with the Cabinet Secretary (CS) of Health. Let me tell you, a request for a Statement can never be an excuse for debate. So, I cannot allow debate. In any event, Hon. Members, those of you who may wish to ventilate on some of those issues, why do you not just look at Order No. 9? Then you have an opportunity to ventilate even on some of those issues.

Let us move to the next Order.

PROCEDURAL MOTION

EXTENSION OF TIME FOR CONSIDERATION OF NOMINEES FOR APPOINTMENT AS TSC COMMISSIONERS

Hon. Julius Melly (Tinderet, JP): Hon. Speaker, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, 2011 relating to extension of period for consideration of nominees for appointment to a public office, this House resolves to extend the period for consideration of the two nominees submitted by His Excellency the President for appointment as Members of the Teachers Service Commission by a period of fourteen (14) days from 25th March, 2020.

During a sitting of the Departmental Committee on Education and Research held on Thursday, 12th March 2020, on the vetting of the nominees for appointment as members of the TSC, a number of issues were raised, particularly on one of the nominees, Ms. Leila Abdi Ali. The Committee deemed it important to verify the issues before the conclusion of the process. The issues isolated for verification include:

(i) the candidate did not submit her original Kenya Certificate of Primary Education (KCPE) and Kenya Certificate of Secondary Education (KCSE) despite having been requested to do so;

(ii) the status of the nominee's citizenship; and,

(iii) report of the selection panel constituted under Section 8 of the Teachers Service Commission Act, No.20 of 2012 on the procedure used to arrive at the two nominees, pursuant to Section 5 (3) as read together with Section 7 of the Public Appointments (Parliamentary Approval) Act No.33 of 2011, which report the Committee had requested for and is yet to be submitted.

Aware that you made a Communication of Tuesday 3rd March 2020 that the vetting process be completed by 18th March 2020, it is the considered opinion of the Committee that more time is required in order to establish the facts set out above and also accord the nominee reasonable time to submit the said information.

Section 13 of the Public Appointments (Parliamentary Approval) Act No.33 of 2011 provides as follows:

- “(1) Despite the provision of this Act or any other written law, where a time is prescribed for doing an act or taking a proceeding by the National Assembly relating to public appointment, the National Assembly may, by resolution, extend the time by a period not exceeding fourteen days.
- (2) Where an extension of time is granted under subsection (1), the doing of all other acts consequential thereto shall be deemed to have been extended accordingly.
- (3) The power of the National Assembly contemplated under subsection (1) may be exercised -
- (a) Only once in a session of the National Assembly in respect of a particular matter, and....”

(Hon. Adan Keynan walked into the Chamber)

Hon. Speaker: Hon. Melly, there is a point of order from the Hon. Pukose.

Hon. (Dr.) Robert Pukose (Endebess, JP): With all due respect, I did not want to interfere with what Hon. Melly was saying. However, the Commissioner here just arrived from London. I will not be very comfortable. You know we asked Hon. Naomi Shaban to leave. For the sake of the health of the Members of this House, I ask the Speaker to order him to leave the Chamber. Health matters are very serious – self-quarantine and social distancing. Please, Hon. Speaker, this is a very serious issue.

(Loud consultations)

Hon. Speaker: Hon. Keynan, when did you come back?

Hon. Adan Keynan (Eldas, JP): I came back a long time ago.

(Loud consultations)

Hon. Speaker: Hon. Members, I think it is only fair that, indeed, if there is any other Member who may have travelled recently, please, upon return, make sure you self-quarantine for 14 days.

(Hon. Adan Keynan withdrew from the Chamber)

Hon. Julius Melly (Tinderet, JP): Thank you, Hon. Speaker. I think it is important for Members to observe that rule of self-quarantine for 14 days.

What I have outlined are the pending issues. They require more time for verification and clarification for the Committee to make informed decisions. In this regard, the Committee seeks the indulgence and concurrence of the House in seeking for an extension of time for the vetting

of the nominees for appointment as members of the TSC from Wednesday, 25th March 2020 to 7th April 2020, pursuant to Section 13 of the Public Appointments (Parliamentary Approval) Act No.33 of 2011.

I thank you and ask Hon. Kimunya to second.

Hon. Speaker: Hon. Kimunya.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I beg to second.

Let me just put it in perspective that the Committee has done its job. Based on the pending business before the House today, obviously, vetting will be interrupted. Hence, we are asking for this extension so that we bring the name at the earliest available opportunity.

Most importantly, it is also to underscore the process that we are seeing. That is the process of names coming to the House without due diligence by the nomination panels.

(Applause)

We are now being forced to do the job of the recruitment panel. Hence, we want to do a nice job and set the standard for other Committees in future.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Put the Question.

Hon. Speaker: Hon. Millie, I cannot put the Question before it has been proposed.

(Question proposed)

(Question put and agreed to)

MOTION

ADJOURNMENT OF SITTINGS OF THE HOUSE

Hon. Aden Duale (Garissa Township, JP): Hon. Speaker, before I move this Motion, procedurally, you need to confirm what kind of spray Hon. (Ms). Rachael Nyamai is spraying in this Chamber. You need to certify it. We cannot take it for granted. She needs to submit it to the Clerks-at-the-Table. She needs to submit it.

(Loud consultations)

They are saying, especially, since she comes from Kitui, the spray can have other ramifications.

(Laughter)

Anyway, she is doing well. She is disinfecting areas where Hon. Adan Keynan sat. Hon. Speaker, I beg to move the following Motion:

THAT, aware that the World Health Organisation (WHO) has declared Coronavirus Disease (COVID-19) to be a public health emergency of international concern; further aware that, the Government of Kenya, upon confirmation...

Hon. Speaker: What is your point of order? There is a point of order. What is out of order?

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Speaker, I am rising on a point of order in relation to what the Leader of the Majority Party is speaking about. We may be taking it lightly, but for me, more fundamentally, in line with the communication you gave the other day in terms of security in the Chamber and within the precincts of Parliament, the question that begs is: How did Hon. (Ms) Rachael Nyamai manage to get into the Chamber with a canister that is explosive? It is a matter that the Clerk's Office and the Serjeant-at-Arms need to check into. It might be a deodorant, a perfume or even a sanitiser, but the fact that it is in a compressed container that can explode, it begs the question of the safety of Members of Parliament (MPs) inside the Chamber and it is something that I feel we should address.

Hon. Speaker: Well...

Hon. Aden Duale (Garissa Township, JP): Hon. Speaker, procedurally, that matter was passed. He should have said what is out of order in me moving this Motion. He thinks he knows the procedure, but he still does not know the procedure. The issue of the spray was long overdue. Let me finish moving the Motion.

Hon. Speaker, I beg to move the following Motion:

THAT, aware that the World Health Organisation (WHO) has declared Corona virus Disease (COVID-19) to be a public health emergency of international concern; further aware that the Government of Kenya, upon confirmation of the coronavirus cases in the country, has taken various measures aimed at containing the spread of the disease, including suspension of learning in all educational institutions and minimising attendance to various gatherings and that all sections of our society including the National Assembly ought to play their role in stopping further spread of the disease; noting that public health authorities around the world are also taking unprecedented measures to contain the spread of the disease; deeply concerned that this pandemic, which is said to have no known cure has spread to many countries with the potential of affecting a large percentage of the world's population since the impact of the virus is still unfolding; now therefore, this House resolves as follows:

(a) THAT, notwithstanding the approved Calendar of the House (Regular Sessions) for the Fourth Session (2020), the House adjourns its Sittings from Wednesday, 18th March 2020 until Tuesday, 14th April 2020 at 2.30 pm.

(b) THAT, during the period of the adjournment, the Parliamentary Service Commission institutes appropriate measures to enable the House to sit upon reconvening taking cognisance of the public health emergency;

(c) THAT, notwithstanding the provisions of Standing Orders 41 and 42 relating to reading and relaying of Messages from the Senate and from the President, during the period of the adjournment, upon receipt of any name of a person nominated for appointment to a State office from the President, or upon receipt of any Message from the Senate, the Speaker shall forthwith refer such Message to the relevant Committee for consideration, without having to recall the House; and,

(d) THAT, the Calendar of the House (Regular Sessions) for the Fourth Session (2020), be hereby altered accordingly.

Hon. Speaker, this Motion is very clear. In accordance with our Calendar of the House, we are scheduled to go on recess on Friday this week. However, considering the COVID-19 epidemic which is now a public health emergency of international concern, the House leadership,

this morning, under your chair, proposes to suspend the sittings of the House to demonstrate the leadership and also give precautionary measures.

Owing to the high interconnected nature of the work of parliamentarians, parliaments around the world are particularly vulnerable to the threat of the virus. Aware of the public importance of Parliament and recognising the need to ensure Parliament continues to fulfill its constitutional mandate, roles and duties in spite of the threats posed by the pandemic, the leadership of Parliament under the leadership of the Speaker has taken this action.

