



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Wednesday, 9th November 2022

The House met at 2.30 p.m.

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

PRAYERS

PAPERS

Hon. Deputy Speaker: The Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Request from the National Executive for the approval of the deployment of the Kenya Defence Forces in the support of the National Police Service.
2. The amended Nairobi Convention and the Protocol for the Protection of Marine and Coastal Environment of the Western Indian Ocean from land-based sources and activities from the Ministry of Foreign Affairs and the explanatory memorandum.
3. Request for extension of the operation of statutory instruments issued under the Capital Markets Act and the Central Depositories Act
4. Monetary Policy Statement for June 2022 from the National Treasury and Planning.
5. Annual Performance Report for the Micro, Small and Medium Enterprises (MSMEs) Credit Guarantee Scheme for the Financial Year 2021/2022.
6. Report of the Auditor-General and the Financial Statements of the Central Bank of Kenya for the Financial Year ended 30th June 2022 and the certificates therein.
7. Consolidated Special Audit Report of the Auditor-General on the Covid-19 vaccine rollout in Kenya as of 31st March 2022.
8. Report of the Auditor-General and Financial Statements of the Kenya Petroleum Refineries Limited for the Financial Years ended 30th June 2018, 2019 and 2020 and the certificates therein.
9. Report of the Auditor-General and the Financial Statements of the Kenya Petroleum Refineries for 15 months for period ending 30th June 2017 and the certificates therein.
10. Reports of the Auditor-General and the Financial Statements of the National Government Funds for the Financial Year ended 2020/2021 and the certificates therein.
11. Forensic Audit on KBC Digital Terrestrial TV (DVB-T2 Platform) coverage roll out project.
12. Report of the Auditor-General and the Financial Statements of the following institutions for the Financial Year ended 30th June 2018 and the certificates therein –
 - (a) Witness Protection Agency Staff Motor Car Loan Scheme.
 - (b) Konoin Technical Training Institute.

13. Report of the Auditor-General and Financial Statements of the Kenya Post Savings Bank for the Financial Year ending 31st December 2019 and the certificates therein.
14. Report of the Auditor-General and Financial Statements of the following institutions for the Financial year ending 30th June 2019 and the certificates therein –
 - (a) Sotik Technical Training Institute.
 - (b) National Police Service Commission Staff Car Loan and Mortgage Scheme Fund.
 - (c) Witness Protection Agency Staff Motor Car Loan Scheme.
 - (d) Shamberere Technical Training Institute.
15. Report of the Auditor- General and the Financial Statements of the following institutions for the Financial Year ending 30th June 2020 and the certificates therein –
 - (a) The National Police Service Commission Staff car loan- mortgage scheme fund.
 - (b) Witness Protection Agency Staff Motor Car Loan Scheme.
 - (c) Konoin Technical Training Institute.
 - (d) Bumbe Technical Training Institute.
 - (e) Shamberere Technical Training Institute.
 - (f) Kibabii University.
 - (g) Kerio Valley Development Authority.
 - (h) National Police Service.
 - (i) Kenyatta International Convention centre (KICC).
 - (j) The Rift Valley Institute of Science and Technology.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Member for Mukurweini, you have a Statement.

REQUESTS FOR STATEMENTS

STATUS OF ACQUISITION OF SPIRE BANK BY MWALIMU NATIONAL SACCO

Hon. John Kaguchia (Mukurweini, UDA): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Finance and National Planning regarding the acquisition of Spire Bank Limited, Kenya. It is a locally owned bank whose majority shareholding is Mwalimu National Sacco. It was initially operated as Equatorial Commercial Bank, prior to its acquisition and eventual rebranding by Mwalimu National SACCO, which holds deposits from hundreds of employed and retired teachers, and other customers across the country. Since its acquisition by Mwalimu National SACCO, the bank has undergone a myriad of challenges that include mismanagement and financial constraints.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Finance and National Planning on the following:

1. Could the Chairperson explain whether there has been an offer to acquire Spire Bank Limited and what is the status of the said process of acquisition?
2. Could the Chairperson explain the role played by the Competition Authority regarding the acquisition, and in particular the recommendations and decisions rendered by the Authority?

3. Could the Chairperson state how much loss or profit will be realised after the acquisition?
4. Could the Chairperson explain steps taken by the Government through the Central Bank of Kenya to assist the bank, if any, particularly in seeking strategic investors who will ensure the shareholders' interests are safeguarded, among others?
5. Could the Chairperson state the steps taken by the Government to ensure that over 110 employees working with Spire Bank Limited are secured or offered other alternatives?
6. Could the Chairperson further state measures put in place to secure the deposits of hundreds of employed and retired teachers, and other customers across the country?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Member for Awendo.

INSECURITY IN AWENDO CONSTITUENCY

Hon. Walter Owino (Awendo, ODM): Thank you, Hon. Deputy Speaker. This is a request for a Statement regarding insecurity in Awendo Constituency.

Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I would like to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs regarding the unexplained wanton killings of the constituents of Awendo. I have filed petition after petition and even now there is one pending on the killing of over 15 people in the last few months. This matter is of great concern. It is my humble submission that the Chairperson of the Departmental Committee on Administration and Internal Affairs explains the reason behind this break down of law and order which has never been seen in Awendo. People lose lives daily. The police officers do not come up with any justifiable explanation. In the Petition, I mentioned some of the murders which have not been resolved and seem to be done by the same culprits or persons. These are:

1. Mr Eric Were was murdered on the night of 15th October 2022.
2. Mr Joshua Okumba Mang'eno was also murdered on 10th October 2022.
3. Ms Alice Anyango was murdered on 12th August 2022.
4. Mr Brian Ochieng was murdered on 17th July 2022.
5. Mr Tom Ouma was murdered in Ranen on 4th July 2022.
6. Mr Johnstone Onyango Muga was murdered on 5th June 2022 in Awendo town.
7. Mr Lameck Nyanganga was murdered on 25th May 2022.
8. Mr Jackton Muga was murdered inside Awendo West Seventh Day Adventist (SDA) Church on the night of 23rd March 2022.
9. Mr Joel Oyugi Orondo was murdered on 12th March 2022.
10. Mr Peter Micheni was beheaded in Awendo on 23rd January 2022.
11. Mr Jeremiah Oliech Anyona was murdered on 26th October 2021 in Kokuro junction.

Hon. Deputy Speaker, even when the dust has not settled and the people of Awendo are still waiting for the police officers to arrest the culprits, two more grisly killings have again taken place:

1. On 3rd November 2022, Mr Bernard Akoth was murdered on his way back to his house in Awendo Town.

2. Mr Donald Among'o Abonyo who travelled to Awendo from Nairobi was murdered on 7th November 2022 just over the weekend, when he alighted from the bus in the wee hours.

As a matter of security for the people of Awendo and Kenyans in general, a solution must be found and the reasons behind these senseless murders brought to an end. The security apparatus in the county must find a solution once and for all. Awendo Town is the backbone of the economic activities of the constituency because of the Sony Sugar Company. Any break down on law and order creates a negative impact on development, which might never be regained. The residents are in a state of fear and dependency due to the security break down in the last few months following these murders. This House must ask the Government to assure all Kenyans that their properties and they are safe, and they can go about their duties without any fear, particularly that they will not be killed. The police officers do not take their work seriously in Awendo. They have never given any way forward to the leaders in dealing with this situation. Some of the officers have overstayed in Awendo and are being accused of being involved in these murders.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs on the following:

1. Could the Chairperson explain the circumstances that have led to such said killings and provide a status of investigations into these said killings of persons in the said area?
2. Could the Chairperson state the factors that inhibit the Government from doing proper intelligence, in order to identify and arrest the culprits?
3. Could the Chairperson explain measures that the Government has put in place to ensure that there is long-term and sustainable peace in the community?

Thank you, Hon. Deputy Speaker.

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Leader of the Majority Party?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I want to support the request for Statement by the Member for Awendo. Insecurity issues are indeed on the rise. They are not only in Awendo constituency but also across the nation.

We have seen very unfortunate incidents, including the stabbing of a 24 year old right here in Ridgeways, Nairobi. I express my sympathies to the family and many other Kenyan families who have lost loved ones as a result of insecurity. As you direct on what to do with that Statement, I want to ask a question. The election of Members in the committees has almost been finalised. We should finalise the election of Chairpersons by the end of this week. The Procedure and House Rules Committee should act with haste to amend our Standing Orders to allow the Cabinet Secretaries time to come and answer these very pertinent questions, especially on insecurity issues in the country. It is a problem that is not only in Awendo but also in Nairobi which has now become one huge crime scene. Even in my constituency, we had cases of insecurity; of thugs riding bodabodas and harassing people in the last few weeks. These cases are prevalent. I am glad because we vetted the nominee for appointment as Inspector General (IG) of Police. The Chairperson of the Departmental Committee on Administration and Internal Affairs will also table the Report on the Vetting of the IG of Police. We also have a new Director of Criminal Investigations (DCI). As soon as they take office, we must ask them to make sure that all these cases of insecurity are brought to a complete halt, so that Kenyans can carry on with their businesses in Awendo, Kikuyu, Nairobi or anywhere else in this country. Kenyans must feel safe.

With those remarks, Hon. Deputy Speaker, I really support the request for Statement. We are waiting for your direction on it.

Hon. Deputy Speaker: Hon. Members, as regards to the Statement by Hon. Member for Mukurweini on the Acquisition of Spire Bank, do we have a response from the Chairperson?

The next Statement is by the Hon. Member for Awendo. It is on killings in Awendo Constituency. The Chairperson of the Departmental Committee on Administration and Internal Affairs can respond to it. Do you need more time?

Hon. Gabriel Tongoyo (Narok West, UDA): I have keenly heard what the Hon. Member has said. We will look into that now that we are soon going to have the Inspector-General of Police. I hope this House will approve him. Maybe we can respond to it in two weeks. More importantly as the Leader of the Majority Party has said that we look at the possibility of amending our Standing Orders so that we allow CSs to be in this House to address such issues.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Chairperson, you also had a Notice of Motion.

PAPER

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Deputy Speaker. I beg to lay the following Paper on the Table of the House:

The Report on the Joint Committee of the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Affairs of the vetting of Engineer Japheth Koome Nchebere for approval as the Inspector-General of the National Police Service.

Hon. Deputy Speaker: You may proceed with your Notice of Motion.

NOTICE OF MOTION

ADOPTION OF REPORT ON NOMINEE FOR APPOINTMENT AS INSPECTOR-GENERAL OF POLICE

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you once again, Hon. Deputy Speaker. I beg to give notice of the following Motion:

That, this House adopts the Report of the Joint Committee of the National Assembly Departmental Committee on Administration and Internal Affairs and the Senate Standing Committee on National Security, Defence and Foreign Relations on the Vetting of the Eng. Japheth Koome Nchebere for the approval as Inspector-General of National Police Service laid on the Table of the House on Wednesday, 9th November 2022; and pursuant to the provisions of Section 12(1) of the National Police Service Act of 2011 and Section 8 of the Public Appointments (Parliamentary Approval) Act of 2011, this House approves the appointment of Eng. Japheth Koome Nchebere as the Inspector General of the National Police Service.

Thank you, Hon. Deputy Speaker.

MOTIONS

EMPOWERMENT OF ARTISANS BY THE NATIONAL GOVERNMENT

THAT, aware that there are many talents amongst the youth of this country; noting that these talents have been severally displayed through various inventions and also innovations by the artisans in platforms such as the Annual Youth Innovation Week and profiled on social media; concerned, that most of these innovations and artworks do not go beyond making sensational stories in their localities, local dailies and social media mentions; noting that most of these innovations and artworks are crucial in ideas promotion, intellectual development and at creating employment and addressing the problems that affect us as Kenyans on a daily basis; Concerned that there is inadequate support and administrative measures to support the artisans; Cognizant of the fact that the Kenya Vision 2030 seeks to make our country an industrialized middle-income economy in the next nine (9) years; aware of the immense potential for wealth creation and job opportunities through our own local production generated if well-developed and commercialized; also recognizing that our imports are well in excess of Ksh2 billion and most of these imports are not relevant to the Kenyan market, noting that homegrown technology would be region sensitive and appropriate for the environment, social economic dynamic and suitable for our utility; Further concerned that most of these artisans lack appropriate technology, skills , capital and tools; this House resolves that the National Government through the relevant Ministry formulates a policy ring-fencing two per cent (2%) of the monies allocated under the National Government Constituencies Fund and UWEZO Fund for the purposes of equipping artisans with the necessary skill, technology and tools.

*(Moved by Hon. John Kiarie on
2.11.2022 – Morning Sitting)*

*(Debate concluded on
9.11.2022 – Morning Sitting)*

Hon. Deputy Speaker: Hon. Members, debate on this Motion was concluded. What remains is putting the question. I now proceed to do so.

(Question put and agreed to)

SESSIONAL PAPER NO. 3 OF 2021 ON THE
NATIONAL ACTION PLAN ON BUSINESS AND HUMAN RIGHTS

THAT, this House adopts Sessional Paper No.3 of 2021 on the National Action Plan on Business and Human Rights, laid on the Table of the House on 21st September, 2021.

*(Moved by Hon. Kimani Ichung'wah on
2.11.2022 – Afternoon Sitting)*

(Debate concluded on 2.11.2022 – Afternoon Sitting)

Hon. Deputy Speaker: This matter had also been concluded. What remained was for the Mover to reply.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. I beg to reply that this House adopts Sessional Paper No.3 of 2021 on the National Action Plan on Business and Human Rights that was laid on the Table of the House on 21st September 2021.

Let me just thank all Members who contributed to this Motion. The huge interest Members had in this Motion was evidence many of us here appreciate the role of respecting human rights within our labour force. It is important. Many people working either in the private sector or government agencies are our constituents and voters. They are the people we represent. Therefore, respect and honour of their human rights by corporates, both private and government agencies, is of paramount importance to us.

We now have a policy that creates an action plan of how government agencies and private entities will conduct business respecting their human rights. I pray that this House adopts this Sessional Paper so that all our corporates—private, public and foreign investors—will honour the provisions of this policy direction.

With those few remarks, I beg to reply.

Hon. Deputy Speaker: This matter has been concluded. I now proceed to put the question.

(Question put and agreed to)

APPOINTMENT OF MEMBERS TO COMMITTEES

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, allow me to move this Motion under Standing Order 148, in an amended form:

THAT, further to the resolution of the House of Thursday, 27th October 2022 appointing Members into various committees and pursuant to the provisions of Standing Order 173, this House further approves the appointment of the following Members to the respective Committees as specified hereunder –

Since the entire list is provided for in the Order Paper up to Page 163, I do not wish to take Members through it.

I. DEPARTMENTAL COMMITTEES

1. AGRICULTURE AND LIVESTOCK

Hon. Chege Sabina Wanjiru, MP to replace Hon. Mohammed Fatuma Zinabu, MP.

2. COMMUNICATION, INFORMATION AND INNOVATION

Hon. Ahmed Shakeel Ahmed Shabbir, MP to replace Hon. Oluoch Anthony Tom, MP.

3. EDUCATION

Hon. Oduor Christine Ombaka, MP to replace Hon. Osogo Bensouda Joyce Atieno, MP.

4. FINANCE AND NATIONAL PLANNING

Hon. Munyoro Joseph Kamau, MP to replace Hon. Nanok Daniel Epuyo, MP.

5. HEALTH

Hon. Mukhwana Titus Khamala, MP to replace Hon. Chege Sabina Wanjiru, MP.

6. LANDS

Hon. Nyamai Rachael Kaki, MP to replace Hon. Mulyungi Gideon Mutemi, MP.

7. SPORTS AND CULTURE

(a) Hon. Chumel Samwel Moroto, MP to replace Hon. Gichuki

- (b) Edwin Mugo, MP; and
 - (c) Hon. Basil Robert Ngui, MP to replace Hon. Orero Peter Ochieng, MP.
8. SOCIAL PROTECTION
- (a) Hon. Abdullahi Amina Dika, MP to replace Hon. Omwera George Aladwa, MP;
 - (b) Hon. Nyikal James Wambura, MP to replace Hon. Hiribae Said Buya, MP; and
 - (d) Hon. Osogo Bensouda Joyce Atieno, MP to replace Hon. Abdulrahman Mohamed Abdi, MP.
9. TOURISM AND WILDLIFE
- Hon. Gichuki Edwin Mugo, MP to replace Hon. Munyoro Joseph Kamau, MP.

II. FINANCIAL AUDIT AND MONEY-RELATED COMMITTEES

10. PUBLIC ACCOUNTS COMMITTEE

- (a) Hon. Gichuki Edwin Mugo, MP to replace Hon. Njoroge Mary Wamaua, MP; and
- (b) Hon. Yakub Adow Kuno, MP to replace Hon. Ithinji (Dr.) Shadrack Mwiti, MP.