To this end, may I thank your leadership and that of your counterpart in the Senate for the preventive measures that have been instituted including having all MPs and staff checked before coming to Parliament, the provision of hand sanitisers even though the one that is just outside the Chamber is like glue; it is sticky. Hon. Members are raising questions about the quality of the one just at the entrance. It is very sticky, so the supplier must be sought to establish whether he complied with the specifications of the Kenya Bureau of Standards (KEBS).

Another preventive measure is advocating for social distancing. That is very important. Social distancing and self-quarantine are important just like what happened a few minutes ago. There is also the suspension of all foreign travel by MPs and staff, visits by school parties and delegations to Parliament. All official parliamentary engagements and others are also suspended. Hon. Speaker, under your direction, we agreed that we only suspend the sittings of the Committees only for next week so that the other week we resume Committee sittings.

We request you to institute the usual administrative measures to ensure that Committees suspend sittings for the next week and resume around 30th March 2020 subject to the confirmation of the magnitude of the spread. Several parliaments and other jurisdictions have placed this.

Hon. Speaker, before I finish, it is important to say that a lot of businesses will be affected in our country like the Small and Medium Enterprises (SMEs). From what I see in other countries, Parliament, as leadership of the people, must sit with the National Executive and create an avenue where Government bails out these businesses. It happened in Germany yesterday. The German Government has given 300 billion Euros to make sure that no business suffers. When it happened in the United States of America (USA) during the economic meltdown, the USA Government spent close to USD 800 billion to save its economy. It is important for our Government and Parliament to make sure that... We know this. Even in the *matatu* industry, the *matatu* owners will not be able to pay for their installments of hire purchase. People will not be able to pay their loans and even their rents and mortgages.

It is incumbent upon this House, as the budget-making organ and legislature to sit with the national Government and create a fund so that Kenyans out there who will become victims of this domestic and international economic meltdown will be cushioned from this catastrophe. Countries have done it. The USA and many African countries are doing it and the Kenya Government is not exceptional. Therefore, we are asking the National Treasury and the national Government, under President Uhuru Kenyatta, to make sure that we create what is called Support Business Fund so that Kenyans out there who will suffer from this economic meltdown have somewhere to run to.

Hon. Members, please, follow instructions: no hugging and keep social distance. On the flip side, as you know, every problem comes with an opportunity. This will be an opportunity to sit with your family and children and create a serious bond. Those who usually go home at 3.00 a.m. or 2.00 a.m. now have an opportunity to go home and stay there throughout the day and night.

(Hon. Kimani Ichung'wah walked out of the Chamber)

Hon. Ichung'wah is already going home. It is 5.00 p.m.

(Laughter)

It is not because he loves it, rather it is because of circumstances. So, let us get time to go to our constituencies. We can meet two or three opinion leaders and even teachers now that schools are closed. We need to pray as Christians and Muslims. Apart from all the other contingencies, those of us who believe in the Almighty God should go back to churches and mosques and pray that this pandemic does not spread and ends as quickly as possible.

I beg to move and ask Hon. John Mbadi to second.

Hon. Speaker: Hon. John Mbadi.

Hon. John Mbadi (Suba South, ODM): Thank you, Hon. Speaker. I want to second this Motion. We are seeking the concurrence of the House to vary the calendar of this House. Contrary to what used to happen, Parliament, as it is today, is the only institution that controls its calendar. There is no way that anyone can order Parliament to close. In fact, some journalists were asking me yesterday when the Speaker will close Parliament. I told them to go and read the Constitution properly to know that it is only Parliament that can adjourn its own sittings. That is in fulfilling our obligation as provided for in the Constitution.

Allow me to say a few words. Hon. Members, we are very good at violating rules and some of them we enacted. For example, it is clear that Members of Parliament, eight months before elections, are not supposed to conduct *harambees* or do fund raising. However, you will find Members cutting corners to organise *harambees*. I hope on this one they are not going to play clever. If it has been said that we should not hold meetings, let Hon. Members respect that. Let us pray that this pandemic ends as soon as possible, so that we resume our normal duties. We should not reach out to people and congregate more than five people. We should not call meetings in our homes. We should not meet people in our communities. It is high time we took this matter seriously so that the jokes that we had here this afternoon remain to be jokes. Let us take this matter seriously because it is of international concern.

Finally, I want to share what Hon. Duale said. As we deal with this crisis, yes, we have to deal with the question of protecting lives, but immediately after that, we must look at the economic side of it. That, I think, should worry us a lot. It is high time the State agencies responsible took up the matter. That will be better for us as a country. Otherwise, we will come back saying that the pandemic is over but we do not have an economy.

I second.

(Hon. Richard Tong'i stood in the aisle)

Hon. Speaker: Take you seat.

(Question proposed)

Hon. Members, there has been a request by the Chair of the Departmental Committee on Health. Is it the desire of the House that I put the Question?

Hon. Members: Yes!

Hon. Speaker: Very well. Of course, the decisions of the House are through a vote.
(Question put and agreed to)

Hon. Members, the Communication has already been distributed, I believe, to all of us, both in this House and in the other, about the measures to be taken, including but not limited to self-quarantine. And those of you who are desirous of approaching various government departments seeking for visas to travel, please I have been requested to advise you to desist unless in exceptional circumstances such as illness. So, for others who are desirous of going to visit some places in Europe, please be advised. I am saying this because some of you have been to government offices seeking permission to travel. Do not bother going there.

Let us go to the next Order.

SPECIAL MOTION

CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CEO OF NG-CDF BOARD

(Hon. Vincent Kemosi spoke off record)

Hon. Speaker: You have an intervention on what? No. Hon. Members, let me also make this clear. There are some Members who did not quite hear it. That is why the Member for West Mugirango is asking to intervene about Committee meetings. I think it was explained. Just go to the person who clerks your Committee and you will be informed. It was explained. I am sure you understand, Hon. Kemosi.

Who tabled the Report? Hon. Kapondi, is it?

Hon. Fred Kapondi (Mt. Elgon, JP): Hon. Speaker, I beg to move the following Special Motion:

THAT, taking into consideration the findings of the Select Committee on the National Government Constituencies Development Fund in its Report on the Vetting of a Nominee for Appointment as the Chief Executive Officer of the National Government Constituencies Development Fund Board, laid on the Table of the House on Tuesday, 17th March 2020, and pursuant to Section 20(1) of the National Government Constituencies Development Fund Act, 2015 and Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House rejects the appointment of Prof. Mohamed Hussein Abdille as the Chief Executive Officer of the National Government Constituencies Development Fund Board.

(Applause)

On 26th February 2020, the Cabinet Secretary for National Treasury and Planning, Hon. (Amb.) Ukur Yatani forwarded to the National Assembly for consideration and approval a notification of nomination of Prof. Hussein Abdille as CEO of NG-CDF Board. This was in accordance with provisions of Sections 20(1) of the NG-CDF Act and Section 5 of the Public Appointments (Parliamentary Approval) Act, 2011.

Pursuant to Standing Order 45(1), the name and curriculum vitae of the nominee were referred to the Select Committee on NG-CDF on 3rd March 2020 for vetting and reporting to the House within 14 days. On 4th March 2020, the Clerk of the National Assembly wrote to the Ethics and Anti-Corruption Commission (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Registrar of Political Parties requesting for reports in respect to the nominee, on the following:

1. Matters touching on integrity.
2. Tax compliance.
3. Political affiliation.
4. Loan repayment.

We received clearance as a Committee on reports on the nominee from the KRA, DCI, EACC, HELB and RPP. The Select Committee conducted approval hearings on Tuesday, 12th March 2020, at 10.00 a.m. The nominee was vetted in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act, 2011 and the National Assembly Standing Orders, on his suitability or otherwise for appointment as CEO of NG-CDF Board.

Pursuant to the provisions of Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly placed an advertisement in the print media on 5th March 2020, inviting the public to submit memoranda, by way of written statement on oath, on the suitability or otherwise of the nominee. The advertisement indicated the submissions were to be received by Wednesday, 11th March 2020, at 5.00 p.m. By close of business on Wednesday, 11th March 2020 at 5.00 p.m., the Committee received a total of six submissions but only two met the threshold of memoranda for consideration by the Committee as required by provisions of the Public Appointments (Parliamentary Approval) Act, 2011.

We received a memorandum from Mr. Peter Agoro on behalf of concerned citizens, dated 11th March 2020, which opposed the appointment. Unfortunately, that memorandum did not meet the threshold. Another memorandum we received was from Fredrick Ouma Jowi and John Kiptoo, dated 10th March 2020, which also opposed the appointment of Prof. Hussein Abdille. This memorandum, again, did not meet the threshold. Mr. Samuel Kosgei also submitted a memorandum, but it did not meet the threshold.