11. PUBLIC INVESTMENTS COMMITTEE ON GOVERNANCE AND EDUCATION

- (a) Hon. Wamboka Nelson Jack Wamboka, MP to replace Hon. Wangwe Emmanuel, MP; and
- (b) Hon. Ithinji (Dr.) Shadrack Mwiti, MP to replace Hon. Nyamai Rachael Kaki, MP.

12. PUBLIC INVESTMENTS COMMITTEE ON SOCIAL SERVICES, ADMINISTRATION AND AGRICULTURE

- (a) Hon. Njoroge Mary Wamaua, MP to replace Hon. Maina Betty Njeri, MP;
- (b) Hon. Wainaina Michael Wambugu, MP to replace Hon. Gakuya James Mwangi, MP;
- (c) Hon. Wangwe Emmanuel, MP to replace Hon. Wamboka Nelson Jack Wamboka, MP;
- (d) Hon. Masara Peter Francis, MP to replace Hon. Nyikal James Wambura, MP.

13. SPECIAL FUNDS ACCOUNTS COMMITTEE

- (a) Hon. Gitau Faith Wairimu, MP to replace Hon. Abdullahi Bashir Sheik, MP; and
- (b) Hon. Nguna Charles Ngusya, MP to replace Hon. Ahmed Shakeel Ahmed Shabbir, MP.

14. DECENTRALIZED FUNDS ACCOUNT COMMITTEE

- (a) Hon. Caroline Jeptoo Ng'elechei, MP to replace Hon. Sitienei Janet Jepkemboi, MP; and
- (b) Hon. Mulyungi Gideon Mutemi, MP to replace Hon. Yakub Adow Kuno, MP.

15. PUBLIC DEBT AND PRIVATIZATION COMMITTEE

- (a) The Hon. Letipila Dominic Eli, MP to replace Hon. Kemei Justice Kipsang', MP;
- (b) Hon. Mulu Makali Benson, MP to replace Hon. Passaris Esther

- Muthoni, MP;
- (c) Hon. Kasalu Irene Muthoni, MP to replace Hon. Abdullahi Amina Dika, MP.

III. OTHER SELECT COMMITTEES

16. COMMITTEE ON DELEGATED LEGISLATION

- (a) Hon. Abdullahi Bashir Sheikh, MP to replace Hon. Robi Mathias Nyamabe, MP; and
- (b) Hon. Sunkuli Julius Lekakeny Ole, MP to replace Hon. Hamisi Kakuta Maimai, MP.

17. CONSTITUTIONAL IMPLEMENTATION OVERSIGHT COMMITTEE

- (a) Hon. Maina Betty Njeri, MP to replace Hon. Muhia Wanjiku, MP;
- (b) Hon. Mukunji John Gitonga Mwaniki, MP to replace Hon. Musau Vincent Musyoka, MP;
- (c) Hon. Mwafrika Augustine Kamande, MP to replace Hon. Ng'ang'a Alice Wambui, MP; and
- (d) Hon. Ali Abdisirat Khalif, MP to replace Hon. Mutunga John Kanyuithia, MP.

18. COMMITTEE ON PARLIAMENTARY POWERS AND PRIVILEGES

Hon. Mboko Mishi Juma Khamisi, MP to replace Hon. Yakub Adow Kuno, MP.

19. PUBLIC PETITIONS COMMITTEE

- (a) Hon. Bwire John Okano, MP to replace Hon. Nabulindo Peter Oscar, MP;
- (b) Hon. Kiamba Suzanne Ndunge, MP to replace Hon. Mulyungi Gideon Mutemi, MP.

20. MEMBERS' SERVICES AND FACILITIES COMMITTEE

Hon. Busia Ruth Adhiambo Odinga, MP to replace Hon. Ohara Eve Akinyi, MP.

21. COMMITTEE ON PARLIAMENTARY BROADCASTING AND LIBRARY

- (a) Hon. Mohamed Mohamed Ali, MP to replace t
- (b) Hon. Letipila Dominic Eli, MP;
- (c) Hon. Abdulrahman Mohamed Abdi, MP to replace Hon. Sunkuli Julius Lekakeny Ole, MP.

22. COMMITTEE ON IMPLEMENTATION

- (a) Hon. Gimose Charles Gumini, MP to replace Hon. Kihara Jayne Wanjiru Njeri, MP;
- (b) Hon. Jaldesa Guyo Waqo, MP to replace Hon. Nguna Charles Ngusya, MP.

23. COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY

- (a) Hon. Iraya Joseph Wainaina, MP to replace Hon. Mbai Nimrod Mbithuka MP;
- (b) Hon. Kamuren Charles, MP to replace Hon. Kirwa Abraham Kipsang' MP;
- (c) Hon. Lomwa Joseph Samal, MP to replace Hon. Mulyungi Gideon Mutemi, MP; and
- (d) Hon. Kombe Harrison Garama, MP to replace Hon. Mulu Makali Benson, MP.

24. PROCEDURE AND HOUSE RULES COMMITTEE

Hon. Maalim Farah, MP to replace Hon. Yakub Adow Kuno, MP

25. COMMITTEE ON REGIONAL INTEGRATION

- (a) Hon. Kasiwai Rael Chepkemoi, MP to replace Hon Mohamed Abdikadir Hussein, MP;
- (b) Hon. Odanga Geoffrey Makokha, MP to replace Hon. Jehow Fatuma Abdi, MP;
- (c) Hon. Salasya Peter Kalerwa, MP to replace Hon. Buyu Rozaah Akinyi, MP;
- (d) Hon. Mwakuwona Danson Mwashako, MP to replace Hon. Kanchory Elijah Memusi, MP;
- (e) Hon. Okuome Andrew Adipo, MP to replace Hon. Odoyo Okello Jared, MP;
- (f) Hon. Orero Peter Ochieng, MP to replace Hon. Machele Mohamed Soud, MP; and
- (g) Hon. Mrembo Irene Njoki, MP to replace Hon. Owino John Walter, MP.

26. DIASPORA AFFAIRS AND MIGRANT WORKERS COMMITTEE

Hon. Kemei Justice Kipsang' MP to replace Hon. Kamuren Charles, MP.

Hon. Deputy Speaker, we promised both in the majority and minority leadership that immediately after elections, we would have an opportunity to deal with Members placement in committees, especially those who found themselves not placed in any committee. There are a number of Members like Hon. Samwel Moroto from the majority side who I remember was placed in one Departmental Committee and was not placed in a Select Committee. There are other Members in Departmental Committees and are not placed in Select Committees. A few were in Select Committees without being in Departmental Committees.

As we promised, we have endeavoured to ensure we place Members in at least a Departmental Committee subject to availability of slots in both coalitions. I beg Members to understand that the number of slots available in Departmental Committees across the political divide are limited. Therefore, you might find yourself in the minority missing out in a Departmental Committee but hopefully you are in a very influential Select Committee. Members do not want Select Committees because the applications we received were for what they consider as influential Select Committees.

After the election of chairpersons and vice-chairs, there was opportunity for any elected chairperson in line with our Standing Orders.... You remember by the time we were doing this list many Members had not been elected as either chairpersons or vice-chairs. Subsequently, after the election of chairpersons and vice-chairs, we moved chairpersons who were in two committees in line with our Standing Orders to remain in just one committee.

There are Select Committees which do not sit often like the Committee on Appointments. Its work is almost sessional or seasonal during times of appointments. One or two vice-chairs have been moved because they were in two very high-profile committees. So, as to accommodate other Members who are in low-profile committees. This is across the board in both majority and minority sides.

In conclusion, this is just deployment as I had indicated earlier. I think the Leader of the Minority Party spoke to this last time that the Committee on Selection will no longer sit once at the beginning of the Session to place Members or when they are de-whipped. We discussed how the Committee on Selection will work this Session and forwarded the same to the House Business Committee (HBC) which agreed with us. We want to place Members in committees where they not only participate but are active participants.

If you are lucky to find yourself in a committee, either one you wished or never wished to be in, your active participation in that committee will determine whether you continue to sit there. Once every few weeks the Committee on Selection will be sitting to review minutes of committee sittings to ensure no Member appears to simply sign the register and walk out.

We shall review minutes to determine how Members across the political divide are participating in transaction of committee business. This will allow those who have more time to be active participants in committees the opportunity to serve. I want to mention this so if you see a lot of changes every now and then, you will understand this is informed by your own actions or inactions in committees.

Those serving in the Budget and Appropriations Committee, the Departmental Committee on Defence, Intelligence and Foreign Affairs Committee, Departmental Committee on Transport and Infrastructure Committee, Departmental Committee on Health and Departmental Committee on Energy, which had very huge interests, we agreed within the leadership of both the majority and minority that we will pay special attention to those committees. So, for any Member who is not an active participant, we will allow your party leadership to move you to a less busy committee or where you will find time to serve.

With those few remarks, I beg to move this Motion and ask Members to support it. This will allow committees to start sitting. We do not want to waste a lot of time on this as some committees are yet to hold their elections. Part of the leadership in those committees have been affected by these changes and this has informed our decision. The majority and minority sides intend to place certain Members to lead certain committees. So, we need to pass this Motion so they can go ahead to hold elections especially the Select Committees, the Public Investments Committees and the Committee on National Cohesion and Equal Opportunity. Therefore, we should allow them this evening to schedule their elections, elect new leadership so as to start working.

With those few remarks, I beg to move and ask the Deputy Leader of Minority Party, Hon. Mbui to second.

Hon. Deputy Speaker: The Leader of the Majority Party, before secondment by your colleague, I think you indicated you are moving this Motion in its amended form. Kindly pronounce the amendments for the record.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Sorry, Hon. Deputy Speaker, I indicated I am moving this Motion under Standing Order 148 in an amended form. The amendment is on Page 163 on the Procedure and House Rules Committee where we are deleting the provision that Hon. Farah Maalim Farah be replaced by Hon. Yukub Adow, Member for Fafi. At the time the minority side was making this decision it had not come to their attention that Hon. Farah, being a Member of the Chairperson's Panel by virtue of his office, is already a Member of this committee. Therefore, this stands deleted for now.

Hon. Deputy Speaker: Secunder!

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Deputy Speaker. I stand to second this Motion on changes in committee membership. I want to agree with the Leader of the Majority Party this is meant to rationalise membership of different committees. This will be an ongoing process and every Member will as much as possible be given opportunity to serve and represent his or her people as expected.

I want to make two comments on my observation of committees' membership. First, is the issue of equality in committees. When Members come to this House especially first time Members, there is clamour for very specific committees. It is important going forward to find a way to make it clear that all committees of this House are the same. So, we do not have every Member who comes to Parliament only wanting to be in the Budget and Appropriations Committee or Departmental Committee on Transport and Infrastructure. It is important we

ensure that whatever makes them attractive is also provided in all other committees. So, the business of Members fighting for two committees ends.

We requested the House Business Committee that we be doing an audit of all Members and the number of committees they serve so that we can ensure that every Member gets a fair share of committee membership. In so doing the little dissenting voices will be quietened. It is important we operate in cohesion as Parliament. Later on, we will do a good audit to know every Member serves in how many committees. This is because a Member could be in too many committees thus unable to serve. He or she could also be in only one committee yet they can add value if they were in more committees.

Finally, Hon. Deputy Speaker, it is important for the Procedure and House Rules Committee to look at the number of slots available in committees. Even when the Speaker ruled on this issue, he said that as much as possible, all Members should be in a Departmental Committee and a Select Committee. All Members expect that to be the bare minimum, but there are only 20 Departmental Committees with 15 Members each, which only gives us 300 Members. This House has 349 Members. So, 49 Members will not be in a Departmental Committee. It is not possible for them to be in a Departmental Committee. If a Member ends up in two Departmental Committees, that means that more than 49 will not end up in any Departmental Committee.

We need to rationalise, look at the numbers and maybe increase the membership of committees or increase the number of Departmental Committees going forward, so that every Member can at least fit into one Departmental Committee.

With those few remarks, Hon. Deputy Speaker, I beg to second.

Hon. Deputy Speaker: Hon. Member for Ruaraka, what is your intervention?

Hon. TJ Kajwang' (Ruaraka, ODM): Hon. Deputy Speaker, probably the Question should be proposed first before I make my comments.

(Question proposed)

Hon. Members: Put the Question!

Hon. Deputy Speaker: Do I proceed to put the Question?

Hon. TJ Kajwang' (Ruaraka, ODM): *(Spoke off-record)*

Hon. Deputy Speaker: Let me allow you to make a brief comment.

Hon. TJ Kajwang' (Ruaraka, ODM): Hon. Deputy Speaker, thank you very much for allowing me to add my voice to the Motion despite Dr. Pukose who always wants Questions to be put because he has nothing to debate when he comes to the House.

(Laughter)

Hon. Deputy Speaker, Dr. Pukose knows he is my classmate. So I am the only one who has the privilege to say some things that others cannot say about him.

I do not usually talk about committees, neither am I interested in who goes to what committee and that kind of thing. However, there is something incensing which I must talk about. It is about someone who has pleaded many times and perhaps does not have a voice to speak. That is why some of us must speak for him. Would it be in order to ask the Leader of the Majority Party together with the Leader of the Minority Party to amend this Motion to include the Member for Westlands in the Procedure and House Rules Committee in place of Hon. Farah Maalim? Is it because he is a man living with disabilities that people often just put him underfoot or is it because he is the Speaker's brother, so people do not think he can do anything?

He is serving as a Member of Parliament for a third term and he has been put in the Committee on Parliamentary Broadcasting and Library. Surely, having served as a lawyer for 35 years, he has a lot to offer in this Committee. Somebody must speak for him.

I beg you, Hon. Deputy Speaker. He is here, the Leader of the Majority Party is here, as well as the rest of the leadership. Would I be in order to request these people to agree to amend this particular Order just to make sure that the Member for Westlands is taken care of?

That is the only thing I wanted to say.

Hon. Deputy Speaker: Leader of the Majority Party, do you have an intervention?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. I appreciate the issue raised by Hon. TJ Kajwang' in respect to the Member for Westlands. I confirm that the issue of Hon. Tim Wanyonyi was raised in the House Business Committee yesterday under the Chairmanship of the Speaker. The Whip of the Minority Party and the Leader of the Minority Party, who were in that Committee, confirmed on behalf of the Minority Party that they are looking into that issue.

Let me also use this opportunity to confirm to Hon. TJ – I do not know whether he was here when I was speaking – that the Select Committee on Selection, which I chair, shall not sit only once in a whole session of the House. We shall continuously sit to ensure that we strike a fair balance for everybody.

It is also good to mention that we have endeavoured to ensure that we strike a balance between new Members and those who are not very old. It does not matter whether I am serving my first or third term; I am a Member of Parliament. Therefore, I assure Hon. TJ and the Member for Westlands that that issue was raised in the House Business Committee yesterday and the Minority Leadership committed that as soon as we can sit – and we shall soon be sitting because of what we deleted in respect to the Procedures and House Rules Committee – we will look into his issues.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I will now proceed to put the Question without any further interference.

(Question put and agreed to)

SPECIAL MOTION

APPROVAL OF DEPLOYMENT OF KENYA DEFENCE FORCES TO EAC REGIONAL FORCE IN DRC

Hon. Deputy Speaker: Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations, you have the Floor.

Hon. Nelson Koech (Belgut, UDA): Hon. Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of a Message from the National Executive requesting approval of deployment of Kenya Defence Forces to the East Africa Community Regional Force to the Democratic Republic of Congo, laid on the Table of the House, this Wednesday, 9th November 2022, and further approves the deployment of Kenya Defence Forces to the Regional Forces.

Hon. Deputy Speaker, this is very critical and important to this House. We met with the Ministry of Defence. On Thursday, 3rd November 2022, you conveyed a Message to the House from the national Executive requesting approval of the deployment...

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Hon. Deputy Speaker: Hon. Chairperson, move the Motion as per the Order Paper.

Hon. Nelson Koech (Belgut, UDA): Hon. Deputy Speaker, I beg to move the following Motion:

THAT, taking into consideration the recommendations of the Departmental Committee on Defence, Intelligence and Foreign Relations in its Report on the Request by the National Executive regarding the deployment of Kenya Defence Forces to the East Africa Community Regional Force to the Democratic Republic of Congo, laid on the Table of the House on Wednesday, 9th November 2022, and pursuant to the provisions of Article 240(8)(a) of the Constitution and Sections 18(c) and 36(2)(a) of the Kenya Defence Forces Act, 2012, this House approves the deployment of Kenya Defence Forces personnel to the East Africa Community Regional Force to the Democratic Republic of Congo for peace-keeping operations.

Pole, Hon. Deputy Speaker, I am learning the ropes.