Mr. Samson Mosonik, in his affidavit dated 11th March 2020, and Mrs. Abigael Mengich, in an affidavit dated 10th March 2020, opposed the appointment of Prof. Hussein Abdille. These were the only two public memoranda that met the threshold. I will highlight what Abigael Mengich said in her affidavit. Mrs. Mengich opposed the appointment of Prof. Hussein Abdille based on the following grounds:

1. From the year 2002 to 2009, he stated to have been a research scientist for Kenya Medical Research Institute (KEMRI) while also pursuing his undergraduate and master's, and PhD degrees at the University of Mysore in India and China Agricultural University, respectively. It is doubtful whether he was working for KEMRI during those years, otherwise it is questionable that he was studying in India and China while at the same time working at KEMRI.
2. The nominee joined Egerton University in the year 2020 as a lecturer in human pathology. The Pathology Department of Egerton University was established in September 2012, where he became Chairman. The Department did not offer any

degree studies. This cannot qualify as a senior management position, neither is it a relevant field as required by the NG-CDF Act.

3. The nominee's work experience was below 10 years by the time of the advert's closure on 7th January 2020. The Professor was appointed in 2019 as the Deputy Vice Chancellor (DVC) of Maasai Mara University. This could be the only senior management position that the Professor may have served.

Hon. Speaker, I wish to summarise. The Committee made the following observations:

Prof. Hussein Abdille is a Kenyan Citizen born in 1976 in Wajir County. The Board submitted the names of the best three candidates with the aggregates scores to the Cabinet Secretary where Mr. Yussuf Mbuno had a score of 93 per cent; Prof. Mohamed Abdille with a score of 73.3 per cent and Mr. Jackson Omolo Okello with a score of 66.35 per cent.

Though the candidate with the highest aggregate marks also happens to have been in acting capacity for the last eight years, the nominee appeared for the interview on 6th February 2020. This is very critical for the House to note. He appeared for the interview on 6th February 2020 while on suspension and did not disclose his status to the interviewing panel. Above all, he has an active case with Maasai Mara University Council.

His 11 years' experience holding various managerial positions is not very authentic. He holds a PhD in Science from China Agricultural University, Beijing; a Master's degree in Biotechnology; a Master's Degree in Business Administration from Staffordshire University and more so, a Bachelor of Science Degree in Microbiology and Clinical Biochemistry from the University of Mysore in India which are not related degrees for the purposes of Section 20(2) (a) of the NG-CDF Act. I do not wish to belabour beyond that but, I will ask Dr. Wangwe to second.

With those few remarks, I beg to move.

Hon. Speaker: Hon. Wangwe, the Member for Navakholo, the Floor is yours.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Speaker. I rise to second. I just want to clarify only three things: On the issue of education, we were not looking for a PhD holder for this case, but the law stipulates the basics that one must have. This includes a bachelor's degree in economics, accounting, community development, engineering, law or other related courses. He did not have those.

Two, at the time of appearing before the Board, the member did not disclose that he was under suspension and that he had appealed for the suspension and it was upheld. This means the legal process had been entered into and was upheld.

Three, I wish to clarify that even upon appearing before the Committee, the Professor was still under dismissal and the issue had also taken the legal direction. We relied on the Constitution Article 75 (3) which disciplines a State officer who has been dismissed in that manner and the penalty is that the person cannot get another employment as the case goes on.

With that, I beg to second.

(Loud consultations)

Hon. Speaker: Hon. Members, I am sure all of you ascribe to the rules of natural justice. The procedure dictates that I must propose the Question. You have heard both the Mover and the Seconder. I have seen copies of the Report being circulated. How is it that everybody seems to have read this Report?

(Loud consultations)

Okay, Very well. Order Members! I can see many of you waving Bills, yet this is not a Bill. Notably the Member for Suba North is waving a copy of a Bill. Nevertheless, let me propose the Question.

(Question proposed)

Hon. Members: Put the Question!

(Loud consultations)

Hon. Speaker: Hon. Members, was that cacophony in demand that I put the Question?

Hon. Members: Yes!

Hon. Speaker: Hon. Members, if it is the desire of the House that I put the Question I, hereby, do so.

(Question put and agreed to)

(Loud consultations)

Hon. Members, of course, that vote could override a veto, apparently. However, that matter is now settled, is it not?

Hon. Members: Yes!

Hon. Speaker: Hon. Members, there is only one more business. First, I want to indulge the Chair of the Committee on Health to read a Statement regarding the COVID-19 pandemic even as the House later adjourns. Chair of Committee on Health, deliver your Statement from the Dispatch Box.

(Some Members withdrew from the Chamber)

Order, Members! It is in your interest that you carry with you this information.

Hon. (Ms.) Sabina Chege (Murang'a CWR, JP): Thank you, Hon. Speaker, for allowing me to read this Statement on the coronavirus.

The Coronavirus Disease, COVID-19 that was initially detected in China on 31st December 2019 has continued to spread across the world with many countries instituting intervention measures in an effort to contain the spread of infections. In spite of best efforts by the affected countries, the number of infections has kept rising with some of them leading to death. Arising from this situation, the WHO declared it a global pandemic on 11th March 2020. This compelled individual countries to mobilise own resources to combat the disease.

As on 15th March, 153,517 confirmed cases and 5,735 deaths have been reported globally. China has 81,048 confirmed cases, including 33,204 deaths. Outside China, 72,469 cases have been confirmed with 2,531 deaths from 143 countries, 20 of which are from Africa with Kenya being one of them. I want to inform the House that we now have four confirmed cases of coronavirus infection and zero deaths from COVID-19. The first case was confirmed on 12th March 2020 and the fourth case has just been confirmed by the Ministry this afternoon from a private hospital.

(The Speaker (Hon. Justin Muturi) left Chair)

*(The Temporary Deputy Speaker (Ms.)
Jessica Mbalu) took the Chair)*

Subsequently, the Ministry of Health was able to trace 22 close contacts of the index case and has placed them under quarantine at the Mbagathi Hospital Isolation Unit. Specimens from these contacts have been tested at KEMRI laboratories and two of them were confirmed to have the virus. Contact-tracing of individuals who had close interaction with the current patient is ongoing.

Hon. Temporary Deputy Speaker, I want to update the House on the preparedness and the response measures that the Ministry of Health has taken. The Ministry continues to maintain heightened surveillance at all points of entry. Health facilities and communities across the country are required to promptly identify any additional COVID-19 case. Further, the Government has put in place the following interventions:

On the governance side, His Excellency the President, Uhuru Muigai Kenyatta issued Executive Order No.2 of 2020 on 28th February that, among other things, ordered the formation of a National Emergency Response Committee. The move set in motion the adoption by the whole Government multi-agency approach at two levels – policy and technical levels. Ministries, Departments and Agencies have been brought onboard to deal with the threat of COVID-19 and a committee, which is being chaired by the Cabinet Secretary for Health, Hon. Mutahi Kagwe, has since been constituted and is currently providing policy direction towards preparedness and prevention of COVID-19, latest being the update on the fourth infected person this afternoon.

The country has developed a contingency plan to guide the implementation of priority preparedness and response activities in view of the threat posed by importation of COVID-19 into Kenya. The National Treasury has released Kshs300 million for implementation of COVID-19 preparedness and response interventions to the various Ministries and Departments. An emergency operation centre has been fully activated to respond to the COVID-19 outbreak, with toll-free 719 that members of the public can call to report any incident. The Government, in collaboration with Safaricom Company, has set up a call centre to enhance communication on COVID-19. This is important because when such cases arise, members of the public call you as their leaders. You reach a call centre by dialling 719 for audio messages or *71# for short text messages. This applies across all mobile telephone networks. It is important for Members to know. I have just been informed by the Member for Embakasi that they had a case in Embakasi South, in Mukuru – that, he has been struggling to get the Ministry to go and pick a suspected case.

The Government of Kenya, through the Ministry of Health, has the necessary capacity of testing COVID-19. This is just to assure Kenyans to remain calm. The country has received testing kits from Africa Centres for Disease Control (Africa CDC) and the WHO. Testing of samples collected from persons meeting the case definition criteria of a suspected case, in line with the WHO, are currently being undertaken at KEMRI and at the National Influenza Centre laboratories. More kits are being mobilised. Additional sites include Kilifi, Kisumu, Kericho and

Busia as well as other private hospitals. County governments are also vigilant. Mandatory screening is ongoing in all points of entry to minimise the risk of importation of the virus from affected countries.

We have 1,500 health workers in both private and public health facilities and at points of entry that are sensitised on how to deal with suspected cases. Trainings and sensitisation of staff at the county levels is ongoing. Additional health workers have been deployed at Jomo Kenyatta International Airport (JKIA). Training has also been done for staff of Parliament, *matatu* operators and taxi operators at JKIA.

There is isolation facility at Kenyatta National Hospital (KNH), which continues to be used to isolate suspected cases while they undergo investigation. An isolation unit with a capacity of 120 beds at Mbagathi District Hospital was officially launched on 6th March. In addition, all the points of entry have isolation or holding facilities.

Further, the Ministry of Health has met all Chief Executive Officers of major health facilities within Nairobi City County to support the provision of additional isolation facilities in the event that the country reports more cases than the capacity of Kenyatta National Hospital (KNH) and Mbagathi Hospital.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Order, Hon. Chairperson. We have interruption from Hon. Millie Odhiambo. The Chair is just making a Statement. I do not know what is out of order, Hon. Millie?

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you Hon. Temporary Deputy Speaker. As you can see, the Chairlady of the Committee on Health is raising a very serious issue on coronavirus, but Hon. Kaluma, Hon. Sossion and Hon. Mbadi, who are legislators who should be leading by example, are shaking hands on the Floor of the House. We have just chased Hon. Keynan to go and self-quarantine and then we are seeing them shaking hands. They must be leading by example.

Hon. Temporary Deputy Speaker, are the Hon. Members in order to mislead the public by telling it to do one thing while they are doing the other? They must be doing the “Roho” style that is the one we do nowadays. The “Roho Israel.”

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. I am sure all other Hon. Members have seen you show the sign. The Hon. Chair never saw the Hon. Members shake hands. However, if they did, it is also important to inform the public that we have taken all the necessary preventive measures as Parliament, as a National Assembly even at the entrance we have sanitisers. We have all the gadgets to take temperatures and so we are safe as Parliament.

Otherwise, I know Hon. Millie Odhiambo is very concerned about the people of Kenya as a leader and a senior Member of Parliament. We lead by example. Hon. Members take note of that. Carry on Hon. Chair.

Hon. (Ms.) Sabina Chege (Murang’a CWR, JP): Thank you, Hon. Temporary Deputy Speaker, the Ministry is also in the process of seeking to secure the Kenyatta University Training Hospital which has an additional isolation capacity of 300 beds.

The country has received 5,000, Personal Protective Equipment (PPE) sets and other assorted infection prevention and control commodities from WHO and the United States Agency for International Development (USAID). The PPE sets and commodities have been distributed to all counties including major points of entry such as JKIA.

The Government has suspended all conferences, meetings and events of international nature for one month. This is aimed at minimising importation of the outbreak to the country by travellers originating from the affected countries

The Government has issued an Executive Order temporarily closing all learning institutions in the country. Primary and secondary schools must close by Wednesday, 18th March 2020 while tertiary institutions and universities must close by Friday, 20th March 2020 this week. The Ministry of Education has already issued guidelines on the same. The move is aimed at preventing further community transmission of COVID-19 in the country.

The Government has suspended travel for all persons coming into Kenya from any country with reported coronavirus cases. Only Kenyan citizens and foreigners with valid residence permits will be allowed entry provided they proceed on strict self-quarantine or mandatory quarantine in a designated Government facility. That is why it was important this afternoon for the Hon. Members who had travelled out of the country to self-quarantine. This will limit further importation of COVID-19 cases into the country. This directive will remain in effect for the next 30 days or as varied by the National Emergency Response Committee.

In order to avoid the risk of transmission through physical handling of money, the Government encourages the use of cashless transactions such as mobile money and credit cards. We appeal to mobile operators and banks to take into consideration the situation, and reduce the cost of transactions during this period.

In line with the directive to avoid crowded places, citizens are encouraged to: Avoid congregating including in places of worship; minimise attendance to social gatherings including weddings and funerals, and restrict the same to immediate family members; avoid crowded places including shopping malls and entertainment premises; minimise congestion in public transport wherever possible; and limitation of visitors to hospitalised patients in both public and private hospitals.

Hospitals and shopping malls are encouraged to provide soap, water and hand sanitisers and ensure that all their premises are regularly cleaned and disinfected.

There is an advisory from the Ministry of Health. Considering that the coronavirus has no cure and any management in hospitals focuses mainly on treating the symptoms, prevention thus remains the most effective way to containing the spread of the virus. Subsequently, advisories have been issued to members of the public to remain vigilant and have been advised to continue taking the following precautionary measures: Maintain basic hand and respiratory hygiene, and safe food practices; avoid close contact with people suffering from acute respiratory infections; anyone showing symptoms of respiratory illness such as fever, coughing, difficulty in breathing and sneezing with a history of recent travel to any of the affected countries is advised to go to the nearest health facility for assessment and prompt management; and anyone with recent history of travel to the affected countries are strongly advised to self- quarantine for 14 days and promptly report to the nearest health facility in case they develop any of the above symptoms.

Some of the measures may cause inconvenience, but they are designed to ensure that we effectively contain the spread of the virus. The Government appeals to all of us to strictly observe these measures and also appeals for calm. Kenyans must avoid misinformation that causes panic and anxiety.

Hon. Temporary Deputy Speaker, I read this Statement which has been signed by the Cabinet Secretary, Hon. Mutahi Kagwe. I also advise our MPs as we go on this recess let us be the agents to give the right information to the public. I again repeat the number 719 that any Member can call for immediate response by our health care.

It is time to give the right information to our children and encourage parents now that the children are at home to be contained in the Houses. Also avoid congestion in the malls. This is because at this time if we leave our teenagers they will go and hang out in the malls or any other entertainment joints. We have 30 days and I hope as a nation we will reflect. Today this morning, I joined the Catholic MPs at the State House and His Excellency the President announced that Saturday is going to be our prayer day for the entire nation. It is important because we are not going to congregate in Uhuru Park or somewhere else. That hour between 12.00 noon and 1.00 p.m., the whole nation, be it in your house or wherever you are going to be, will take time to pray. This is because, as we have heard, this disease has no cure and only God can protect us as we also take personal precaution.

So, Hon. Temporary Deputy Speaker as we also take the risk and go back to our homes, I hope that we as the leaders and members of public lead by example by avoiding shaking of hands. I know sanitisers are not available everywhere but washing your hands with soap and water can help our people. I thank you Hon. Temporary Deputy Speaker and thank the House for allowing me give this Statement.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well and well-done Chairperson, Departmental Committee on Health for giving us the status of the coronavirus as far as the Committee is concerned. Hon. Members, this was a chance given to the Chairperson.

I will give only three Hon. Members to comment, starting with the Member for Seme, a very informed person on health matters. I will use standing Order 1 to rule that you do it in three minutes.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker. I take the opportunity, first of all, to appreciate what the Government has done in the last few days. The response and the advice given have been appropriate. Although there was laxity at the beginning, what is being done now is extremely important. In this issue, the most important thing is prevention; those measures the Government has put in place. There are three areas that I want to comment on.

First, we are focusing on people who have travelled and the contacts they have been with. It is quite possible that we could have the disease currently circulating within the country amongst people who have not travelled. Therefore, it is important that when people have symptoms that look like this disease, as they have given us the case definition and they go to any health facility whether private or Government, that they have people who are sensitive to that and will advise them on testing if possible.

I know that it may be difficult to test everybody who appears with signs now. However, we must look forward and if possible, we could have gone for mass testing, but I know technology is moving fast. As soon as that becomes available, we must look towards mass testing of as many people as possible who have the symptoms.

Secondly, the pandemic preparedness and response team I believe has people from all cadres of the society. We have seen the health aspect of the epidemic, but we have the economic, security, agriculture and water aspects. The Leader of the Majority Party was talking of what we will do with the effect on traders and how they should be supported. That team should address all those issues ahead of time before people start responding. Finally, correct information must be available at all times to avoid rumours because it will be deadly.

I appreciate and thank you again, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let us have the former Chairperson of the Departmental Committee on Health in the 11th Parliament, Hon. Nyamai.

Hon. (Ms.) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Temporary Deputy Speaker. I want to start by thanking the Chair of the Departmental Committee on Health for eloquently reading the Statement. She has stated the facts the way they were given by the Ministry of Health. The Statement was signed by the Cabinet Secretary for the Ministry of Health, Sen. Mutahi Kagwe.

From the outset, I want to thank the President for making the most important Statement the country wanted. I have been watching other Heads of State making statements about coronavirus in their countries. I am proud of the way the President of the Republic of Kenya put his message especially when he said that people who may have contracted coronavirus will get treatment. I think that was good reassurance.

Let me say something about ourselves. I have been looking at Hon. Mwinyi and the Member seated next to him, and I realise he has been touching his face all through. I would like to warn him that if he touches any surface, he should not touch his face. We need to take care of ourselves. This afternoon, I was accused of having brought a gadget in the House. The liquid in this gadget is the same as the one out there. I noticed some Members who had travelled out of the country walked in. One of them seats next to me at the corner. I brought this for him, so that he could wipe his hands. I ended up using it on many other surfaces that had been used by two other Members. This gadget is not harmful.

I have been washing the hands of my children and other children when messages on coronavirus are being given. Let us strategise on having good child friendly ways of passing messages on coronavirus, so that we can reassure them that everything is fine. The Government is doing the best it can and we are safe. Adults can deal with the problems of coronavirus and children can live their lives and have the reassurance that we are okay as a country.