Hon. Deputy Speaker, on Thursday 3rd November 2022, you conveyed a Message to the House, requesting the approval of the deployment of the Kenya Defence Forces (KDF), to the East African Community Regional Force to the Democratic Republic of Congo pursuant to Standing Order 42(4), provisions of Article 240 (8) of the Constitution; and Sections 18(c) and 36(2)(a) of the Kenya Defence Forces Act, 2012.

Hon. Deputy Speaker, the Committee has considered the request by the Executive for approval of deployment of KDF to the East African Community Regional Force (EACRF) to DRC pursuant to the provisions of Article 240(8) of the Constitution and Sections 18(c) and 36(2)(a) of the KDF Act, 2012.

Article 240 of the Constitution establishes the National Security Council whose functions under the Constitution relating to the matter of deployment is with the approval of Parliament; and allows deployment of National forces out of Kenya for regional or international peace support operations or other support.

The Commission takes cognisance of the fact that Kenya is a Member of the United Nations (UN), African Union (AU), East African Community (EAC) and being aware that DRC joined EAC this year in April, 2022, and it is now a fully-fledged member, and partner of the EAC.

The mandate of the envisaged regional force is jointly planned and conducts operations with armed forces of DRC that has further, enjoined the area of operation to defeat the local and foreign armed groups in Eastern DRC, and support further, in maintenance of law and order. The mandate will enable the regional force to support DRC in collaborating with humanitarian agencies to continue humanitarian relief to the population affected by activities of armed groups including IDPs and support the programs of disarmament, community re-integration and stabilisation of peace.

Lack of peace in DRC is because of instability. Kenya being an anchor of the African state, and part of the peace process, must be involved in bringing stability and peace in the DRC. When the Ministry of Defence appeared before us, we took time to interrogate why we really need our officers to go to DRC. I am sure many in this House will continue to ask: Why do we continue to send our officers for Mission? What will this country benefit from sending them for missions abroad?

The DRC is a key partner in the East African Community, and as Kenyans, we have several interests in DRC. We have banks for example, and we continue to open bilateral agreements that will enable some of the arguments that we have in the EAC be domesticated in DRC. For instance, in the current Constitution of the DRC, you cannot lease land if you are not a Congolese.

These are some of the things that the EAC treaties and agreements would open up, and have these matters domesticated to allow even Kenyans to operate in the DRC. We already, have Equity Bank in the DRC and its peace is as good as ours.

Having received the request for approval of deployment of KDF, the Regional Force analysed both the oral and written submissions made before the Committee, and appreciated the applicable legal regimes at the UN, AU, EAC and at the country level. The Committee observed the following:

1. The deployment request had complied with the relevant legal provisions of UN Charter
2. The EAC Treaty
3. The EAC Protocol, Peace and Security
4. The EAC Protocol and Cooperation of Defence Affairs
5. The Constitution of Kenya
6. The KDF Act No.25 of 2012

The budget provided in the request to the Kenya National Assembly is Ksh4.451 billion catering for only the initial six months envisaged in the deployment.

The KDF and Kenya Army are anticipating that in a very short time of about six months, under the plan to upgrade stability in the DRC, and the plan like any other strategic move, we expect our officers to be there for only six months. In the event that there would be a spill over, and that is in case, the troops stay longer, the annual cost implication will approximately be Ksh5.5 billion to Ksh6 billion. It is however, envisaged that international financing made it secure for the operations, and if it materialises, the Cabinet Secretary will apprise the Committee accordingly.

I am informed that there were talks with other international organisations like the United Nations, and other organisations that are willing to finance this operation of DRC. For the short time however, all the EAC countries that have sent their troops to DRC, will initially, cater for their cost which we estimate to be Ksh4.4 billion in the short term which is six months. If it escalates and there is a spill over of our time there, it will get to Ksh5.5 billion to Ksh6 billion.

The East Africa Community and Regional Force (EACRF) to the DRC has a peace enforcement mandate like the United Nations Operations in Somalia (UNISOM) in the DRC which only had a peace keeping mandate. I would like to emphasize that the mission we are about to do, is going to enforce stabilisation unlike the other one. Our officers will likely, be armed than what we had before with UNISOM and the peacekeeping. Our peacekeeping forces will use minimum force, and only in exceptional forces. Possibly, that is why it explains the very slim budget requested by the Ministry of Defence.

Having reviewed the request for approval of the deployment of KDF to EACRF to DRC, and considered it in the context of the EAC, legal framework on Peace and Security, Article 240(8)(a) of the Constitution of Kenya and Sections 18(c) and 36(2)(a) of the KDF Act No.25 of 2012, the Committee recommends that the National Assembly approves the deployment of KDF to the EACF to DRC.

We took our time as a Committee, and we have observed the concerns of several Members in terms of how our officers are going to be treated and the equipment they are going to use. It was a concern of several Members within and outside the Committee that we already have our officers in Somalia; and many have lost their lives; and again, we are sending other officers to DRC for the same exercise of peacekeeping mission. Sometimes, it is very easy to say we remain peaceful in our country, take care of our interests and let our officers stay in the country. By doing so, we will save costs, lives and we will perfectly be okay. That however, is not the case. We must secure our region.

Many of you might not understand but Kenya continues to play a huge role. Many countries within the East African Community look at Kenya as a father figure especially when there are issues. There are several times that Kenya has been called upon by many countries to try and step in when we have had conflict in our region. This one is no exception. The Democratic Republic of Congo (DRC) is perfectly within the East African Community (EAC). It is one of the EAC countries that we would want to work with in many other bilateral and multilateral agreements. The only way we can do that is by, first of all, engaging and making sure that the DRC enjoys considerable stability and peace.

Therefore, I take this opportunity to express my gratitude to the Committee Members for the resilience and devotion to duty. This is what made the consideration request to deploy the Kenya Defence Forces (KDF) to the DRC successful. I also appreciate the offices of the Hon. Speaker and the Clerk of the National Assembly, for always providing guidance and direction to Committees in the discharge of their mandate. I further appreciate the Ministry of Defence for their engagements with the Committee during the consideration of the request. Finally, I commend the secretariat for the exemplary performance in providing technical and logistical support to the Committee.

I want as many Members as possible to have their voice on this matter. Therefore, I beg to move. I want to call upon Hon. Major (Rtd.) Abdullahi Sheikh to second my Motion.

Thank you very much.

Hon. Major (Rtd.) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Deputy Speaker. I stand here to support and second this very important Motion which seeks to deploy the KDF to the East African Regional Force in the DRC. This deployment is very critical. We are well aware that the situation in DRC threatens peace, security and stability of the Great Lakes Region, the Horn of Africa and the larger East African region. This is something that is likely to affect our peace here in Kenya. Most importantly is that the DRC is a member of EAC, and therefore, anything happening within that region still spills over to the rest of the region and the whole of Africa. The deployment of the KDF to the regional forces aligns strategically with Kenya's social interest. It will enhance the country's ability to respond to threats emanating from the Great Lakes Region. It will also help to mitigate threats to Kenya's stability and thereby enhancing the security of its citizens.

Hon. Deputy Speaker, remember that Kenya has and still participates in a number of peace keeping operations. They have done perfectly well and have been recognised in the whole world. The same has now come back home, and Kenya feels that its neighbour and one of its partner states requires its assistance. Kenya is also a member of the United Nations Security Council (UNSC) as a non-permanent member, and therefore has an obligation and a mandate to ensure the safety and security of the region.

Currently, DRC is in a complex situation. It is home to hundreds of armed groups including the famous M23 rebels. This is likely to affect the safety and security of everyone in parts of East Africa and the Horn of Africa. The conflict in DRC began way back in 1996. It has so far claimed over six million lives and that tells you how difficult it is to operate in that area. However, there is something different about this issue: We have participated in peace keeping operations before but this one is a bit different because we are going to deploy our troops to enforce peace. There is a difference between peace keeping and peace enforcement. Some of the equipment that our troops are going to use will not be the same as what they have used before in other peace keeping operations. They are going to enforce peace in that part of the region. We could be asking ourselves about our interest in this matter. The first interest is that we want peace and stability in the EAC.

Secondly, as Kenya, we have interest to ensure that our people who live there and are doing businesses and our banks are safeguarded. If there is stability in DRC, we will equally benefit from the economic activities that will take place once peace prevails. Our Port of

Mombasa will be used by DRC to ensure that its people benefit from transportation of goods and services. The most important part is that the DRC is now part and parcel of EAC. The fact that they joined this year does not allow us to just look away and see them wasting away in terms of conflict. From 1996 to date is a long period of time. Therefore, we want to ensure that as brothers and neighbours, we partake in ensuring there is stability in this area.

My Chairperson has alluded to the fact that the initial deployment will incur additional funding from the Exchequer. I want to confirm that is very true. It is important to note that all the other countries sending troops to this force such as Rwanda, Uganda, South Sudan and Tanzania, are all getting involved in ensuring that their resources and funds are utilised. And therefore, it is not just Kenya that is sending its troops using its own funds, but it is something that is being done collectively through the EAC. After the initial deployment of six months or one year, we are likely to attract funding, and the Exchequer pressure will go down. Ensuring that there is security is normally expensive. It is never cheap. We need to take all the necessary precautions to ensure that our neighbour which is a member of the EAC is equally stable. Kenya has done perfectly well in previous peace missions but this is a bit different as I said before. It is a peace enforcement mission. We must ensure that our troops are comfortable in terms of their own safety as they provide security to the people of DRC. This then calls upon the Government of Kenya to ensure that our troops are well equipped and well taken care of. And it is necessary that some of the additional funding is set aside for the equipment. As I had earlier stated, this conflict started in 1996, but the initiative of the EAC to come together to contribute troops is likely to ensure that the conflict comes to a stop.

It is important to note that in DRC, we have proxy wars. Many players, both ethnic, geopolitics and everything takes place in DRC. The good thing about this is that Kenya does not share a border with DRC, and therefore, the safety, security and trust towards our troops by the players in that conflict will be very high. So, Kenya is expected to play a leading role to ensure that there is stability in DRC, EAC and the whole of Africa.

With those many remarks, I want to ask the House to pass this Motion. I second.

Hon. Deputy Speaker: Hon. Members, I wish to introduce to you a delegation consisting of staff from the National Assembly Service Commission of the Parliament of the Federal Republic of Nigeria seated in the Speakers Gallery.

(Applause)

The delegation comprises of:

1. Mr. Ikharo Lucky Uankhehi	Secretary to the Commission
2. Ms. Lipede Omobolanle Olufunke	Director, Planning, Research and Information Technology
3. Ms. Ahmed Fatima Bala Binta	Director, Administration and Employee Relations
4. Mr. Ahmed Malami	Director, Procurement and General Services
5. Ms. Mambula Janet Jesse	Director, Public Affairs
6. Mr. Ekeji James Ihenacho Okereafor	Director, Zonal Offices and Legislative Aides
7. Mr. Odo Innocent Onyema	Director, Finance and Accounts
8. Mr. Ribadu Ismaila	Director, Promotion and Discipline
9. Mr. Sopitan Olusola Olawale	Director, Establishment, Records and Training
10. Ms. Bintube Yagan Waziri	Director, Appeals and Legal Services
11. Mr. Omori James James	Deputy Director, Information Technology

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Hon. Members, the delegation is visiting the Parliament of Kenya to engage with the secretariat of the Parliamentary Service Commission (PSC), with the aim of amongst other things, sharing knowledge and experiences with their counterparts on various subjects. On my own behalf and that of the National Assembly, I welcome them to the National Assembly and wish them fruitful engagements during the course of their stay in Kenya.

Thank you.

Members I now wish to propose the Question.

(Question proposed)

Hon. (Dr.) Robert Pukose (Endebess, UDA): On a point of order.

Hon. Deputy Speaker: What is your point of order Hon. Member for Endebess?

Hon. (Dr.) Robert Pukose (Endebess, UDA): Thank you, Hon. Deputy Speaker. I rise under Standing Order 97(1) on limitation of debate, that we limit it to 5 minutes instead of 10 so that we allow more Members to participate in this debate considering that our Kenyan Defence Forces (KDF) will go to the Democratic Republic of Congo (DRC) which is a country within the East African Community (EAC) and the time is limited for this debate. So, you should reduce it from 10 minutes to 5 minutes, but 10 minutes to the leaders. I think that will be fair enough to allow many Members to make their contributions. Thank you.

Hon. Deputy Speaker: If there is a consensus, we can put the question. Now I proceed to put the Question.

Hon. Members: Put the Question.

(Question, that debating time be reduced to five minutes, put and agreed to)

Hon. Deputy Speaker: Let us have the Hon. Member for Nyando.

Hon. Jared Okello (Nyando, ODM): Thank you very much, Hon. Deputy Speaker for the opportunity. I also recognise that the DRC is the new kid on the block as far as the EAC is concerned and we wholeheartedly welcome them into the block. The violence that has been in the DRC is not a new phenomenon. It began in the years 1996 and 1997, a war that was christened the African First World War.

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

[The Temporary Speaker (Hon. Farah Maalim) took the Chair]

Therefore, we are concerned as a nation each time there are chaos in the world because chaos in one part of the world is chaos everywhere in the world. We support the intervention, not just by Kenya but many other countries that are getting involved in this. In introspect Hon. Deputy Speaker, whereas we support Kenya's timely providential intervention, our Constitution was not written in vain.

Hon. Temporary Speaker we understand that this House ought to make very clear the approval for any member of the defense force to get involved in any war with any country. But here we are called upon to sanitize what has already happened. We acknowledge that there is war in DRC and it is not a new war just as I had said that it started in 1996/1997. Our soldiers are already holed in the DRC, but now we are called upon as a House to move retroactively to

the Constitution. This is something that we should carefully look into. It should not be lost to us that 15 years ago the KDF invaded Somalia in the name of...

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order.

The Temporary Speaker (Hon. Farah Maalim): Order Hon. Member.

The Hon. Leader of Majority Party is on a point of order. What is your point of order Hon. Ichung'wah?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you Hon. Temporary Speaker. I did not want to interrupt the Member for Nyando but he is serving his second term and he is very clear on the provisions of Article 248 of the Constitution. He has just portended that we are now debating this Motion to sanitize what has already happened. If he was listening to the Hon. Chairman, he would be aware that the forces are not yet deployed. What the Motion is seeking to do is to approve that deployment. It is dangerous when the Member for Nyando, who is a very seasoned Member misrepresents what is before the House to the country. We are live on television and he will not portray the House to be sanitizing anything. We are only moving a Motion for approval and he can only either support or oppose the Motion. He cannot say that we are sanitizing what has already happened, it has not happened until the House approves.

Hon. (Dr.) Robert Pukose (Endebess, UDA): On a point of order.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order Hon. (Dr.) Pukose?

Hon. (Dr.) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker. The Member for Nyando has actually made a very reckless statement that the KDF invaded Somalia. I think that is on *The Hansard* and it is a very serious allegation. Can the Member substantiate or withdraw that statement, because making such kind of a statement is unacceptable as a country?

The Temporary Speaker (Hon. Farah Maalim): Order Hon. Members. I do not think the tradition has changed. We are discussing matters that concern the Armed Forces of this country which is a very powerful strategic issue. Ordinarily, if my memory serves me very right, we should have done it in camera. But now that it is not being done in camera, the Chair is not going to allow this House to engage in a detailed format, the discussion of our armed forces.

(Applause)

Therefore, there is a Motion before you and this Motion is to be approved or disapproved. We do not want to go into details on matters that are essentially of national security in nature.

Order Hon. Member. Under the circumstances, please confine yourselves to exactly what is before the House.

Hon. Jared Okello (Nyando, ODM): Hon. Temporary Speaker, I hope that I will recover my four minutes that have been taken away from me. It is true that under a fortnight ago, our soldiers were flagged off to go to DRC by the President of this country. Together with him were army commanders. I would remiss to believe that the troops are yet to go when they have already been flagged off and are in DRC.

Fifteen years ago, our country was called upon to a similar exercise in Somalia. Before our soldiers went to Somalia, we thought that it would be an exercise of walking in and out. But 15 years down the line, the soldiers are still holed in Somalia and we do not know the number of casualties that have been claimed in that country.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Member! Hon. Members, for the benefit of all of you, it is of cardinal, sanctified and sacrosanct importance to respect what I told you. You cannot discuss casualties, weapons and death of our forces. Those are

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strategic national secrets. The issue before you is very simple: to approve or disapprove the deployment of our forces to DRC.

(Loud consultations)

Order! Order! You might be on a valid point of order, but let me tell you one basic thing you have to learn—the ABC of being in Parliament. When the Speaker is on his feet, you maintain silence and freeze. It is not me who wants it to be that way; it is the tradition of this august House.