Thank you, Hon. Temporary Deputy Speaker for giving me a chance.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Member for Suba North.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Deputy Speaker. I want to thank the Chair of the Departmental Committee on Health for that comprehensive Statement.

One of the guidelines someone has sent on my *Facebook* Page, which I think is good is to avoid “MEN”, which is coded for “Mouth, Eyes and Nose”. Somebody jokingly has also said that we should avoid overcrowded places like your boyfriend’s heart.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Millie Odhiambo, you have said we avoid what?

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): I said we avoid “MEN”, which is Mouth, Eyes and Nose and overcrowded places like your boyfriend’s heart.

The national Government must give clear directives, so that county governments do not give piece-meal directions. This disaster is a national Government concern. Let the President be more decisive. We will not die if we do not go to weddings, churches and other places. He should say that people should not go to weddings, funerals and *harambees*. He should not encourage people because we do not have a tendency of obeying rules. That is why some Members who had travelled out of country came to the House.

With those few remarks, I encourage us to stay safe and help the Government in dealing with this virus.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Member for Wajir South, make your comment as brief as possible because this was not a Motion.

Hon. Mohamed Mohamud (Wajir South, JP): Thank you, Hon. Temporary Deputy Speaker. I will be swift enough in contributing to this. I want to commend the Chair of the Departmental Committee on Health for putting a Statement that is quite essential for this country. This is a pandemic and great threat. I want to commend the President for taking a swift measure. He did not take long to handle this.

Article 132(4)(d) of the Constitution gives provision of declaring a state emergency when such things arise. It is the prerogative of the President to decide on this, but community social distancing is critically important. That is what has been invoked. This is in line with the decisions of the Cabinet Secretary for Health who has said that the Health Act must be invoked and considered in all health institutions and communities.

We are in a global village and must look out at all things that will affect our society and community. In this case, we do not know where the index case is. An index case is the starting case of where it particularly came from. Who was the particular person, where did they come from and where has it been passed on to? We do not know how many people got it from that particular index case in this country. Therefore, I support the Statement by the Chair. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let us have the Member for Makueni, Hon. Maanzo. Please, make your comments brief.

Hon. Daniel Maanzo (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. One of the biggest problems in the country is the sanitiser.

The Government has to ensure that there are sanitisers in all public buildings and places. One alternative that is being used is the surgical spirit. We should have a method of ensuring that whatever product that is given to the people is up to standard and will deal with the situation.

It has been said that this disease is not airborne, but is on surfaces. That is why the use of sanitisers is important. They should ensure that sanitisers are in trains, public *matatus*, buses and other places the members of the public go to. This will ensure that the viruses are destroyed before they get to our people.

Thank you for giving me an opportunity to comment on this very important matter.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): The Member for Embakasi South.

Hon. Julius Mawathe (Embakasi South, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to comment on this. I want to thank the President for having moved swiftly and put the necessary measures to ensure that we are safe and okay. I think there is need for the people working below him in the Ministry of Health and county governments to ensure that they are well equipped and readily available to evacuate, in case an incident occurs or somebody is suspected to have contracted the coronavirus.

We should not allow a situation like the one that occurred this morning where an individual was suspected to have coronavirus and from approximately 9.30 a.m., the person was evacuated at 3.30 p.m. There is need to put measures and plans in place to ensure that evacuation is done faster. Otherwise, I want to assure the people of Embakasi South that they will be okay because the person was well quarantined and there should be no cause for alarm.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Kaluma, just a brief comment.

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Temporary Deputy Speaker, I was in Rome, Italy, just before this epidemic broke out. To see what is in Italy today, a short while

thereafter, makes me confirm to the nation that we are looking at death in the eye. This is a crisis of monumental proportions. We need to change our habits. I was in my constituency on Friday and everybody was running to hug and greet me. We must change this African culture which makes people think that unless they touch you, they have not greeted you.

The Government has given directives. I have a very big problem with those directives to the extent that they are not adequate. These directives are still being couched as some permissive regulations: “Please, avoid going to church. Please, avoid going to the mosque.” This “please, please, please” must be stopped. We must tell people succinctly that they should not go to church or worship places. We must sanction anybody going there. In Italy today, you need certification. We must go that direction. This idea that we are still dancing in night clubs sweating and sneezing over one another is not good. The Ministry of Water and Sanitation is currently very core. There is no way a place like Homa Bay is going to survive if there is no water in public places, for instance, in markets. People need water to wash their hands.

I commend the Government. So far so good, but we must give mandatory directives upon which failure to comply could lead to penalties as is the case in other countries which have been hit. Time is short. We wanted to share more, but that is the direction we have to give. We have to change our habits. We must be firm in dealing with this matter.

I thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Gichimu Githinji, be brief. We did not have a substantive Motion on this one. We are just giving comments.

Hon. Gichimu Githinji (Gichugu, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to associate myself with the sentiments of the other Members in support of the Statement that has been issued by the Chair of the Departmental Committee on Health. I thank the President and his team for moving swiftly to address the issue as a concern for the health of Kenyans.

This should go to parents. They should advise students and pupils that this is a forced leave or vacation. The students and pupils should not be seen loitering all over the place or going out to public places. If we do not do that, you will find them in supermarkets and other joints, which could be risky areas where they could contract the virus compared to when they are in school. I rest my comments.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Next is Hon. Makali and then I close. Hon. Members, you would have made all these comments during the substantive Motion that was tabled. Hon. Makali, just a comment and then we move on.

Hon. Makali Mulu (Kitui Central, WDM-K): Thank you, Hon. Temporary Deputy Speaker. I will be very brief. I want to appeal to Kenyans. I think we have appealed enough to the Government. You know from where you come from, social events like weddings, burials and other things that bring the community together are very important. This is the time to appeal to all Kenyans that what is happening is very serious and they need to reduce attendance to social events. For burials, we should only allow a few family members. Few family members should also attend weddings and where possible, avoid such gatherings.

The second point is on the issue of businessmen in this country. This is not the time to take advantage of the situation. I appeal to our businessmen that we provide the required items at the most convenient prices. Let us not exploit Kenyans because they have no choice.

I submit, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Members, you are aware of the Motion listed as Order No.9, which we passed on adjourning the sittings of the

House. Those were just comments on the Statement by the Chair of the Departmental Committee on Health. You passed the Motion in Order No.9. We cannot comment more on this as a matter of procedure. So, let us move to the next Order.

BILL

Second Reading

THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL

(Hon. (Ms.) Joyce Korir on 12.3.2020)

(Resumption of Debate interrupted on 12.3.2020)

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Members, this is resumption of debate which was interrupted on Thursday, 12th March 2020. The Member on the Floor was Hon. Charity Kathambi, Member for Njoro. I can see she has walked out. She had a balance of eight minutes. Let us have the Member for Runyenjes, Hon. Njiru Muchangi.

Hon. Eric Njiru (Runyenjes, JP): Thank you, Hon. Temporary Deputy Speaker, for the opportunity to support this Bill about the old people in our society. These are very important people because most of them fought for the Independence of this country and they have always desired to eat the fruits of the freedom. Unfortunately, these people go through a lot of problems. Many of them are sick. Others have to be taken out to bask in the sun. Others go hungry without food. Those of us who are here can confirm to you that they keep coming to us seeking for help from the Government. We have so many of them who are old enough to receive the stipend from Government, but they do not.

This is a very important Bill and we wish to urge the Government to consider paying these people on a monthly basis. We believe the Government is capable of doing that as it pays its employees on a monthly basis. It can make arrangements and make the money available on a monthly basis instead of having the elderly go out every other time to camp at market centres waiting for a four months' stipend.

I support the Bill. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Member for Kisumu East, Hon. Ahmed Shabbir.

Hon. Shakeel Shabbir (Kisumu East, Independent): Thank you, Hon. Temporary Deputy Speaker. I think God has brought me back at this time. I was going to talk about something else, but the care and protection of the elderly is very close to my heart. I support the Bill very much.

When I was young, I proposed a Bill in the United Kingdom, on the protection and care of the elderly in society, which I am very proud to say was passed. We want to go the same way in Kenya. In Kisumu East, we have the Sasa Fund which takes care of the elderly, who come from different parts of the constituency. We take them to a care centre once a week and look after them. That is something all Members of Parliament should do. These are our mothers and fathers. I have tremendous support and a lot of love that they give me. Unfortunately, only 800 people in Kisumu East get the stipend that was proposed to be given to the elderly. It comes late and it is squandered. It is hijacked by others who have put their people there to be taking the

money because the elderly cannot get it themselves. It is a very important thing. I suggest that even in our NG-CDF, we should have some funds dedicated towards the care and protection of the elderly in our society. The elderly are the mainstay of our society. If we cannot take care of them, our fathers and mothers, we have no right to be part and parcel of that society. This is one of the major pillars of our society. In the Luo tradition, the elderly are like our fathers and mothers. They are our link to the past and the future. I suggest that this issue be brought up for further discussion. I will be very happy to support it.