Hon. Members, I will allow a few Members to contribute on whether we should send our troops or not, without discussing things that are essentially important strategic secrets. I do not want to start my tenure as a member of the Speaker's Panel by sending some of you out of the House. But if I am going to be required to do so, I will send you out of the House.

Can you finish, Hon. Okello? And stick to what I have said.

Hon. Jared Okello (Nyando, ODM): Alright Hon. Temporary Speaker. I do not know why the incessant disruptions. I think I am very logical in my presentation.

Because you have said we should not talk about the number of soldiers we have sent and those who have since died in various wars, let me talk about the most critical aspect of this exercise and it relates to cost. On a daily basis, when you watch television you see nothing else but desperation, drought ravaging this country and people and livestock dying. We are losing so much. Our country has already made an appeal to several countries to help us cushion suffering Kenyans against the calamities. On the flip side, we have some money to take our soldiers somewhere in a war that this country has absolutely no role to play. Let us be prudent in the management of the little finances that we have. In fact, the Deputy President of this country said that they found only Ksh93 million at the National Treasury. Out of Ksh93 million, we have already sent soldiers abroad to go and fight in wars that we have absolutely no role in.

We also understand that America, which is the super power, has since sent soldiers to Iraq, Iran, Afghanistan and many other countries. That has never solved the problems behind the discord in those countries. Therefore, we have to be very careful as a country even as we put our soldiers in harm's way. I oppose a war that Kenya has no role in at all. We just heard about insecurity in Awendo and Nairobi and with bodaboda riders and many other places. This is an unjustified intervention in a country.

Hon. Memusi Kanchory (Kajiado Central, ODM): On a point of order.

The Temporary Speaker (Hon. Farah Maalim): Hon. Memusi, I was going to give you an opportunity to contribute. Do you still insist on a point of order? Okay, proceed. What is the point of order, Hon. Memusi?

Hon. Memusi Kanchory (Kajiado Central, ODM): Hon. Temporary Speaker, my point of order is just a request. I am a member of the Departmental Committee on Defence, Intelligence and Foreign Relations. I request that you give a few of us an opportunity to guide the House.

The Temporary Speaker (Hon. Farah Maalim): Order! I have taken note of that and you have the Floor. Proceed.

Hon. Memusi Kanchory (Kajiado Central, ODM): Okay. Thank you. The Member who has just contributed has raised issues on which Members would rather have been guided by a member of the Committee. The Cabinet Secretary for Defence, Hon. Duale, appeared before the Committee. We raised certain issues, some of which the Member for Nyando has raised. One of the issues was whether the deployment had been done. I confirm to this House that deployment of our soldiers has not been done. It is awaiting approval of this House. That is important to note.

The other issue that we were concerned about is whether the deployment of our soldiers would meet the constitutional requirement stated in Article 240(8)(a) of the Constitution. Before deployment of soldiers, the Executive must seek approval of this House. We were satisfied by the presentation of the Cabinet Secretary. They have not sent forces out. They have come to this House to seek approval. As Members debate, they need to know that our Kenya Defence Forces have not been deployed. They are still here waiting for the approval of this House.

Another issue that we raised was: Do we have an exit strategy as we go into DRC? We raised the issue of our Defence Forces going to Somalia. The Committee felt that our soldiers went to Somalia without an exit plan. That is why, 15 years down the line, our soldiers are still in Somalia. The team that presented itself before the Committee gave us an elaborate strategy of our exit. We even have a timeline of going to DRC and exiting. And there is a plan B if the original plan does not work. We have an exit strategy.

Another concern was on finances. Do we have the money to finance our troops to go to DRC? Before we answer this question, it is important for this House to know that DRC is a strategic trading partner of Kenya. Before we say we have the money or not, we need to have that in mind. Most of our financial institutions are the leading institutions in DRC. Yes, we have the money. We are not going to DRC alone. When the Chair of the Committee was moving this Motion, he clearly stated that we have partners who are going to finance our troops. Yes, as a country we are facing a financial crisis. We are aware of that. I come from a pastoral community and our livelihoods have been wiped out. The Government is trying what it can, appealing for food for the people and buying livestock. We are not doing this alone. DRC is one of the richest countries not just in Africa but in the world in terms of mineral resources. Being a new entrant to EAC, it is of strategic importance that Kenya plays a role in stabilising DRC.

With all those remarks, Hon. Temporary Speaker, I support this Report. Thank you.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): MP for Kwanza, Hon. Ferdinand Wanyonyi, what is your point of order?

Hon. Temporary Speaker (Hon. Farah Maalim): Okay. Proceed with your point of order.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Hon. Temporary Speaker, given the facts by the Committee and knowing how important this issue is, I call up on this House to bear with us and agree with the provisions of Standing Order 95, that the Mover be now called upon to reply. That is what we want to find out. He has given all the facts of the whole thing.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Wanyonyi. That is not a point of order. Hon. Members, I am very categorical on the discussion of matters of national interest and national security. You could discuss them all, but you demand to have the Sitting be held in camera when the media and everybody else is taken out with only Members debating but *Hansard* switched off. Do you understand my point? In future if you want to discuss things that are very important regarding our armed forces and our intelligence services, you can demand to have the discussion conducted in camera.

The MP for Kitutu Masaba.

Hon. (Dr.) Ojiambo Oundo (Funyula, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order?

Hon. (Dr.) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, I have listened to the presentations by various Members and I have listened to your statement

especially the last one. In view of the fact that we are unable to debate the merits of the deployment and in view of the fact that we are unable to debate even the exit strategy, I am of the opinion that the debate is in vain. That is why I support Hon. Ferdinand Wanyonyi that we invoke Standing Order 95 and call upon the Mover to reply in view of the sensitive nature of the matter.

Thank you, Hon. Temporary Speaker. It is in vain, it is useless.

(Loud consultations)

The Temporary Speaker (Hon. Farah Maalim): Order. That Standing Order applies when the debate is very much exhausted then you ask the Mover to be called upon to reply. I have given the Floor the Hon. Member for Kitutu Masaba. Proceed, Hon. Member.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Temporary Speaker. I stand as a Member of Parliament who has actually lived in the Democratic Republic of Congo (DRC) for the last 14 years.

First of all, I do not understand when some Members talk about an exit strategy. Our armed forces are not going to war, they are going on a peace keeping mission. An exit strategy is required when we go to war. This is different, we are just going to assist a friendly nation attain peace.

Hon. Temporary Speaker, the question we should be asking is where our forces are going to be stationed because DRC is a vast county. The war in Congo is mainly centred in the Kivu region, Beituri, Beni Belt. What is our interest around that area? We have investments in the banking sector. Kenya is there in the banking sector through Equity Bank and very soon Kenya Commercial Bank (KCB). Equity Bank took over Banque Commercial Du Congo (BCDC), a bank mainly within the major towns of Goma, Lubumbashi, Kinshasa and Kisangani. There is no war in those areas. So, we need to say that our peace keeping mission is mainly going to assist a friendly nation attain stability. But not to protect our business interests because our business interests are not at risk.

As a friendly nation, we need to draw rules on what our forces will be doing there so that we do not sour an already good relationship. We should not mess up the relationship. We have very many Kenyans living in DRC. I have been there for 14 years and it is generally a very friendly nation to Kenya. So, sending our peace keeping forces there is not a bad thing, but we need to have the rules. What exactly will be the mandate of our forces? What will be their limitation? What will they be there to do and are we sure that after the six months we will need them back home? The DRC has been having instability within that region for very many years. Are we saying that within 6 months the Kenyan Forces would have done some magic and sorted out the problem? The answer is no. So, let us present facts and say that we are going there until the unforeseeable future as long as Kenya will have interests of protecting and assisting a friendly nation achieve a peaceful and a cohesive country called the DRC.

I listened to the Mover of the Motion, the Chairperson. You can lease land in DRC, it is not correct to say you cannot. As Kenyans, we can go to DRC and invest, but let us not mess that up by sending soldiers without clear guidelines on what they are supposed to do. This is because the moment that happens, we will have a country that will say that we are interfering in their internal matters.

Hon. Temporary Speaker, I support sending our forces there. I support the Motion, but clearly let this House or the Departmental Committee on Defence and Foreign Relations set the guidelines for our troops.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Ordinarily, when a Member rises at his place and invokes Standing Order 95, the Chair under those circumstances has to put

Question. It is the House to decide whether they want to ventilate more or whether they want to bring this Motion to an end.

Hon. Members, the Motion before us is for the Mover to be called to reply.

(Question, that the Mover be now called up to reply, put and agreed to)

Hon. Nelson Koech (Belgut, UDA): Thank you Hon. Temporary Speaker. Before I reply, I would like to donate three of my minutes to the Leader of the Majority Party, Hon Kimani Ichung'wah.

The Temporary Speaker (Hon Farah Maalim): Leader of the Majority Party, proceed.

Hon Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I just want to respond to a few issues that have been raised and to take great exceptions to some of the things and thank you Hon. Temporary Speaker for the guidance you gave. The Hon. Member for Nyando, Jared Okello was really getting out of line in terms of the issues he was raising. It is good to mention the things he mentioned in a closed-door meeting as you have guided. There are also things that Hon. Jared Okello should understand are said in funerals somewhere in Nyando and not on the Floor of Parliament.

Hon Temporary Speaker, on the issues raised by Hon Clive Gisairo, the Member for Kitutu Masaba...

Hon. Jared Okello (Nyando, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Hon. Jared Okello, what is your point of order?

Hon Jared Okello (Nyando, ODM): Hon Temporary Speaker, this flippant and disdainful characterisation of one, Nyando Member of Parliament is unacceptable. You gave a very clear indication that always where we touch on casualties, we should request to put everything in camera. That means that whatever I was saying was not trivial, but it bordered on security. Therefore, I cannot be victimised for only presenting myself very ably so and you were in sync with my deliberation. Therefore, that Member of Parliament, the Leader of the Majority Party must withdraw forthwith and stop characterisation, victimisation and this is just, but vengeance of the Government that he supports, but I do not support.

The Temporary Speaker (Hon. Farah Maalim): Order! Order, Member for Nyando! Order! Proceed, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. There is no response to what Hon. Jared Okello has said. More important issues were raised by the Member for Kitutu Masaba, Hon. Clive, who, incidentally, has lived in the DRC, as he has said. Therefore, he is appraised of the issues that appertain to the situation there.

Indeed, it is true that there are Kenyan investments in the DRC like the Equity Bank and many Kenyans, including the Member, who I think is an investor there. It is also true that there are certain regions in the DRC that are very secure and do not need a peace keeping mission. Although if there is no intervention in those peaceful areas, the militia groups operating in the DRC may overrun the DRC forces and endanger strategic investments, which investors including the Member for Kitutu Masaba have made there.

He asked what the mandate of this force is. I want to tell him that it is a peace keeping initiative with a two-track approach, which comprises of political and military processes. The military process of the military forces is to create an environment that is conducive to facilitate a political process to pacify the entire country. So, even those from this country who have invested there can be secured.

The force is mandated to jointly plan and conduct operations together with the Armed Forces of the Democratic Republic of Congo (FARDC) in the joint areas of operation. They

will not go to the areas that are peaceful and without issues. They will only go to areas where militia forces and armed groups are operating. True, they will support the FARDC to concretise and maintain law and order so that the investments are secure.

They will also support the DRC in collaboration with humanitarian agencies. You are aware that a lot of humanitarian agencies working in DRC are at times unable to move humanitarian aid to internally displaced persons (IDPs) because of the activities of the armed groups. They will thus support the disarmament, de-mobilisation, community recovery and the stabilisation programme.

Therefore, I persuade the Member for Kitutu Masaba, Hon. Clive, who is an alumnus of the school. He looks convinced, but it is in the interest of not just the DRC or Kenya, but our region. We must also pride ourselves as a country that is the big brother in the region. Therefore, we have a responsibility to ensure that we pacify our region, and it is peaceful. Kenyans are very hard-working people, as the Member for Kitutu Masaba has said. They are living and working in the DRC, and so, we must ensure that the entire region is safe and secure for Kenyans to transact business.

Lastly, Hon. Temporary Speaker, the DRC has recently joined the East African Community (EAC). The African Continent Free Trade Area (AfCFTA) seeks to have an African region that is free of borders, and ensure that we can trade across the region. We want to trade in a region that is pacified and peaceful, where people can work, operate and live without any hindrance by armed groups.

Therefore, I urge the House to approve this Motion and allow our forces to be deployed. We wish them all the best as they go to the DRC. We plead with them to carry themselves with the respect, honour and dignity that they always have in all other peace keeping missions. As we thank our forces, we must thank the House and Kenyans for our young men and women who have given their lives, not only to protect our own lives and property in this country, but also in our region.

With that, Hon. Temporary Speaker, I support.

Hon. Nelson Koech (Belgut, UDA): Thank you very much, Hon. Temporary Speaker, and all the Members who have contributed to this debate. Many of you have several concerns and believe in our collective wisdom. As a Committee, we interrogated as much as we could and all the questions you are asking... I want to thank Hon. Temporary Speaker for guiding this House appropriately on such matters of national security.

Hon. Members, we did our best in engaging with the Ministry of Defence. It is important, like has been alluded to by many Members, that as our officers go out there, we have every reason to gain than to lose. Our economic potential in this region has been muted by continued violence in the DRC. I am happy that Hon. Clive, the Member for Kitutu Masaba, has lived in the DRC and has provided useful insights to the House on why it is important for our security team to continue engaging with the DRC for stability.

Before I conclude, because many of you may not be aware, we recently signed several bilateral agreements with the DRC. One being handling of their cargo at the Port of Mombasa. This is such a huge potential for our business people. Our banks are flourishing in the DRC. We want many people from this country to live in the DRC.

Like the Leader of the Majority Party has mentioned, we are a big brother in the region. When you talk about peace in the Western Africa countries, your eye will easily pick Nigeria. When you talk about peace in the South African region, your eye will definitely pick South Africa. When you talk about peace in the East African region, Kenya is definitely such a big brother in the region, and we will continue.

As I conclude, I wish our officers being sent to the DRC all the best as they go. We wish them God's grace. It is no mean feat. These are people leaving their families behind to go and give peace to others as the rest of us enjoy peace in this country. We wish them all the best

as they engage in this mission. I request the House to consider this Motion and approve our officers to go and engage in this noble initiative in the DRC.

Hon. Temporary Speaker, I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, there were very short people speaking in the Speaker's ear. I do not know what has happened because I kept bending.

(Laughter)

(Question put and agreed to)

MOTION

DEVELOPMENT OF POLICY ON SMALL AND MICRO-ENTERPRISES

That, aware that Kenya's economy is largely driven by the informal sector spearheaded by entrepreneurs presenting themselves in form of Small and Micro Enterprises (SMEs); concerned that the informal sector popularly known as the jua kali has different segments and categories spread out in value chains ranging from agriculture, trade, manufacturing, apparels, IT, transport, the creative economy, education among others; recognising that, there is need to improve coordination of SMEs through development of an all-inclusive well-structured delivery platform that encompasses multiple solutions and all key stakeholders; noting that this sector has a potential to create employment opportunities to over eighty (80) percent of Kenya's working population; further noting that these SMEs have the capacity to leapfrog our nation to a middle-income economy as witnessed in other economies around the world; recalling that strong and consistent commitment and political goodwill can deliver the needed growth for the realisation of steady and sustainable economic growth; concerned that previous support by the Government to this sector has merely been a knee-jerk reaction in form of skewed funding and tokenism; cognizant that there exist no unified national policy or legislation in support of the sector and SMEs across the entire value chain; now therefore, this House resolves that the National Government develops a unified National Policy on Small and Micro-Enterprises (SMEs) detailing recognition, funding, mentoring, expansion, restructuring and marketing of the SMEs products.

*(Moved by Hon. Beatrice Elachi on
9.11.2022 – Morning Sitting)*

*(Resumption of Debate interrupted on
9.11.2022 – Morning Sitting)*

The Temporary Speaker (Hon. Farah Maalim): Order! Hon. Johana Ng'eno. Is Hon. Johana Ng'eno not here? Proceed, Honourable Member.

Hon. Johana Kipyegon (Emurua Dikirr, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity especially after a debate that was hotly contested. I wish to state that my intention on this Report on SMEs was not... Actually, I was not ready to debate on this one. I wish to allow other Members to debate on it.

The Temporary Speaker (Hon. Farah Maalim): The Member for Mandera East, Hon. Weytan, do you wish to contribute to this debate?

Hon. Hussein Weytan (Mandera East, ODM): Thank you, Hon. Temporary Speaker. The Motion I am interested in is on the deployment of Kenyan Forces to the Democratic Republic of Congo. On this one, no!

The Temporary Speaker (Hon. Farah Maalim): Is the Member for Bureti in the House? The list is here. Hon. Member for Tharaka Nithi. Hon. Member for Bureti is here. Proceed.

Hon. Kibet Komingoi (Bureti, UDA): I had spoken to the Motion in the Morning. I am waiting for the debate on the deployment of the Kenyan Forces.

The Temporary Speaker (Hon. Farah Maalim): So, who are the Members who want to contribute on this Motion? The Chairman of the Departmental Committee on Justice and Legal Affairs (JLAC), what is your constituency?

Hon. George Murugara (Tharaka, UDA): Tharaka.

The Temporary Speaker (Hon. Farah Maalim): Tharaka Nithi. Proceed.

Hon. George Murugara (Tharaka, UDA): It is not Tharaka Nithi. It is Tharaka.

The Temporary Speaker (Hon. Farah Maalim): Okay. Proceed

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Speaker.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Millie Odhiambo?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker, for indulging me. I know I do not have a card. I am also apologising to the Chair of JLAC for interrupting him as he wants to speak on an important issue on SMEs. I just wanted to alert the House that I am around. I have not spoken in this House since we came back. You need to know that I am around.

(Laughter)

The Temporary Speaker (Hon. Farah Maalim): Okay, that is not a point of order, but your sentiments are well taken. Proceed, Hon. Member for Tharaka.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Speaker. I rise to support the Motion before the House which makes a proposition that we should have a unified national policy on SMEs with a view to promoting the informal sector of the economy, be it in agriculture, trade, manufacturing, *et cetera*. It is common and well known in the country that those who engage in small businesses are popularly known as hawkers and small business people, who nobody pays attention to. Those who try to move up a little bit join the SMEs category. Again here, there is not much attention paid to these people because most notably, we think of big manufacturing companies that do big business in the country forgetting that most of the population down at the pyramid are in the SMEs. This is what we have been referring to as “the bottom.”

We need to recognise that unless we change the paradigm, we will not talk about the small entrepreneurs coming up and being recognised. A policy should be mooted and put in place to be executed by the Government whereby the small entrepreneurs will also have recognition in the Government regarding what they do. It is often stated that the *jua kali* sector forms about 80 per cent of our economic activity in the country. Eighty per cent is not a small percentage when it comes to the number of people in the country that are employed in that sector. This is why for a long time we have talked about improving the *Jua Kali* sector to ensure that those who work under shades and those who work in the hot sun are recognised and aided

by the Government through a properly defined and executed Government policy so that their businesses can grow.

It is important to note that in the informal sector, the small businesses are the microbusinesses. Most of them do not qualify for any funding simply because they are considered to be amorphous. They are considered to be undefined and informal. Therefore, no bank will want to risk its money in such a sector. However, if we came up with a proper policy, we will unify them at various categories. Those categories we are proposing are not limited to what we have stated here as agriculture, trade, manufacturing and ICT. All categories are supposed to be recognised either by law or regulations of the country so that in the future, these people move as a defined group of entrepreneurs, seek money from banks and other financiers, and improve their economic growth.

It is also important to note the Government's agenda on "the bottom up." We want the bottom to come up and replace the middle. That is why we say that the middle out and we reach the top. The bottom-up policy is that we must move to the small persons who are at the bottom of the pyramid on the ground. We will fund them through the Hustler Fund, the Women Enterprise Fund and the Youth Empowerment Fund. Whatever it will be, we will fund.

Hon. (Dr) Lilian Gogo (Rangwe, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Member?

Hon. (Dr) Lilian Gogo (Rangwe, ODM): Thank you, Hon. Temporary Speaker. I rise on a point of order. A few minutes ago, I saw Members recognising the presence of Hon. Millie Odhiambo, the Member for Suba South, having indicated that she is in the House. Of interest to me is whether it is in order for her to be in the House in a nice fitting pair of jeans. I do not know if that is part of the dressing code. She is in a nice fitting jeans, and she looks like she is from the airport. Is it in order for her to dress that way? I seek your indulgence on that matter.

The Temporary Speaker (Hon. Farah Maalim): I do not know.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Speaker, you have not seen that.

The Temporary Speaker (Hon. Farah Maalim): Times have changed. I know that could have been a problem in the 10th Parliament, but I do not know if it is a problem now. I see women Members in trousers all the time here. Until such a time that the dressing code is revisited by the House, we will allow Members to maintain the way they dress now.

Proceed.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Speaker. A dress has to be decent. I have seen that Hon. Millie Odhiambo is well dressed and decent. She is able to participate in debate. Hon. (Dr) Lilian Gogo has...

(An Hon. Member Spoke off record)

No! The bottom is not visible now. We are seeing her from the top. You see, we are talking about bottom up down...

(Loud consultations)

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Members! Proceed Member for Tharaka.

Hon. George Murugara (Tharaka, UDA): As I proceed, Hon. (Dr) Lilian has now interrupted my very good thoughts. What I was saying is that the current Government is emphasising on the bottom-up economic approach, and the Americans too are talking about

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this approach. Therefore, it is not a myth, and it is not shrouded in mystery. It is actually doable. The only way it can be done is if the same Government comes up with a unified policy for all sectors such that we pay more attention to the bottom. We should not disregard the top because we have to collect our taxes. We have to ensure that we have investments. It is high time for those at the bottom to come up.

We are thinking of various legislations and this House must support them. Without a proper legislative policy, we cannot have any other policy, whether economic or social that will work. The benchmark of any policy is going to be proper legislation. Therefore, as we support this Motion by Hon. Beatrice Elachi, it is vitally important to think of our role as a House. When the Government unifies this system, what will the Legislature do regarding that particular policy? We shall be called upon to develop a legislation, pass it and execute it. In the meantime, and as we consider that, let us ask the Government to detail which sectors will be recognised, what funding will be available, and what sort of mentoring is necessary so that at the end of the day, all SMEs are well policed and included in this unified policy which we are talking about.

With those remarks, I beg to support the Motion.

The Temporary Speaker (Hon. Farah Maalim): Member for Funyula, and then he will be followed by the Member for South Imenti. Proceed.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this Motion, which was presented before this House by Hon. Beatrice Elachi.

As we stand here today, it is on record and various Government and international publications note without any doubt that the SME sector; the informal sector, is the main employer, both in the rural and urban areas. The *jua kali* sector has been with us for many years. It spans all the way from President Moi's regime up to date without any form of re-organisation, improvement and innovation. Many of us believe that the *Jua Kali* sector is generally the cause of lack of innovation in development and continued urban poverty.

We have very sound policies in many cases. To say the truth, to say there is no unified policy is probably to miss the mark. There are policies, regulations and rules which govern the *jua kali* sector. The problem is that none of the successive Governments – and I doubt if this one is any different – wanted to leverage on the informal sector so that they can take it from the level of informality to formality. We talk about Vision 2030 that is supposed to industrialise this country by the year 2030. Unfortunately, in each year's budget, we do not invest any resources towards improving or innovating the way the *jua kali* sector undertakes its works or improves its products.

Earlier in the morning, we debated a Motion which was presented on the Floor of this House by Hon. Kiarie concerning the improvement and support of artisans. This particular Motion should be tied together with that one. If we still talk of informality, we will not go anywhere. If we talk about the informal sector, we will not improve this country. We must get out of this notion of informal sector. The continued mention of informal sector, the *jua kali* sector, retards or holds back the participants in this market because they believe that they are lesser inventors, gods and people in this country. Therefore, they always believe they are supposed to be protected, untouched and should not be subjected to any quality assurance and development.

If I were where I sit, I would look for another terminology. How do we deal with the small innovation or innovative sector? We should drop the mention of *jua kali* sector and SMEs, because this will perpetuate this mentality of smallness, informality and not making any reference to improved quality. That is why our goods and products, however basic they are, are unable to compete with imports simply because we have enslaved our minds with informality and *Jua Kali* mentality. We produce goods without caring to improve them and ensure that

they meet national and international standards. We let them go through with this guise that we are protecting the *Jua Kali* sector. That is why this continued talk of the bottom-up economic model and hustler mentality will not liberate the mind of the downtrodden and those at the bottom of the pyramid, because they are being made victims. They are looked at like people who are forgotten. They are not being motivated to move away from the bottom of the pyramid.

Hon. Temporary Speaker, before I came to Parliament, I was working at the university. When a student is at the bottom of the score sheet, what do you do? You do not start sympathising with him, but you invest in him with extra-curriculum work, remedial units, or you take him to a mentorship programme. You do not keep on sympathising with him so that he remains there and becomes an election or a political tool.

As much as we support this Motion, it needs to be re-drafted in such a way that we start to get the informality out of the informal sector. We need to move them to the formal sector, so that whatever they innovate can be imported or exported to the United States of America (USA), Uganda or elsewhere, but not just consumed by the local community that only understands it.

I know that the State Department of Industry or Trade has the One County Product Programme. By its design, you are confining a product to be produced, marketed and consumed in that particular sector or geographical area. That is why I urge the new Government - the Kenya Kwanza Government or whatever it calls itself - to literally liberate Kenyans from the informality. Let them move to the next level. We have adequate funding, for instance, there is the Uwezo Fund. The national body in charge of research and funding is available to provide funding to deepen research so that we can produce goods and services that meet international standards.

The way this Motion is drafted, it is going to be a talk shop. The new Government will settle in, play with the minds of the people, sympathise with them, work on emotions, and leave them there. President Uhuru Kenyatta and President Mwai Kibaki found the informal sector and left it the way it is. None of the wheelbarrows produced in this country have ever been exported to the USA or China. For how many years are we going to talk about a sector that has refused to grow because the policies that are being perpetuated are not development-oriented, but are meant to subjugate them to where they are so that they become a political tool? As much as we talk about this Motion, we need to call upon the Kenya Bureau of Standards (KEBS) and other quality assurances to make sure that they refuse to give a stamp of quality of these substandard goods and services that are unable to be sold beyond the boundaries of Kenya.

We have reached a point where this country has very well-educated people who can innovate and think. All that we need is investment in this sector. The Kenyan Numerical Machine Complex cannot be referred to as *jua kali*. The equipment they have are as good as of any other industry. Why can people involved in basic innovation not take their manufactured products and designs to the Kenyan Numerical Machining Complex so that they can get the seal of approval and can be marketed outside this country?

We have some of the best ICT gurus in this country. That is why they keep on hacking phones. That is why they keep on hacking banks to steal money. That is why they keep on hacking the Independent Electoral and Boundaries Commission (IEBC) server. They are the Jose Camargos and their accomplices who hack to steal votes that were supposed to go to Hon. Raila Amolo Odinga. Why can they not get beyond this point instead of doing something that is wrong? Why can they not use those skills to improve the processes so that we can go to the next level? Yes, I support the Motion, but we need to urge the Government to get out of informality and bring these people into the formal sector so that they can understand what it means to produce competitive goods and services.

With those few remarks, I support the Motion by Hon. Beatrice Elachi.

The Temporary Speaker (Hon. Farah Maalim): The Member for South Imenti. For the benefit of Hon. Members, the Member for South Imenti is making his Maiden Speech. He cannot be interrupted. Proceed.

Hon. (Dr) Shadrack Mwiti (South Imenti, JP): Thank you, Hon. Temporary Speaker. My name is Hon. (Dr) Shadrack Mwiti, the Member for South Imenti. First, I will start by congratulating, in absentia, the Speaker and the Deputy Speaker. I also congratulate fellow Hon. Members for making it to this great House. I thank the people of South Imenti. I promise that I will serve them with all my energy and make sure that I fulfil what I promised.

South Imenti is a constituency previously represented by Hon. Members such as Hon. Kabere M'mbijiwe, who was the Minister for Health. He did a lot for South Imenti, both in promoting agriculture as well as healthcare. South Imenti was previously represented by the former Minister of Constitutional Affairs, the former Senator and Governor of Meru County, Hon. Kiraitu Murungi. He did a lot for South Imenti. Our current Deputy Speaker of the Senate, Hon. Kathuri Murungi, has previously represented South Imenti. I have taken over from him to represent South Imenti. I promise the people of South Imenti that I will do my best and serve them, anchoring on the foundation laid by previous Members. I will serve the people of South Imenti.

In my work plan, I promise to improve agriculture that is the main activity in South Imenti. Livestock rearing is a great activity in South Imenti where there is high production of milk. Education is a key factor that we are promoting with the people of South Imenti. I am also going to address universal healthcare and marketing of their produce. As I said earlier, South Imenti is an agricultural constituency. It has a lot of farm produce, both bananas and horticulture. They require a lot of marketing out of the country and within the region. As I indicated to the people of South Imenti, I am going to do my best in promoting youth and the women empowerment. That remains a key agenda in my work plan. I promise my people of South Imenti that my promises are going to be fulfilled.

Regarding the Motion in the House on the establishment of a unified national policy on SMEs, it is in the House at the right time. This is what Kenya is looking at. The SMEs face several challenges such as accessibility of markets, both locally and internationally. The sector will grow when we remove these challenges. The SMEs require financing because they do not access loans. They also require quality standards and ISO certification in a bid to access cross border trade. There are limitations of trade between Kenya and neighbouring countries. The limited industrial knowledge base is a key factor that has limited the growth of SMEs. We need to do the best to unify the national policy on SMEs mainly by upgrading current markets both locally and internationally. We should also expose the sector to trade, nationally and in trade fairs.

We will not forget their funding especially by the Hustler Fund, which is highly expected to improve this sector. By training, we are going to do something on packaging and branding the equipment. The expected outcome on implementation is that we are going to have diversification of various products. New markets and efficiency exist after application of new technology, retraining and remodelling, especially after the COVID-19 outbreak. The House has a collective responsibility to steer legislative affairs of this honourable House in funding, restructuring and marketing SME products.

I support this Motion brought by Hon. Elachi.

The Temporary Speaker (Hon. Farah Maalim): The Member for Mosop, Hon. Abraham Kirwa.

Hon. Abraham Kirwa (Mosop, UDA): Thank you, Hon. Speaker. Allow me to contribute to this Motion on SMEs. I support this Motion for two reasons, one, we are a nation facing a high rate of unemployment. Many of our youths and other people are unemployed. Therefore, empowering SMEs will change this country. I am so grateful to the President for

coming up with the bottom-up economic model. The bottom-up people are those in SMEs. People in SMEs support economies all over the world. The *jua kali* sector is also among the SMEs. They pay taxes in First and Second World countries. I would like to see SMEs being empowered and given funding in Kenya. I look forward to the President giving them Ksh50 billion. I do not know where we will get the money, but I hope the country will afford to come up with it, so that they have capital to support themselves and their families, and pay taxes.

The only way this country will afford to pay its debts and continue to pay its obligations is to increase the tax base. However, you cannot increase the tax base if you do not empower the SMEs. I support this Motion. I look forward to a few years from now when we will say that we were able to empower Kenyans and pass legislation that made a difference.

In many places, especially here in Kenya, SMEs have been neglected in many ways. They are not funded. Banks are not giving them enough loans and even when they do, interest rates are so high such that they are unable to make enough profits to support themselves and repay the loans. If the Government comes up with funds whose interest rates will be subsidised and low, it will give SMEs an opportunity to make profits, support themselves and pay taxes. This will enable the country to make enough money to pay its obligations.

I support the Motion that we fund and support SMEs.

Hon. (Dr) Lilian Gogo (Rangwe, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. (Dr) Lilian Gogo.

QUORUM

Hon. (Dr) Lilian Gogo (Rangwe, ODM): Thank you once again, Hon. Temporary Speaker. I rise to interrogate if we honestly have enough quorum to transact the business of the House.

The Temporary Speaker (Hon. Farah Maalim): Clerks-at-the-Table, can you confirm that we have quorum?

(Loud consultations)

Order, Hon. Members. We do not seem to have quorum. The matter has been raised. The Speaker sees and hears nothing until it is brought to his attention. Ring the Quorum Bell.

(The Quorum Bell was rung)

The Hon. Member who was on the Floor, proceed. We now have quorum. Who was on the Floor? The Member of Parliament for Ugenya, Hon. David Ochieng'.

Hon. David Ochieng' (Ugenya, MDG): Thank you so much.

The Temporary Speaker (Hon. Farah Maalim): Followed by the Member of Parliament for Buuri.

Hon. David Ochieng' (Ugenya, MDG): Thank you so much, Hon. Temporary Speaker, for rewarding me for the whipping on the very unfortunate point of order. I support the Motion by Hon. Beatrice Elachi. We must do justice to the sector that feeds and supports almost three-quarters of this country. As someone said this morning, where anybody is working on anything in this country, there is always employment being created. Therefore, it is very important that we have a proper legal and policy framework that will help SMEs thrive, grow and become sustainable.