Hon. Temporary Deputy Speaker, our family has been involved in this. I am very proud to say that in the United Kingdom, I opened a care home for the elderly and we had 84 elderly persons; our fathers and mothers. I left that to my sister-in-law and she was given an Order of the British Empire (OBE) as a result of some of the work we have done as a family. So, care and protection for the elderly is a must. We must do it. I urge the President to allow us to do this. I also urge that a certain amount of allocation, the same as is given to the elderly and sports, about 1.5 per cent of it is used to take care of our elderly.

With those few remarks, I thank you for giving me this time.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let me have the Member for Bondo, Hon. Gideon Ochanda.

Hon. Gideon Ochanda (Bondo, ODM): Hon. Temporary Deputy Speaker, being an elder or an older person in the society is not by default. It is a process. The older people have had contributions to the society in one way or the other, either they have been in the Civil Service, have worked in different places or at home and have contributed to the nation. Part of the Gross Domestic Product (GDP) that we constantly talk about are efforts of individual persons in the society. The Constitution really places older persons in a corner where they are supposed to be looked at properly. There are things in the Bill that need to be looked at afresh, remodified and come up with a better way of doing things in the proposals.

First, the Bill is proposing that county governments should establish homes. The idea is fine, but if you look at this, it is against some of the policies the Government is promoting at the moment in terms of the idea of integration and social support systems. First of all, assuming that these things will be done, I believe, is a tall order. If county governments have not established Early Childhood Development Centres (ECDs) for the last 10 years, I wonder when they will have this as a priority to do care homes for the elderly. So, it is really a tall order, on one hand, but the whole idea is how we can support the elderly in our society.

The social assistance programme that is being run excludes some elderly persons, but those who in the scheme are supported wherever they are, for instance, in their homes. In one way or the other, they get constant assistance other than taking them to a particular home. This is not the right way. What the Government is doing at the moment even in cases of disability, is having the disabled persons in their schools or institutions. This is getting discouraged, but the whole idea is to integrate them, so that they are appreciated by the rest of the community and can contribute to the nation like any other person instead of being excluded. Exclusion breeds the element of discrimination. The proposal in the Bill needs to be looked at, so that we do not just build homes where the elderly people can be taken because they are already in homes. They are in families. They need support. Sometimes the support will add onto what they are already experiencing. There are those who in one way or the other are excluded from the current social assistance programmes.

The Kshs2,000 is not enough. If one were to look at this seriously, if you were to give somebody Kshs2,000 at the end of the month for purposes of food alone, it is not enough. If you

look at the prices of food, you will realise that we are all struggling. The most important thing is to appreciate that these people need to be protected and supported.

There are those who had worked in the Government and are pensionable. The social assistance programme excludes them. It only supports those that are vulnerable. You may be very vulnerable even if you had property at one stage. You get to a stage where you cannot move. You may have property, but you have to rely and depend on others. That is where protection is required. Somebody will run away with your property. There are chances for you to lose your property any minute as you get older and to a level where your thoughts are not right. There must be a way of properly looking at this such that we can take care of every elderly person in the society. In the West, they start their own trust funds, so that when they get old, the funds can support them. It is easier through that arrangement. Currently, it is open that if you are 78 or 80 years, you need to be supported. Nobody has worked on this. Sometimes you had some earnings, but you cannot go on earning because of age and lack of energy, yet you have some money. There must be a way of ensuring that your money supports you. That is what the Bill is missing.

The Bill is fine in terms of recognising the place of the elderly, but it is wanting in many respects including the idea of building homes. Some of them are not sustainable. We cannot look at them in that manner.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let us have the Member for Nairobi City, Hon. Passaris Rosanna.

Hon. (Ms.) Esther Passaris (Nairobi CWR, ODM): Thank you, Hon. Temporary Deputy Speaker, for allowing me to contribute to the Care and Protection of Older Members of Society Bill brought by the Senate.

Article 57 of our Constitution provides for the rights of elderly people. A person over 60 is considered elderly. I want to make reference to Nairobi and I am sure it is not different in other counties. We have failed to provide land for social amenities for the youth. In Nairobi, for instance, we do not have social amenities such as sporting fields or places for the youth to congregate. That is why we have heightened depression. We have the same problem with the elderly. There is not enough land to provide places for the elderly for recreational. In the United Kingdom, for instance, you will find that the elderly congregate in the evening for dance classes. They cannot integrate with the youth in terms of the clubs that we have today. We have enough mushrooming clubs because it is a business that attracts the young. We do not have such clubs for the elderly.

Elderly people are still alive. They still remember the good old days. I remember during Christmas when we were going around giving food in homes, the Little Sisters of the Poor who run the Nyumba ya Wazee in Kasarani asked us to bring beer for the elderly. We asked them what they would like us to bring for them and they wanted beer. A lot of people on social media asked why we took them beer. They remember the good old days. What is wrong with one bottle of beer? They say Guinness is good for your health. The elderly need to continue living. They need to socialise.

When my grandmother was living with me, I had young maids working and looking after her and I noticed she was very lonely. What did I do? I brought an old lady to work for me, who was on retirement, because she kept calling me and telling me that she wanted work. I kept telling her: “*Cucu* Mary, you have already retired”, and she said that she wanted to come back because she missed us. So, I brought her back. I saw a complete glitter in my grandmother’s eyes when she was looked after by the old lady. She is Luo and my grandmother is Kikuyu, but they

communicated stories of the old. They watched the same movies on television. They sat down, talked and weaved baskets together. I then realised that loneliness is the biggest killer of the old. Whereas we say that families should stay with their old, both mother and father work today. We need to have social halls for the old to congregate. We have a young population which we focus on very much, but we equally have an old population.

There is an organisation in Nairobi that I fund through the National Affirmative Action Fund called the County Trekkers. Every week, the old women walk across Nairobi to Komarock Estate, so that they can have a meal together and exercise. Sometimes, they have medical camps which they enjoy. They sit and talk to each other. All these elderly people live in the informal settlements. Majority of them live alone; because the Human Immunodeficiency Virus (HIV) took most of their children. As a Government, we have to provide amenities for the old. As parents go to work and children to boarding schools, the old are left at home. They are very lonely. They need special games, care and to be free from abuse which is another thing. With a heightened sexual gender-based violence that we have in our country, the old have become a big target. The youth have convinced themselves that when they rape an elderly woman who is not sexually active, police officers will not catch them unlike when they commit a robbery. We have to find a way of protecting these women. Majority of them are raped and abused because of a myth that goes around amongst our youth which is really sad. Our police force is overwhelmed with the number of cases and are unable to cater for the old in terms of justice.

I look at the comparison between London and Nairobi. London has an area of 2.9 kilometre squared and Nairobi has 696 kilometre squared, yet London has a population of 8.9 million and Nairobi has 4.4 million. When you drive through London, you see lots of greenery, sporting fields and clubs for the elderly. Where have we gone wrong? We have the area and we do not have that kind of population. However, we grab all the land. For the Government to cater for the elderly and the youth, we need to claim back most of the land that was grabbed by the previous political leaders. We also have to look at the land that we gave to a lot of people. The church is also guilty of having a lot of unutilised land that they speculate on and put up office blocks. We can reclaim the land and create amenities for the old people. We have to respect our old. We are all heading in that direction. A nation is judged by the respect it gives to the elderly. Kenya has a big problem.

Recently, my mother, who lives in Mombasa, told me that the rates for the house have been tripled. She asked me why she should pay 300 per cent increase in rates while she and my father are retired. We have to start having waivers for the elderly. When a person has reached an elderly stage, he or she has been contributing taxes, rates and in the growth of this country. We should have waivers for the elderly. We should ensure that the elderly can get into a bus or commuter service that we have and get either a highly discounted price or waivers. As a country, we provide a lot of things for the youth and we still have challenges there. We look after women as well, but we have neglected men who are between 35 and 60 years old. As a country, we have to be inclusive. It is the duty of the State to provide services for all who need them. We have the young. We have orphanages in almost every corner in Nairobi today. Five or six orphanages have children, but there are no social services structures. Nobody goes to those homes to look after them and confirm that the children have food to eat. The Government does not provide money for them. At this heightened economic stressful time, there are no donations to the homes yet our children live in these institutions.

As a country, we have to provide for family planning. I always say that abortion should not be a birth control method, but it is happening because we do not provide family planning to

our children. We are also not willing to have comprehensive sex education in our schools. On top of it, we have heightened poverty levels in informal settlements.