As I support the Motion, I request Hon. Elachi to listen to me on this matter. Sessional Paper No.10 of 1965 talks about SMEs and the policy framework. After 1965, there was

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Sessional Paper No.01 of 1986, Sessional Paper No.02 of 1992 and another Sessional Paper No.02 of 2005, followed by a law that was passed in this House in 2012. We have, therefore, had a plethora of policies, laws and frameworks on how to deal with this matter. I believe that this House should, however, be deciding on how to ensure that we implement them. As late as 2020, this House received a Cabinet-approved Policy Paper No.5 of 2020 on Small and Medium Enterprises (SMEs) again. The biggest issue, therefore, is implementing and effecting what has been proposed to be done for SMEs. Instead of giving the Chinese tax breaks; instead of giving Kenya Airways the many steroids that we have been pumping into it in terms of bailouts; and instead of putting money in mega projects, I believe that investing in SMEs, giving them tax incentives, guiding their paths, putting a framework for incubating their ideas and ensuring that they are able to learn to walk and run; should be the next frontier.

As we discuss this Motion, I am going to persuade Hon. Elachi to allow us to amend it to call for proper, adequate and effective implementation of the many policies that have been prepared for the benefit of the people in those sectors. This is a cross-cutting sector. It starts from those who manufacture steel wool for cleaning utensils, the highest end of it being those who do make, including very good beds, and those who do cleaning.

We have so many Kenyans who are entrepreneurs. They just want a little boost and they will move forward.

(The Temporary Speaker (Hon. Farah Maalim) left the Chair)

(The Temporary Speaker (Hon. Omboko Milemba) took the Chair)

Hon. Temporary Speaker, the focus of this Government, be it through the Hustler Fund or the established affirmative action Funds, should be to ensure that our SMEs are self-sustaining, are getting business and are not bombarded with so many regulations.

Today, a person who has a business idea should be given a chance. The person cleaning this House for example, will be required to, first of all, register a company and get several licences for the business. They include the ones for cleaning, sanitation, NEMA and many others. The growth of SMEs is hindered singularly by the so many regulations that we have put in front of them, and the many hurdles that we have put on their way, thus causing them not to move. The Government can help SMEs through credit guarantees. We normally give work to young people through AGPO and YAGPO under the NG-CDF. The work given to them most of the time will take a long time to be finished because they cannot access credit and thus cannot get money.

How best would you ensure, for example, that people who get the NG-CDF jobs can get prompt payments, or advanced payments, to enable them start their businesses? The way we have structured our procurement laws, even where we want to support small businesses, we cannot. We should be able to say that if an SME gets a job in the Ministry of Housing and Urban Development today, it should be able to get an advanced payment or do the job and then get paid. If you are, however, swimming with the sharks; or if you are a young man or lady trying to get your hand in business, and you have got a tender through YAGPO but, you cannot get money to implement it, it is useless to talk about us wanting to grow SMEs.

Hon. Temporary Speaker, research and development play, and will continue to play, a very important role in the growth of SMEs. However, we have heard where we are investing now. The Minister for Education is a very close friend of mine. I do not know whether what he said was a mis-speak or not, but we must continue to invest in research at the university, college level and KIRDI level. This will enable our SMEs to get new technology and update what

exists so that they are able to do business in a manner that is cheap and timely in order for them to make money.

I have been watching television for the last two weeks. People in Nyandarua are saying that, as the people of Pokot are dying of hunger, there are SMEs that have leased land and have planted potatoes and tomatoes, but they cannot access the markets. Infrastructure will enable those SMEs to operate. If they are doing farming, they should have good roads and means of transport for their goods and services to access the market. Investing in infrastructure is going to be very key in enabling the SMEs work.

The issue of market exposure always amazes me. We are now being allocated new offices in Parliament. The furniture fitted in them is imported. Just imagine how much it costs? If you are to decide that the furniture in our new offices is going to be taken from our SMEs, how much would it be? We must expose our SMEs to the available markets. We cannot hope that they will sell their furniture to Congo or Uganda while us Kenyans are not buying them.

If you visit our constituency offices, we too get furniture from the *Muhindi* shops and yet, down the road, you can get a good workshop with good furniture. In every constituency, we have a Constituency Industrial Development Centres (CIDCs). Some of those centres have very good equipment for fabrication, manipulation of metal and wood, but we do not go to them as the first port of call. If we do not have a policy implementation framework that requires us to buy things locally, we will have a lot of capital flight because we do not want to use our own.

I have looked at what happens in the counties today, and I can attest that they buy and do a lot. If you go to Makueni and Siaya counties and check who has been given tenders by the county governments for roads to be done, you will find that it is not the young people or the SMEs that operate within their localities but rather, the expatriates. Nairobi people go to the villages to pick tenders papers, they apply them and after they win, they come back and invest in Nairobi. How then can we ensure that our SMEs framework requires that a certain percentage of those jobs, for example, of building roads, building dispensaries or supplying drugs or medicine is left for local SMEs in the county, if we are not deliberate in the way we are going to do this?

I have always had a problem with the way we run the Standard Gauge Railway (SGR) construction. We imported bolts and nuts worth more than Ksh3 billion. Those are things that our companies would have made, and we would have thus created jobs. We imported rolling stock and cement. As we speak, we have Governments buildings and other construction works that are being done...

Kindly, give me a minute, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Give him a minute.

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, there are issues I am really passionate about. If we want to be like Singapore, Malaysia or South Korea, it is not the big Chinese or Taiwanese companies that will grow us. It is the SMEs in this country that will do so; and that can only be achieved by us building and investing in them by giving them resources that will grow us. Hoping that going to China, Singapore or Malaysia will help us grow is a waste of time. We will keep on putting the cart before the horse, spending good money on bad things and we will never grow.

In the next five years, I hope that this Government will put our money where our mouths are.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well, Hon. Mugambi Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker. I want to thank Hon. Elachi for bringing this Motion. I am of the same views that have been expressed by my

senior, Hon. David Ochieng', the Member for Ugenya. The greatest problem that we have is not lack of policy but, rather, implementation. I thank you, Hon. David because you have gone back to the history on sessional papers and the policies that have been passed on SMEs.

Hon. Temporary Speaker, I am a student of entrepreneurship. That is what I am pursuing in my PhD. My focus is on how to grow SMEs in a world which was developed by SMEs, but taken over by multinational companies. As we said in the morning, we have a wealth of artisans. The foundation of any country in the new economic order is not with big multinational companies. It is on the basis of SMEs institutions. When Prof. Oundo was talking, I saw somebody full of theories. He has no clue on practicability. I am a businessman. I pity him if he is the kind of professors who are teaching our business students. They will never grow. We do not have the term *jua kali* as it was dispensed with a long time ago by the Government. We are now dealing with the professional term SMEs. He is most likely old school and that is why I cannot blame him. This morning, we spent a lot of time talking about how to encourage, improve, assist and fund artisans. I wish Hon. Elachi would have consulted her neighbour. She would have come up with a very serious paper to implement whatever she is asking Parliament to approve. If you go to Kenyatta Market or Ngong Road...

Hon. Beatrice Elachi (Dagoretti North, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Beatrice Elachi, what is your point of order? Order, Hon. Member. There is a point of order. What is your point of order?

Hon. Mugambi Rindikiri (Buuri, UDA): She has not raised any point of order. I was just complementing her.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. Is the senior Member in order to say that Hon. Elachi would have come up with serious paper? We are not saying that there are no policies. We are asking the Government to put together the various policies that are scattered all over. The one we are talking about now is in the Ministry of Industrialisation. There is another one in the Ministry of Trade and we now have the SME. Can we put them together and submit them to the Ministry responsible for SME? That is what we are talking about.

The Temporary Speaker (Hon. Omboko Milemba): Very well, Hon. Elachi. You still have a chance to reply to this Motion. Please, gather all those views and speak on them while replying.

You may proceed, Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Elachi. You know we are speaking about the same thing. I think you need to wait for the head before you beat the start. We are all in support of your initiative and we continue doing so. If you go to Dagoretti Corner, Kenyatta Market or Kariobangi, you will find the economic activities that are happening there are being driven by SMEs. I congratulate His Excellency the President because his policy on the housing sector means that there will be no more importation of doors and accessories. They will now be made by the so called "*jua kali*", but they are now being accredited to the term SMEs. They have been put together to provide those small items required for building. I am very grateful because I have started the process of identifying the SMEs in my constituency. I need to have a database to know who they are and what they are going through. Once we finish with that process, it is upon me as the Member of Parliament for Buuri to start trainings and looking for funding for them. We cannot just rely on money that is coming from the Government. We have NGOs and individuals willing to support and work with SMEs. For instance, in my constituency, we have large-scale farmers. Those people buy items such as irrigation and fencing items from the *jua kali* around the area.

I want to thank Hon. Elachi because, if we put all those together and have one stock knowing that this is the number of SMEs in the country, then the Government will do better. I want to state that the Government has not been doing very well in this area. We have no statistics. I wonder what the role of the Kenya Bureau of Statistics is. It has failed the *jua kali* sector in Kenya. I have never seen a report indicating the number of SMEs from Buuri such that when the funds come, they are allocated to a certain number of SMEs. That is one failure by the Government, and I hope the current Government is going to correct it. It is upon Members of Parliament to stand with the SMEs. There is no way we are going to be a future industrial nation if we are not going to put emphasis on those small innovators and artisans. That is where the Hustler Fund is going to benefit the people. I pity the thinking of Prof. Oundo. I thought he will congratulate the President, but I am surprised that he was talking about Kibaki, Kenyatta, and *sijui* Raila, who have nothing to do with what we are discussing here. We should be asking Members to go back to their constituencies, identify those people and try to sort them out. That is what matters right now. This is something we have not been doing. Now that we have a Government which is ready to stand with the small entrepreneurs, we shall go far.

Hon. Temporary Speaker, we belong to the same political thinking. I think that through SMEs, we will expand our tax base. They are not going to remain static. They are going to grow to medium-size enterprises and from there, we will move to another level; and that is what we need. We need to expand our tax base. We cannot do so if we do not develop the SMEs. We cannot increase employment in this country if we cannot fund the SMEs. We have talent and we cannot annex it if we do not support those people. We are creating opportunity for us to be a country of innovators, and we cannot do so unless we identify those people and stand with them. I want to encourage the people of Buuri and the young talented people who are spread across all sectors. The mistake many of us make is to say that we are manufacturing. That is not true because we have SMEs in music, food making and selling sugar-cane. We keep making a mistake of saying that we will deal with the manufacturers.

We must diversify by identifying our talents and sectors down there. Even football is an enterprise. I have seen young people who have formed football clubs and they are now competing with one another. They have turned themselves into an enterprise of hospitality. Look at that kind of innovation. The call for policy consolidation by Hon. Elachi needs to be supported. We must stand as a House to make sure that we start implementing what we pass here, because that has been the greatest mistake. I can assure you of the growth that we shall experience for the next 10 years though the Ministry of Co-operative and Small and Medium Enterprise (SME) under the current administration of His Excellency William Ruto. The change will be enormous and it will be a game changer for the economy of this country. Many people are asking where the money is going to come from but, sometimes, we need to pray to God. If we have reached this far, just as William Samoei Ruto has with his slogan of supporting hustlers, I can assure you that God will provide the finances. How we can make this possible is by stopping wastage.

With those remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Elachi, this was your protagonist after all. The next chance goes to the Member for Chesumei, Hon. Paul Biego.

Hon. Paul Biego (Chesumei, UDA): Thank you, Hon. Temporary Speaker. I stand here to support the Motion by Hon. Elachi. I am in support of it because creating a unified policy would make work easier for everybody. We are aware that there are new national policies that provide opportunities for the development of SMEs. They are the National Industrialization Policy of 2012, the National Trade Policy of 2017, the Kenya Investment Policy 2019 and also the Kenya Youth Development Policy of 2019, among others. All those policies are actually confusing and I would support that they be amalgamated into one.

As an entrepreneur, I understand the importance of SMEs. Now that there is a Ministry in charge of SMEs, it would be prudent for those policies to be coalesced into one. People working for SMEs experience difficulties. For example, under the policy on industrialization, when you want to fly abroad to purchase some things, you encounter another policy that you are required to comply with as well. It becomes difficult to comply with all those policies. I strongly support that the policies should be consolidated, given that the activities of SMEs cut across all sectors of the economy. It is imperative that we develop a unified national policy framework to cushion SMEs from the current situation. We need to create policy implementation synergies across the sectors. I believe this will go a long way in enhancing the growth of the industry.

Hon. Temporary Speaker, I would also like to emphasise on the importance of a national unified policy that will provide an integrated and enabling business environment for the growth and development of productive SMEs in Kenya. This will make a significant socio-economic contribution to the economy through provision of decent jobs as well as production of quality goods. I want to urge Hon. Elachi to stay on course. As much as some Members have recommended that she should build on the proposal that she has given, I believe that it is good to go. The many policies that exist will be a deterrent to many SMEs, and will discourage entrepreneurs from conducting business. Once the policies are amalgamated, it will become easier for entrepreneurs to operate SMEs.

With those remarks, I beg to support and donate the remainder of my time to my colleagues.

The Temporary Speaker (Hon. Omboko Milemba): Next is Hon. Donya Dorice, the Women Representative for Kisii County.

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Temporary Speaker. I rise to support Hon. Elachi for bringing this Motion. We all understand that any business that lacks capital, or when there is no cash flow, that business will eventually die. Any business that operates under uncontrolled laws cannot thrive. The administration should be looked into as we compare with what other countries have done, like having modern and advanced machines for SMEs. As the world moves on, Kenya should also be progressing so that we progress from being a developing country to a developed nation.

We have, as an example, carpenters who, successfully, tendered for supply of desks to public schools. They took bank loans to conduct that business. They supplied the desks but they never got paid. They chased for payment, which they never managed to get years later. If suppliers share with us their experiences about conducting business in Kenya, Members will realize that there are some policies which need to be revised. We should consider introducing in the policy a time limit of not more than 60 days for Government entities to pay suppliers once goods and services are delivered. Such policy will put suppliers at an advantageous position. Some business people have taken bank loans and invested in their SMEs, but they were not paid after supplying goods to public entities.

With those remarks, I support this great proposal.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Let us hear Hon. Beatrice Kemei, the Kericho County Woman Representative.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Temporary Speaker. I have waited patiently. I would like to, first, commend my namesake, Hon. Beatrice Elachi, for bringing this Motion concerning SMEs. Developing unified policies concerning SMEs is very important to us as a country, just as my colleagues have said. Across the country, we have SMEs which are not tribe or race-based. In Kericho where I come from, people engage in cross-border trading. Owners of SMEs from different parts of the country engage in carpentry. In a way, trade brings people together and skills are enhanced. I support this Motion in a special way. We need policies that will guide us, especially on recognition. For a very long time, SMEs

have been fighting for their space in the economy. We know that SMEs create 80 per cent of employment opportunities in Kenya. They constitute 98 per cent of businesses, contributing about 3 per cent to GDP and yet, they still fight for space.

One of the challenges the youth face is lack of enough capital to set up businesses. Once policies are put in place, the youth will access affordable capital and avoid exploitation by shylocks who charge extremely high interest rates. As of now, the youth cannot access credit from banks because they are not formally organised. The SMEs also ail from inadequate market for their produce. They put a lot of resources in terms of money and time but, when they produce, they find that they do not have markets for their products. As our brother, Hon. Mugambi has said, we used to call them *jua kali* but their products are good, durable and can be sold within and without the country. They need to be assisted to find markets.

The national and county governments should allocate space for those businesses. Why am I saying so? Most traders conduct their business on road pavements, thus exposing themselves to a lot of risks and yet, land can be allocated for those activities. Space should be allocated for business and storage of their commodities. I speak on behalf of SMEs that engage in brick and pot making. They do not have space where they can store their products.

Hon. Temporary Speaker, infrastructure is also key. Some of the products can be transported to nearby urban centres and beyond, but road connectivity may sometimes be a challenge, especially feeder roads that connect villages to highways. Once the road infrastructure is improved, SME business will improve and contribute to the economy of this country.

What the youth lack mostly is not skills but funding. We should not forget PWDs. Some of them can conduct their business from wheelchairs. What they require is support from the Government. If we want their products sold in internal and external markets, the Kenya Bureau of Standards (KEBSI should help them with quality certification. I know things will work out well for them. They need recognition, funding, mentorship and marketing support. This Motion by Madam Elachi is good for the youth, women and everybody else. I am happy that we are looking forward to having the Hustler Fund in place. The Kenya Kwanza Government is concerned not only about people in the formal sectors, but also those in the informal sectors. If we approve this Motion, we will actually be supporting what the Government of the day is proposing. The Hustlers Fund should cut across society and work well for SMEs.

With those remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Very well. The Members of this House do not have titles like “Madam.” You refer to the Mover of the Motion as “Hon. Elachi.” We refer to individual members of this House as “Honourable Member.”

Next is Hon. Memusi Kanchory. If he is not in, let us hear Hon. Timothy Wanyonyi.

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Temporary Speaker. I also support this Motion by my good friend, Hon. Beatrice Elachi ‘Mama Dago’. It is a timely Motion.

The world over, economies are grown by SMEs. The Asian tigers and many other economies have grown from SMEs. The government makes a deliberate effort to invest in SMEs, through political goodwill.

Hon. Temporary Speaker, the economy of this country is supported by the so-called informal businesses such as *jua kali*, *chama*, table banking and many others. Artisans at Gikomba, and at many other markets, are the people who are driving our economy. The Government of former President Mwai Kibaki made a deliberate effort to support SMEs. During his time, the economy grew at a very fast rate. The next Government did not make much effort. The current Government has promised funds to micro businesses to support *mama mboga*, *boda boda* riders and many other people in that category. I am very sure that access to cheap credit facilities will propel our economy to start growing very fast.

What bedevils our small businesses is that they have no access to credit facilities. This should be made available. The Government should create affordable credit facilities for those innovative Kenyans. Kenyans are very innovative. If you go to any country, you will find Kenyans who are not ashamed of doing small jobs that put food on their table. We have seen even young men and women who have developed ideas and are even exporting their wares. I read somewhere that in China and India, they do little things that transform into mega exports that we buy. These small productions are supported by their governments. It is not about the multinational companies because those are very few.

In order for our economy to grow and for the country to actualise Vision 2030, we must bring onboard and engage young people, people living with disabilities and women. We have heard what the President said about paying taxes. Will SMEs...

*(Hon. Adipo Okuome crossed the Floor
without bowing to the Chair)*

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Okuome. You are a ranking Member. You cannot just cross the Floor. Go to the Bar and do so in the correct way. He is a ranking Member, and he knows exactly what to do.

*(Hon. Adipo Okuome went to the
Bar and bowed to the Chair)*

The Temporary Speaker (Hon. Omboko Milemba): You may proceed, Hon. Wanyonyi.

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Temporary Speaker. Sometimes we think that the Speaker is not watching some of these small things that we do, but the Speaker is hawk-eyed. He can see the little things we do.

I support this Motion because it is a good idea. Even within my own constituency, I supported women to start small businesses and we now have so much money circulating amongst those groups of people to a point that we are now considering lending money without charging any interest. We have affirmative action funds like *Uwezo* Fund, Women Enterprise Fund and Youth Enterprise Fund. If those funds are made easily accessible to those people, our economy will grow very fast.

All of us want to thrive and see many enterprises growing to the level of Safaricom. We all know where Safaricom started from. We can now see how far M-PESA has gone as at now. We have also seen how Equity Bank has grown over time. Equity Bank allowed everyone to invest. Even with as little as Ksh100, one can open an account with Equity Bank. Such great innovations have propelled people to believe that they can do big things by starting small. Once the environment becomes conducive for investment, the Government will start witnessing massive economic growth. We will even have surplus budgets. What we need is good political will, and the Government must start at the level where majority of Kenyans are – the lowest level of society.

I believe that if we proceed this way, we will achieve great results in this country. I support Hon. Elachi in bringing this Motion. We must build on it to ensure that our country leapfrogs and becomes a middle-level economy.

With those remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Let us hear the Member for Kitui East, Hon. Nimrod Mbai.

Hon. Nimrod Mbai (Kitui East, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to speak to this important Motion but before I do so, I would like to

bring to your attention the fact that this is my first opportunity to speak in this 13th Parliament. Therefore, allow me to congratulate my constituents, the people of Kitui East, for electing me to this august House. I would like to inform them that we have something to celebrate for. Today, His Excellency President William Ruto hosted the President of the Republic of South Africa and the centre of discussion was how Africa is going to do away with reliance on coal energy. Coal mining in the Mui Basin is one of the things we have been very much against. Previous governments have been skewed towards coal mining, but we now have a Government that is discouraging it.

Hon. Elachi's Motion is very important. I can see that everyone is concerned and in support of it. The SMEs are people in business who feed their children, take them to school, pay their school fees and pay for all other services just like everyone else. They buy *unga* at the same price with Members of Parliament. When we talk of facilitating them to do business in a better way, there is nothing more noble that this House can do other than supporting those people who comprise of a big percentage of employers in this country.

Hon. Temporary Speaker, one of the main objectives of government is to provide an enabling environment for doing business. It is upon this Government to provide an enabling environment for SMEs to conduct their business. It is the business of the Legislature to provide policies and guidelines towards the same. Through Hon. Elachi, this Arm of the Government has been called upon to engage in a very important thing.

Part of my contribution to the Motion, which is something that Hon. Elachi would like to note, is that this will require vigorous and robust public participation. We are all in support of what the hon. Member is seeking to do. None of the Members here know how to hustle out there, or how to survive on a small *jua kali* business. So, the stakeholders are the people who, on a daily basis, engage in that kind of business. Through this Motion, those people have an opportunity to speak to this policy. What do they want from the Government? What do they think? In which ways would they want the Government to assist them? This also touches on the devolved units of Government. The county governments moderate those businesses on a daily basis. They should also be called upon to participate as stakeholders. We need to hear what SMEs owners have to say about their governors.

Hon. Temporary Speaker, many things have been said and I would not want to repeat them. However, I would want to raise the issue of stakeholder management and public participation. The actual people involved in SMEs should be listened to. As a House, we should provide enough budget for public participation. The county governments should be brought on board as stakeholders as we work on policy guidelines for SMEs to do their business.

Wealth creation is among the things that brought this Government into power. This is how we can support our people to create wealth so that, in turn, they can pay taxes and achieve what we refer to as expanding the tax base. We cannot expand the tax base without making good policies for the people to create wealth. It is time we expedited this process.

With those remarks, I beg to stand in solidarity with the Mover of this Motion.

The Temporary Speaker (Hon. Omboko Milemba): The Member for West Mugirango, Hon. Stephen Mogaka, is next. He is not in the House? Let us have Hon. Joshua Kimilu.

Please, let him have the microphone so that he may speak to the Motion.

Hon. Joshua Kimilu (Kaiti, WDM): Thank you, Hon. Temporary Speaker for giving me this opportunity to contribute to this important Motion. I want to thank Hon. Beatrice Elachi for bringing it because it is very important to Kenyans.

I support the Motion because SMEs are of importance to our people. Two years ago, I was in my constituency conducting public participation for development. I met some widowers who had formed small groups of 50 and 100 people who were engaged in merry-go-rounds. They would contribute small amounts of money. I advised them to start small businesses with

the small amounts of money they contributed. Through my Kimilu Foundation, I managed to get support from other organisations and helped them with little money. I gave each group Ksh100,000. Using those small amounts of money, they started small businesses which grew and eventually enabled most of them to stand on their own and put food on the table.

Therefore, the good policies we are seeking to put in place are very important. I urge the Government to be in the frontline in supporting small businesses because they create jobs for the jobless. Some students have managed to stay in school because their parents make some money through SMEs. Good policies will create a good environment for SMEs to thrive. They help business owners. They also encourage other people to venture into business.

Hon. Temporary Speaker, in countries where public policies are streamlined, many SMEs grow to become large-scale traders, and they eventually become serious business people. Small businesses are very important for the economy of a country. They stimulate economic growth and, therefore, we need to value them. Those who are engaged in the *boda boda* business are looking for a way of accessing capital. The problem they have is lack of collateral. Before you can access funds in this country, there is a requirement for collateral. Once we have a policy in place that will enable such people to access cheap loans without having to provide collateral, they can start their small businesses within days and start contributing to the growth of the economy of this country.

Small-scale business people face many challenges. Therefore, I urge the Government to consider their plight. The Government has been talking about establishing a Hustlers Fund. We want to see action on the ground. We want to see how this Fund will benefit small business owners to expand their businesses in their localities.

Hon. Temporary Speaker, an organisation like Safaricom organises training for owners of SMEs, which is very important. We encourage other organisations to support Kenyans who are struggling with their businesses. Coming up with a unified policy will bring development and solve problems of hunger and crime by encouraging many people to start small businesses. That way, we will eventually solve the problems that this country is facing. It will also encourage people engaging in crime to change their ways and start small businesses. It is very easy to make laws and policies in Kenya. Implementing those laws and policies is the main challenge. With the support of the Government, I know all will be well.

With those remarks, I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker for allowing me to add my voice to this very important debate. I also congratulate *Mhe. Elachi* for coming up with this Motion. We know very well that SMEs are for the people on the ground. They need finances and a lot of support from all leaders. Our Government needs to seriously plan in order to enhance those businesses and support them, especially at this time. We know that in many parts of this country, there are people who sell fruits, vegetables, charcoal and other things. Unless we empower them to expand their businesses, they may be unable to educate their children. I support this Motion in order to see how best it can be implemented so as to help the people on the ground.

As we discuss these matters, we know that the big groups being empowered are women and the youth. Our youth are trying their best by being creative. Through SMEs, they will get support. Most of the time they cannot go to big banks to borrow loans. Through SMEs, they will be empowered to access loans to expand their businesses. If there is a time when Kenyans need our support more is now. This is a season we know very well that there are so many things that are affecting us. We are just from the general elections and peoples' business have been affected. Economically, we have not been doing well for the last four years because of COVID-19. There is drought and people who depend on livestock have lost them, and they are wondering where to begin. Through this initiative, we will support the people on the ground so

that they can support their families. When we empower families, we empower our society. We know that children will be educated and they will access good healthcare because their parents will be earning a living with the support of the Government. If we all agree and pass this Motion, we will touch lives that need our attention.

With those remarks, I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Eng. Nebart Muriuki, you are next.

Hon. (Eng.) Nebart Muriuki (Mbeere South, Independent): Thank you, Hon. Temporary Speaker for giving me this opportunity. I join my colleagues in thanking Hon. Beatrice for bringing this very important Motion. Our economy is supported by the SMEs. Even the big companies depend on these SMEs for their survival. Even if it is an export company, the products being exported will be supplied largely by small firms and individuals. If it is an import company the products which land into this country reach the customers through the same SMEs. So, this is a very important sector in the economy of this country.

Hon. Temporary Speaker, while contributing to this Motion on a unified policy, I wish to add that we need to consider how to encourage starting of small businesses and their survival before we go into mentoring, funding and the rest. I want to address what people, especially those who retire, go through. Most people who retire attempt to go into small business to keep themselves busy and also to continue earning a living. A few things which I find people going into small business do not address or do not know how to address is what kind of business they want to go into, where they are going to do it, why they are going to do it, and how to do it. To address those questions calls for training of those who are trying to go into small business. Due to lack of basic training, you find that most people start small businesses which close before the end of one year. One reason is that they go into the wrong business. If people are asked why they are going into business, most of them will say they see other people doing it without addressing the question of availability of market for what they are trying to get into. The Government should take a deliberate effort to make sure that those who are going into small businesses are enlightened on how to do it.

The other issue when one is starting a small business, is the kind of hurdles one has to jump before they start the business like the number of licenses. I support this Motion of unifying the policy. You find that one arm of Government does not bother to know what the other arm of Government is doing while trying to encourage the starting and growth of small business. The councils levy all kinds of licenses – Public Health officials, Kenya Bureau of Standards and many others ask for licenses. They are many licenses which a small business has to have.

The other point is competition. Once a small business starts, it has to compete with large businesses and the Government appears not to be encouraging small businesses to compete effectively with large ones. When you come to tendering procedures, you find a small business being asked to submit three years of audited accounts. I wonder how many small businesses have audited accounts to submit Kenya Revenue Authority (KRA) certificate. Those who are in small business know one of the institutions which kill small businesses is the KRA. When KRA comes to charge small businesses tax, they charge on turnover. These small businesses rarely break even. You are taxing somebody who has actually made a loss, and when you do this twice, that business will close down.

I have been listening to various speakers here. They are avoiding to mention that those who are coming to enforce the various licenses come to extract money from the small businesses, especially the public health officers in hospitality industry. The public health person will keep on coming around and they will only come to extract money in the name of the premises being unfit to run such businesses. These are some of the serious hurdles which the Government must address if the small businesses have to survive and grow.

Hon. Temporary Speaker, it has been mentioned, especially in the agricultural sector, that infrastructure is a challenge. If roads are poor, to get the products to the market is quite expensive and all this is passed down to the small business dealing with that product. You find that they rarely make profits.

The other issue is marketing. I want to thank the President because this has been realised. He has spoken clearly saying that we should go the cooperative way so that small businesses can find market for their products. I trust this one will be addressed.

On funding, though it is a challenge, with the Hustler Fund, Uwezo Fund and many Funds which the Government is putting in place to support the small businesses and the hustlers, I am sure that the funds will be there. There is one issue which should be addressed alongside these Funds. These small businesses are being run by people – men and women who have got other domestic financial needs. They have children in school and their daily survival needs. Even as we approach this Hustler Fund, the funds in addition to supporting the starting of a small business, should also take into account that these people have children in school and also domestic financial needs. So, if that one is taken care of, then the small business will grow.

Financial management is a critical skill required in business yet most of the SMEs lack financial management training. The Government should undertake to ensure that those who are being given funds like Uwezo Fund, Hustler Fund and the Women Enterprise Fund go through some basic financial management so they do not end up taking money which they use in other means and then they are not able to repay and support their own businesses.

This is a very important Motion which has been introduced. I support having a requirement that the Government should find training a very necessary component for those who are in small business or going into small business to ensure that the funds which are given out to support this sector at least bear fruits.

I support. Thank you.

The Temporary Speaker (Hon. Omboko Milemba) left the Chair.

The Temporary Speaker (Hon. Peter Kaluma) took the Chair.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Omboko Milemba, Member for Emuhaya.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Temporary Speaker, I have a very short microphone here, but I will do with it. Thank you for giving me this chance as the Member for Emuhaya. Many of our new Members in the House imagine that when you are in the presidium you only act as member of presidium. No, I am the Member for Emuhaya and this is what really counts for me. In the last House, you remember I was a very active Member seated right there and consistently speaking on all Motions.

This is a very good Motion and I thank Hon. Beatrice Elachi for bringing it to the Floor of the House. For the first time, we require to unify and mainstream small businesses.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Omboko, you can move to the next microphone.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you very much. We should mainstream and unify the policy that deals with SMEs. Their importance cannot be gainsaid because they have been running this economy for the longest period. Today I see a lot of concentration, both in government and non-government sector, given to the working class and those in mainstream business. However, when you look at our economy holistically, the role played by big players is very small. Almost 80 per cent of businesses and employment in this

country is domiciled in SMEs. It is high time we mainstreamed them. Not only mainstream them but also give them capital and have clear processes of how they can get capital so that they do not move around or haggle to get loans from banks. That can be done.

By mainstreaming them, we shall have them get proper way of training and marketing their products. That is important. As earlier speakers may have spoken, there is a big market within this country that can be tapped. There are countries that have made these laws and they work for them very well. There are certain goods which we consume locally which we do not need to import. One example given is furniture. Why are we importing every furniture in our offices when it is very clear there are too many industries that are doing the same?

Look at the time of Covid-19. It really taught us that a time comes when every country must stand for itself. There was no chance for importing anything and there was no chance for moving from your country to another. Remember that is the time some SMEs were able to produce beds for hospitals. That is what we need to tap. That is where we need to stay, that Covid-19 was just but a warning. We need to give these SMEs mainstreaming so that they operate and run properly with a unified policy that is known and supported by the government. This will be very good for this country.

It is also very important we broaden our imagination of SMEs. Let us not just restrict ourselves that we are dealing with manufacturing alone when we talk about SMEs. I must repeat that I am impressed when somebody thinks of *jua kali* and making some product like a *jiko* when we talk about SMEs. No! There is a lot of innovation in the entertainment sector of CBC schools. A presidential task force is moving around to get views. There are SMEs existing as entertainment clubs. The youth are doing entertainment with things like filming, acting and drama. I believe all that is SMEs. So it is not only manufacturing. Therefore, we must not confine ourselves. What about the small football clubs that exist in Nyanza and Western? What about the youths who are having training camps in the Rift Valley in areas of Iten? Those SMEs need support so that they grow their talents to employ and give glory to this country. It is very important that we expand our scope of imagination of SMEs to all sectors, not only in manufacturing but also in the various innovations we have.

We were beginning a football tournament in Emuhaya over the weekend. The clubs that have registered are over 200. Some of them run as clubs that participate in various leagues. They need support. They keep the youths busy. They also earn a little income for the youths. At the same time, they train them and see if they can be marketed to higher levels to play in the premier league. This is very important for this particular sector.