The young generation, that is supposed to look after the elderly, are having challenges because they have so many unplanned for children and are living in dire need in slums with no proper shelter. Recently, there was a fire in Lungalunga, where a factory burned down and there was no way to evacuate the people who could hardly even breathe. Again, this is costing the economy a lot. So, as we plan for housing, we should make sure that the houses we are going to build provide for the elderly, not only in terms of houses on the ground floor, but also by having places where they can congregate, be with each other, feel they are not neglected and are still of value.

I see a lot of hue and cry every time an older person is given a job. But in all sincerity, even our old people deserve to be recognised as contributors to our economy because as long as they are alive, they have something to contribute.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let us have the Member for Isiolo North, Hon. Hassan Hulufu.

Hon. Hassan Hulufu (Isiolo North, KPP): Thank you, Hon. Temporary Deputy Speaker. I would like to support this Bill on the elderly members of our society. Our traditions, cultural norms and faith to which most of us profess, make it obligatory for us to care for our elderly. Most of our elderly in the society have contributed to what we are today. Therefore, they deserve to be supported. The elderly belong to vulnerable groups of human beings. For example, when we have natural calamities, they are more affected. As the Member for Nairobi County has stated, during fire outbreaks, more often than not, if you look at the casualties, elderly people are disproportionately affected. In other instances, when we have drought emergencies and hunger in northern Kenya, they are most affected alongside children.

Therefore, as a society, we are obligated to care for our elderly when they are not able to take care of themselves. Ideally, in line with our African customs, it is children who take care of their parents in their old age. But in some instances, we have old people who have no children to take care of them. Therefore, the idea of county governments establishing homes for the elderly is timely. However, where elderly persons have surviving relatives who can take care of them, they should be supported from within their extended family set up instead of putting them in homes for the elderly. That is a very good practice. Sometimes we put so much emphasis on youths and other special groups to the extent that what we do borders on discriminating against the elderly. The elderly that we bash are the ones who are in good standing in the society and are sometimes given good Government jobs. They are still elderly persons who need to be respected and cared for. We also need to plan for them through a legislation, like the one we are debating.

I fully support the provisions of this Bill. When it comes to accessing Government services like justice, and when dealing with law enforcement officers, elderly people have special challenges. Therefore, this Bill helps the law enforcement and those who dispense justice to handle senior citizens in a respectful way. Many times, elderly persons, especially those in towns and in high potential areas, are dispossessed of their properties.

In my constituency, I deal with many cases where elderly persons who do not have sons and daughters to protect their interests, have their land grabbed by land speculators. We have many such cases. When they report to the police and land offices, the issues are not taken up quickly. When they file cases, they sometimes cannot meet the legal fees and have no way of accessing *pro bono* services from lawyers who are good enough to take up such cases. With this

Bill, I am sure in a way, we are going to mitigate some of the disasters our elderly face and the challenges they encounter.

With those few remarks, I support this Bill.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let me have the Member for Gichugu. Hon. Rono, the Member for Keiyo South and Hon. Okuome Adipo, the Member for Karachuonyo have left their cards on.

Hon. Gichimu Githinji (Gichugu, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill on the care and protection of older members of the society, which emanated from the Senate.

One of the areas that need to be looked at very keenly is the registration of the elderly persons especially through the cash transfer programme. It is not clear when they ought to be registered as members. I suffer from this problem when I get home to serve my constituents. The elderly people keep asking me when and how they will be registered. It is high time, through this law, we had a definite time and period within which the elderly members of the society are registered. It should be a specific month, so that it is clear and they will not just be waiting for chiefs to announce and get misinformed from people who might also be out there to do dubious things.

Another issue that needs to come out very clearly is the system of payment of the elderly funds. Sometimes it takes this House, through Questions that Members ask when there is delay in payment of cash transfer money, for the elderly to be paid.

It is very critical, just like some Members have argued or discussed in this House. It is easier when public servants are being paid of a float to go directly to the entitled members of the society accounts. Another shortfall of the cash transfer system is the lack of clear maintenance of a good data base both at the social services offices and at banks where the elderly are paid. It needs to be streamlined. You find at some point a senior citizen of this country is paid, but at other times when they go to the bank, they find that they are not in the system. So, data base for all the senior citizens of this country who are entitled to the funds should be well maintained in both the offices of the social services and banks.

Another area that needs a lot of improvement is the system of payment. To avoid congestion in banks when the funds are paid, some of the elderly persons get tired... There should be a better way of administering the funds through mobile phones, for those who can handle mobile phones. This could ease congestion and save the elderly the cost of going all the way to the banks to access the money.

I also support the sentiments of the Members, including those of the Member for Isiolo North, that elderly members of the society need to be given priority in terms of access to Government services and facilities. They did their part when they were energetic. That is the respect we need to accord them. When we pass this Bill on the care and protection of the older members of the society, we will also be doing it for ourselves because we are also headed there. We are headed to be elderly people and we pray and believe that God will give us enough years to benefit from this legislation that we are passing.

Because Members have an interest to contribute on the same, I rest my contribution. I support the Bill.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Yes, we have a lot of interest. The next on my request list is the Member for Migori, Hon. Ochieng Awuor.

Hon. (Ms.) Pamela Ochieng (Migori CWR, ODM): Thank you, Hon. Temporary Deputy Speaker. I also take this opportunity to add my voice to the plight of the elderly in this

nation. Each one of us will agree that much as we are young, energetic, and of whatever age, we came from a parent. As we grow, each parent also grows and they reach a level where they are weak and not able to support themselves. This always reminds me of a poem that I heard one of my little daughters and her school mates recite in 2007. They were saying: "Hold my little fingers today; tomorrow, I will hold yours". That spoke volumes to me.

It is high time that as Kenyans, we learnt to be pragmatic and to genuinely want to support our elderly in this nation. Because of the many things that have happened, especially the pandemic of HIV/AIDS, giving an example of my own county, the elderly have been exposed to some new challenges that never existed before. Young men and women have died and have left their little children in the hands of their mothers and fathers most of who are jobless and have no strength. They have to provide for the orphans. They have to be breadwinners for the young teenagers in school. The elderly people have to provide homes for their grandchildren. With that in mind, it is only in order that we come up with ways and means of taking care of the welfare of the elderly.

The elderly have been put on the cash transfer programme, which I heard the previous speaker mention. However, I think the programme offers too little money. One, it is supposed to be Kshs2,000 per month. Two, it is supposed to be given every two months, but the reality on the ground is not the same. The elderly, ladies and gentlemen never get the funds in time. As a House, we need to support, if possible, that the funds be increased. Much as most of the elderly people may be illiterate, I see them as a serious resource in our nation in terms of engagement to mentor the younger generations in the orderly coexistence of the human community.

Due to urbanisation and new technologies, majority of the young people have fled to urban centres. Most of our rural homes are deserted. Only the elderly live there. When you look at the relationship, even in communication, between the young and the old, there is no cohesion. We have most of the time talked about national cohesion. I do not think we will ever achieve it because we are leaving the elderly out. It is high time we provided infrastructure and ways of bringing the elderly to the fore to take their central place and help mentor our young. They can teach them how people live together and in harmony in the society, without infringing on the rights of each other. We need to think about the healthcare for the elderly. We also need to think about the registration process, the data, to give us all the names and locations of the people we have. The greatest challenge the elderly are facing is a decent shelter which can promote their well-being.

I cannot overemphasise the fact that most of the elderly's names get lost between the social offices and the national Government. It is my prayer that we give the elderly people earnest care even as we talk about them. We also know that we will be part of the elderly club at some stage.

Therefore, I support and propose that we come up with meaningful ways of taking care of the elderly in this nation, whether they have gone to school or not, whether they are retired or not, and whether they have never worked before. They are part and parcel of our community. Dismissing them just because they are elderly is not good. I have heard young people really complain when elderly people are appointed to some positions. They forget that old is sometimes gold. We want to harness the wisdom of the elderly persons.

It is my prayer that this House will find it worthy to secure and promote the welfare of the elderly, and protect the elderly in our community. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let us have the Member for Murang'a, Hon. Chege Wanjiru.

Hon. (Ms.) Sabina Chege (Murang'a CWR, JP): Thank you, Hon. Temporary Deputy Speaker. I am going to be very brief.

As much as I applaud the Senate on this Bill, you can judge a society by the way it takes care of its children and the elderly. We are a very unique community and society. If you look at our basic education, we say it is free. You will find that at the lower levels, the foundations, the most important aspect of our education, we do not provide it for free to our children, hence the spirit of the Bill to encourage county governments to take care of the elderly and have homes for elders. When you go back to our villages, our nursery schools are pathetic. As we debate and look at this Bill, let us ask ourselves the hard questions. Yes, we have laws, but who is going to implement them and how is the implementation going to be?

I am always at pains when I go to the village and find abandoned old men and women. Children of some of them came to Nairobi or to other urban centres and do not remember them. You will find that some of them do not have shelter and food, but we have the church and the society which may be having surplus to eat and drink. They do not remember the elderly. We should support this Bill to establish structures. What are we doing with what the Government has provided? Yes, I want to support my colleagues who are saying that we need to have data, but we were all registered through the Huduma Namba. We also had the census. So, all these are statistics. If you want to know how many people in Kenya who are over 70 years old, it will be by a click of a button.

Hon. Temporary Deputy Speaker, the Government promised that we were going to provide free healthcare cover through the National Hospital Insurance Fund (NHIF) to every person, whether a woman or man; rich or poor, at the age of 70. Sadly, this is not happening. We have some elderly persons with NHIF cards provided by the Government, but when they go to health facilities, they are told that the cards are not in use. We are paying the monthly subscription fees for the NHIF cover, but when the money delays getting to the NHIF, the cards become useless. So, even from the data that we have for the same people that we are covering, we should be able to care for their health.

I have been one of the champions of the Building Bridges Initiative (BBI). I have seen the importance of going back to our culture, where we had a very well-structured way of taking care of each age group, from the young to the elderly. So, as we look at their safety, we should know that these people have taken care of us in the society and they are the ones who fought for Independence. If it were not for them, we might not be free even today to be in this House. Some of us have even gained from the trailblazers, namely, the ladies who were there before us who really fought for the rights of women to be seen in this House.

I urge, as we debate this Bill, that we be serious especially on the implementation. Let us be very clear on what we want to achieve because we can write laws on books, but implementation is not there.

Finally, I want to speak about the homes of the elderly persons. As we have said, these people get old and they become very lonely. It is African culture that we feel that we still want to keep our elderly parents at home. We either hire a house-girl or a houseboy to take care of them and then we go back to the comfort of our homes in urban centres. However, I have witnessed instances in my county where the caretakers have become the killers. When you visit your parents back at home over the weekend and give them some money, the caretakers would always want to take the money from them. So, in instances where they are caught stealing from them, they normally kill them, so that they do not report.

We really need to consider coming up with homes for the elderly. Even if it means paying an amount of money for their upkeep, they will share their experiences in the homes. They will meet with people of their ages, with whom they can share stories. They will also go through some physical exercises. They can take care of some animals and play some games there thus increasing their lifespan.

Hon. Temporary Deputy Speaker, I am of very strong opinion that the Senate should be a home for the elderly.

(Laughter)

It should be one of the houses for elderly persons who are very experienced in societal issues. I am saying this out of respect. It should be a House where we have professors, doctors, teachers and other senior civil servants who have retired with very good experience on how governments are ran. Instead of them staying at home after retiring from active service only for us to bury them with all that knowledge, the Senate should be a House where they congregate and become advisors. That is how the Senate can become the Upper House, so that they can advise the National Assembly on Government policies and governance issues.

The Senate should be a non-partisan and non-political House. I have seen it in the United Kingdom where the Lords stay there for life. They are not there for payment. They are just there to add more value. Senators will feel that at their old age, they have contributed positively to nation building. So, I support the Bill, but as I said, let us work on the implementation aspects and see how we can maximise what we have.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): The Member for Kajiado East, Hon. (Ms.) Peris Tobiko, you have the Floor.

Hon. (Ms.) Peris Tobiko (Kajiado East, JP): Thank you, Hon. Temporary Deputy Speaker. I support the Bill. This is a very timely Bill that addresses a very fundamental and current issue in our society.

The age group in this country that is above 70 years is facing many challenges. Already, as a country, we have numerous challenges in the economy. We have challenges even for young and energetic persons. It now becomes worse for our elderly parents.

I support the Members who have emphasised on us as society to think about putting up shelter for our elderly people. However, it is good to encourage our children to take care of their parents, so that we do not remove them from the environment they are already used to. I am just imagining what will happen if I was to remove my mother from her home where she is used to, comfortable and feels she is in control. Even as we create shelters, we need to bring up a society that is ready to accommodate the old people. Right now, I know the Government is giving incentives to take care of our old people. There is a small package. We need to recheck what is happening in terms of the distribution of that money. I have a whole list of old people from my constituency who were beneficiaries at a certain time and were told to open bank accounts. After that, they disappeared from the system. They had received the money for a short while, but they are not in the system. Is there somebody or a group of people who are now fraudulently benefiting from this scheme? We need to ask ourselves, as a House, about that.

When we resume, I will bring a list of the members from my constituency who are no longer benefiting from this, yet they used to receive the money. As we talk about our old people, our youth are in a quagmire. If we do not think about providing jobs for the young people, who

will take care of us tomorrow? That is the grim reality. Although I agree with many Members on what they said, I disagree with the respectable lady, Dr. Pamela. She talked of giving jobs to the old people. In my thinking, at a certain age like 90 years, people like the former Vice-President, Moody Awori, should be resting and enjoying their peace at home. Moody should be taken care of. The job he has belongs to a young person. A lot of jobs that this Government has given to the old people should be given to the young people who are energetic with fresh ideas. I would not want to stick to a job for too long. I would want to have my time taking care of my grandchildren if God blesses me with them. I would want to take a high position in the community of being an advisory person.

I agree with Hon. Sabina that the Senate should be a House of retirees, where Senators give advisory opinions, have the pleasure of time and move slowly without stress. If we force Uncle Moody to start grappling with big issues that affect the youth of this county, we will be asking too much from him. Today, if the retired President Hon. Kibaki - we wish him well and we want him to have many years - was to be brought in public limelight to take an active role, that would not be fair. He deserves a peaceful retirement and a good rest. So, we should not do things that will jeopardise the young who are the majority in the community. They should be taking the mantle from us and preparing to take care of us.

At times, we lose it as a community. I come from a society where the old people are well taken care of, and placed in a certain category in society and respected. You will not find an old person who has no home. In my constituency, there are homes for the old people. But in the community I originate, you will not find a single person in those homes because the society has created a way to accommodate them. It is a blessing. I wish we could teach our children, so that tomorrow they do not necessarily abandon us in homes. These homes will then be places for those who do not have any other option and those without children. It is sad when we talk of people who have come to this town and forgotten about their parents back at home. I do support that we take care of our old people. I support that we give them the best atmosphere that we can. I also strongly feel that we should prepare our young people to take care of the old people in their homes. I should accommodate my mother and the old people whom I need to accommodate.

We face a lot of challenges. We pray that this coronavirus epidemic and the locust invasion disappear. We should also think and prepare ourselves, because seemingly this looks like the end times. So, it is also good for us to prepare ourselves spiritually for what may eventually be coming. I now see the reality that possibly we could be headed to the end of the world.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Jessica Mbalu): Let us now have Hon. Kaluma.

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Temporary Deputy Speaker, I thank you for the opportunity. This is a very progressive Bill coming from our sister House, the Senate. There is a good reason as to why our Constitution categorised some members of the society as people deserving specific rights, namely, older persons, children, women and PWDs. It is a fact that as you grow beyond your active ages, there is decline in intellect, physical capacity and immunity. As the last born, my mum is over 75 and my dad is approaching 80. My

biggest expenditure on them each time is towards health. This is the main reason I stand to support this Bill.

Clause 11 of this Bill seeks to entitle older members of our society to affordable, adequate healthcare for free. How beautiful! I have had cases back in the village where elderly persons are taken to hospital, but they are not covered under the NHIF or any social security arrangement. The social security support system around them is not as strong as it was traditionally. You do not know how it can be done. It is worse when you think about Homa Bay with its HIV prevalence rate. So, this is something that is going to ensure that elderly persons can meaningfully live in dignity.

The other part of this Bill that tickles my heart is the part dealing with access to justice and legal capacity. I remember before I came to this Parliament, in 2012, I was requested to represent a lady who had been remanded for over one-and-a-half years by people who were scavenging on her property somewhere in Karen. This is a lady who had over 38 acres of land. By the time I was being requested to intervene and provide free legal representation, she had lost over 20 of these acres to people working in public and State offices and to people who ought to have been her caregivers. Just before I came to Parliament, I got this lady released from remand, where she had been on fabricated charges for all this time. When I was moving so well in representing her, I was made a co-accused and I was warned before that: “You continue representing this lady, we will make you co-accused.” This was meant to dissuade me from representing the lady. Why am I mentioning this, Hon. Temporary Deputy Speaker? Let us look at Clause 14.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Order, Hon. Peter Kaluma!

Hon. Peter Kaluma (Homa Bay Town, ODM): I was just beginning. The points were just beginning to come.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Due to the provisions of our own Standing Orders, you will have your six minutes when debate on the same resumes. You can prepare for that.

Hon. Members I must appreciate the interest shown by the Members who really wanted to speak to this, namely; Member for Seme, Hon. Jude Njomo, Hon. Daniel Maanzo, Hon. (Ms.) Beatrice Adagala, and the Member for Kajiado West among others.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Because we are guided by our own Standing Orders Hon Members, the time being 7.01 p.m., this House stands adjourned until Tuesday, 14th April 2020, at 2.30 p.m. I wish you all the best during the recess.

The House rose at 7.01 p.m.