This is a very good Motion by Hon. Beatrice Elachi. I think and believe I should put my voice to it. I fully support it. Thank you for giving me this chance, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much, Hon. Omboko Milemba. I wish Members can take that approach because the requests are very many against the time that we have. If you can make your point in five minutes, you do not have to use 10 minutes.

Can we have Hon. David Mboni, Member for Kitui Rural?

Hon. David Mwalika (Kitui Rural, WDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to make my remarks on this Motion. Firstly, let me thank Hon. Elachi for bringing forward this Motion. If it is implemented, SMEs will grow and contribute to Gross Domestic Product (GDP) and revenues. It will also create employment, income and reduce poverty.

The SMEs cut across all the sectors of the economy. They are in manufacturing, agriculture, transport, tourism and every other sector. They make a substantial contribution to livelihoods and economic growth in Kenya. They contribute 24 per cent of GDP of this country and 80 per cent of total workforce in the economy.

There are many Sessional Papers which have been done on SMEs. You also find proposals of SMEs in other development blueprints. However, these policies are not implemented well. The SMEs still continue having challenges like limited access to credit due to lack of collateral. Because of the risk involved in lending to them, they are also given lending credit ceilings. There is an amount of money which they cannot be given because of the risk. The interest rates which are given by the banks are very high because of the risk which is involved. Most of them have moved to digital money lenders where the interest rates are 15, 20 or 30 per cent per month. You cannot do business with such high interest rates.

The SMEs also lack markets for their products because most of them are low quality because of lack of modern technology. They also use old technology. Therefore, their products cannot compete with other products which are made using modern technology.

The SMEs lack accommodation and sanitation facilities. Go to *Gikomba* and you see the way they operate in very difficult environment. These are some of the challenges they go through. They also lack training in production and marketing. When most of them produce their products, they do not know where to market them. They also face difficulties when acquiring licences. There are multiple licences.

(Hon. Opiyo Wandayi consulted loudly)

Hon. Temporary Speaker, protect me from the Leader of the Minority Party. He is making a lot of noise.

Getting multiple licences is very difficult in most cases. You go to the national Government which requires you to have two licences and five licences from the county government. All of them need to be acquired. They require money and corruption sets in. If we enhance these SMEs, this country will grow. The Government should monitor and evaluate any policy we adopt to see how effective it is in terms of enhancing the growth of the sector.

The SMEs are facing challenges in acquiring funds. I remember in the Finance Bill, 2018, we proposed to start a Biashara Bank that would incorporate all funds like the Uwezo Fund, the Women Enterprise Fund and the Youth Enterprise Development Fund. All those funds were supposed to be brought together into one basket called the Biashara Bank. Branches were to be opened in each county so that people could access those funds. Currently, the Uwezo Fund is helping but repayment of that money has become a challenge because of poverty and drought. Government officers in charge of that Fund cannot recover that money.

The National Treasury should increase the allocation to the Small and Medium Enterprises Credit Guarantee Scheme and also provide guidance to allow promising SMEs to access funds through registered groups. I know we have formed the Credit Guarantee Scheme, but it also needs to be enhanced so that we can get more funds to grow.

I like what *Mheshimiwa* said. There was a proposal two or three years ago for ministries to buy furniture from local manufacturers so that we can grow that sector. What happened? We are still buying products from China. I believe that furniture made in this country is better than the one made in China. The Government should come up with a policy to buy from local manufacturers.

The Government should also provide training and capacity-building in marketing, technology, pricing and customer service, so that these people can produce good products, enhance productivity and look for markets.

Hon. Temporary Speaker, lastly, the Government should provide decent spaces and sanitation facilities so that they can operate in a good environment.

With those few remarks, I support the Motion. If this policy is implemented, we will have a vibrant informal sector.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much. Is the Member of Parliament (MP) for Runyenjes in the House; Hon. Eric Muchangi? Hon. Yusuf, Member for Kamukunji.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Temporary Speaker, for the opportunity. I salute my sister, the Member of Parliament for Dagoretti North, for bringing this Motion to the House on a unified national policy for our small and micro-enterprises.

This is something that should have happened yesterday. It is very necessary because at the moment, we have a very fragmented and disjointed system of helping small and micro-enterprises. To a certain extent, the right does not know what the left is doing. Successive governments have not been very serious about supporting our small and micro-enterprises. There is a lack of commitment. It is mostly lip service. I hope that there will be change as a result of this Motion and other interventions.

Many of the smaller funds that have been set up like the Uwezo Fund, the Youth Enterprise Development Fund, and other well-meaning funds could have gone a long way in helping young SMEs that have been bedevilled by wastages, leakages and embezzlements of funds and have not benefitted many youths involved in that sector. If you look at the figures, the informal sectors in Kenya employs the largest number of people in our country which is roughly 14.5 million. This means that 80 per cent of our population is employed in this sector called *jua kali*. Many of them are employed in the small and medium enterprises and, therefore, this sector if well-funded with the right policy inputs that could form the foundation for the economic development and building blocks of our economy. Some of the most advanced countries like Japan, Korea, Vietnam, and Thailand started with cottage industries.

You will see a large number of people in this sector for example, in my neighbourhood of Gikomba and Shauri Moyo. There are thousands of people who if given the right opportunity of funding and policies, could probably, become the next manufacturing sector of our country and grow our economy. It is therefore, important to consider this particular Motion because SMEs can expand the livelihood opportunities of our population and create more employment opportunities to our workers. It can really be an important component of our economic development and policy and contribute a lot to the well-being of ordinary people particularly in the capital city with five million people.

Many of the people from Kawangware, Kibra, Mathare including my own neighborhood of Kamukunji and many of our informal sectors have a large number of people who are dependent on this sector. With an input of the right policy and funding, they could take off.

I once again congratulate my sister, Hon. Beatrice Elachi, for bringing this particular Motion. I think it will make a big difference to the young and upcoming SMEs in our Capital city, and our rural areas and will play a big role in fighting poverty and creating equality.

Thank you for the opportunity. I support.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Yussuf, for being brief. Member for Kirinyaga Central, Hon. Joseph Gitari.

Hon. Joseph Gitari (Kirinyaga Central, UDA): Thank you, Hon. Temporary Speaker, for giving me this chance.

I thank my sister, Hon. Elachi, for bringing this timely Motion. At the outset, I can see that my sister subscribes to the hustler nation's agenda. It is true that SMEs play a big role in this country. There are so many things that we have done with them. The President of this Republic has been talking with lenders of money like Tala and the rest to lower their interest rates. This is the way to go because we want to support our bodaboda sector, women groups

and many other SMEs. We know that there are lenders like the shylocks who give people money at the rate of 30 per cent, but this is the way to go.

In the interest of time, I support my sister and congratulate her. I want to urge her to continue with the good spirit, and urge her to join the hustler nation.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Gitaru, you should pursue such talks outside the House. Next is the Member for Masinga, Hon. Joshua Mwalyo. Is he in the House?

Hon. Joshua Mwalyo (Masinga, Independent): Thank you, Hon. Temporary Speaker, for giving me this opportunity to say something about the development of a unified national policy on Small and Micro Enterprises (SMEs). First of all, I would like to thank Hon. Elachi for developing this policy because this is where many of our people are. Majority of the workers and voters are in the SMEs. In our rural areas people operate shops, vegetable stalls and welding shops where they weld windows and doors. These are the people that made us to come to this House. A Motion of this kind in this House takes care of them.

The SMEs are the drivers of our economy. They are the people that circulate money from one person to another because they deal in small and fast-moving items. For example, in the markets, they sell vegetables that we eat every day. They wake up every morning at 4.00 a.m. to go and sell their wares. Some go to buy and sell there. Others go to the market on the market days to broker cows and sell them again later and get their money. Some traders buy chicken to sell. All this is done in the name of making ends meet. These are the people who need to be taken care of by this policy.

We are aware that when Dubai was opened, people used to come together and buy between 50 and 100 kilos of bales of clothes. They would put clothes together in one container and have it measured by the feet that it occupied. Thus they would only be charged the space they occupied with their wares. All that again was done in the name of making ends meet. These are the people who need to be taken care by this policy because if credit is made available to them, they will progress. Some of these people do not own even a title deed or property that can be charged in a bank. Therefore, the best thing is to make a policy so that will enable them to access credit.

You remember when Equity Bank was starting, it started with the *mama mboga*, welders and those traders who do not bank. That is how it tapped their potential and grew to be the bank it is today. If you go to a bank today, you will find that there is a section and an officer who deals with SMEs. The United States Agency for International Development (USAID) normally gives credit to the banks to lend out to the SMEs because they know they have the potential and have customers on a daily basis. People construct small and big houses every day and welders make windows and doors for them. Thus, those are the people that the banks are trying to recruit as their customers.

Hon. Temporary Speaker, I thank the Member who has brought this Motion. I think it is timely because I would like to see those people in Masinga Constituency who only sell and consume the profit on the same day grow from that kind of trading to advance to another level. If the banks can listen to SMEs, this economy would grow. I equally thank God that the President has come with the idea of the Hustler Fund of which it will be available to SACCOs and organized groups whereby money will be available. If we actualize that, then we will grow this economy as quickly as possible.

In conclusion, because I want others to get the chance to speak, the employment that is normally created by the SMEs is enormous. One employs two people while another employs five and another one 10. You will find for example in Gikomba the people who carry the bales to load in the lorries are two or three. That is creation of employment. The people who are

employed in a welding shop are two or three. There is one for cutting, another one for welding and another one joining. Therefore, this is job creation which needs to be taken care of.

Hon. Temporary Speaker, I want to stop there and it is timely to make this policy to take care of our voters.

The Temporary Speaker (Hon. Peter Kaluma): Let us have Hon. John Waweru, Dagoretti South MP.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I am honoured and what great presiding. Before anything else I would like to take this opportunity to congratulate you for ascending to the presidium and having this opportunity to sit on the Chair's Panel. Congratulations, Hon. Temporary Speaker.

Secondly, what an awesome Motion. I want to thank my neighbour and friend and a very innovative leader in the person of Hon. Beatrice Elachi for bringing such an amazing Motion to the Floor of the House. Today looks like it is the hijack of Parliament by the Dagorettis. We had the Motion here in the morning by Dagoretti South Constituency and we are here now debating the Motion brought by Hon. Beatrice Elachi from Dagoretti North. Both of them are speaking to a very critical sector of this economy which is the sector of the people who literally drive this economy from the bottom-up.

Hon. Temporary Speaker there are some Motions that are bipartisan. It does not matter which side of divide you sit on. They are few and far between, but there are Motions that we all have to come together and support and this is one of those. Thank you, Hon. Beatrice Elachi.

I stand to support this Motion on the development of a unified national policy on the Small and Micro Enterprises (SMEs). I do this because I understand that the calamity that faces this sector is the fragmentation of policies, approaches and institutions that are being mandated to oversee and superintend over this very critical sector.

The proliferation of institutions, firms and approaches has been ailing this sector for a very long time. So much so that even with all the good will from successive governments, this sector still suffers from very basic problems. I understand that this proliferation has also led to turf wars, where institutions gang against institutions, Funds gang against Funds and departments and agencies go at each other in competition to sort out the plight of people in this sector. In this competition, I am reminded of a Kiswahili saying: *Vita vya kunguru, furaha ya panzi*. As these agencies fight, those who suffer are actually the people who should benefit from the approaches, funds and proliferating institutions. Trade suffers. The hustlers suffer. This policy is extremely timely.

Spika wa Muda (Mhe. Peter Kaluma): Mhe. Kiarie, wajua kuwa Spika wa Muda anayesimamia mjadala huu ni mweledi wa lugha. Tunasema 'vita vya panzi, furaha ya kunguru.' Sio vile ulivyosema. Endelea.

Hon. John Kiarie (Dagoretti South, UDA): I stand guided, Hon. Temporary Speaker, and I would never doubt your understanding of the language. I have seen you preside over debate in fluent English. I know you quote Latin once in a while. I am amazed that you are also *gwiji wa lugha ya taifa*. I stand guided. I think I was in a rush to save some time so that other Members can contribute. It is true, *vita vya panzi, furaha ya kunguru*. As these institutions fight, as these Funds go for each other's necks, as these approaches proliferate, those who suffer are the people who should benefit from the institutions' efforts.

If we would be able to get to a point where we have a unified SME policy, we shall move towards actualising the dream of the Kenya Kwanza government and proclamations of the Head of State. He stood where you are seated, Hon. Temporary Speaker, and placed his agenda before this House for us to legislate towards actualising it. I congratulate Hon. Beatrice Elachi, because this is a single effort in moving towards passing good laws that work towards

that agenda. If this happens, we shall quickly start benefitting from a unified policy. We shall start pushing traders, hustlers and other people in this sector towards seeing the viability of their ideas and being trained on how to develop good business ideas that can transcend the borders of this country. We shall spark, spur and even energise innovation in this country. We are not short of innovators. We are not short of ideas.

Finally and importantly, we shall bring about a semblance of order in training and skills development in this country. We stand to be all the richer as a country if we are able to move in the direction that Hon. Beatrice Elachi is persuading us to move.

Hon. Temporary Speaker, I thank you for this opportunity. I stand to support.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much, Hon. Kiarie. The Member for Karachuonyo, Hon. Andrew Adipo Okuome.

Hon. Adipo Okuome (Karachuonyo, ODM): Thank you, Hon. Temporary Speaker. First, I congratulate you on securing a seat on the Chair where you are sitting now. Equally, I thank Mheshimiwa Elachi for this very important Motion.

A country with a high level of unemployment will never be secure, and without security, the country will never develop. The SMEs provide employment to our people. If you go to rural areas, a number of women are engaged in small-scale businesses to earn and fend for their lives. They are yearning to earn and fend for themselves. The problem they face is access to capital. That is what they are trying to achieve. So, if help can go to them, we are sure they are going to maximise whatever they are doing and if they maximise, they will expand their businesses. With the expansion, they will get more people to help them achieve their goals. Many of them will employ more people into their businesses. In doing so, they will reduce unemployment and impact on the food security of the country. We should therefore look at this issue as one that will not only help the business people but one that will also create development through other channels.

The same thing goes for the youths. They are doing their best. When they leave schools or universities, they want to do something. We know unemployment level in the country is very high and we know the government cannot absorb them. We are also aware that other businesses cannot absorb them. If they can be assisted to start their own businesses, like women, they will also create employment for others. So, instead of just being idle and doing nothing in their areas, they will be creators of jobs for people to be employed in more numbers.

This is a very important Motion because it is going to help us in many ways and I believe my colleagues, together with me, support it heartily. We must work hard to ensure that this can be implemented. Hon. Temporary Speaker, thank you for giving me the chance to contribute to this Motion.

The Temporary Speaker (Hon. Peter Kaluma): The MP for West Mugirango, Hon. Stephen Mogaka.

Hon. Stephen Mogaka (West Mugirango, JP): Thank you, Hon. Temporary Speaker, for giving me this opportunity and to congratulate you for your meritorious ascendancy to the Chairpersons' Panel. On the same breath, I thank and congratulate Hon. Beatrice Elachi for this very noble step to try and bring a unified policy in dealing with SMEs in this Republic.

I have a background in banking and I recall that the SMEs were the most endangered business enterprises in the Republic. One day, you could lend a *jua kali* artisan money but the next day, the demolition squad brings their structures down calling them illegal. The lack of an integrated approach in securing SMEs in this Republic has led to business failure and scared away lenders from putting their money in the informal sector. Hon. Elachi has taken a noble step to move the government to bring a unified policy that will ensure that our *jua kali* sector, our informal sector, our boda boda sector and our brick manufacturers in West Mugirango will

now have a quasi-law that regulates their existence and assures the operators in those sectors that they are duly recognised by the government and that one arm of government will not be licensing them today as another arm demolishes their structures as it has been the case before.

The population of business entrepreneurs in the SMEs sector is quite heavy. Indeed, it is one of the biggest employers in the Republic of Kenya yet there is no policy. As a democratic society, let us always align our policies to where our wealth is resting. There is a lot of unlocked wealth in the SME sector. If we nurture this sector, and have most of the self-employed operators assured that their operations are legit and that their funding is going to come from United States Agency for International Development (USAID) and other international donor funding organisations who are keen to promote SME sectors, it would assure the skilled people who are doing their own businesses that this country also belongs to them. This way, we would also be expanding our tax base so that the Kenya Revenue Authority can collect enough revenue to support economic development.

I support this Motion, and one more time, congratulate my sister, Hon. Beatrice Elachi, for doing that which Kenya has been lacking.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): The Member for Emgwen, Hon. Lelmengit. I am only giving you two minutes. I do not know whether you will make it because the Mover has reply.

Hon. Josses Lelmengit (Emgwen, UDA): Thank you, Hon. Temporary Speaker, for giving this opportunity.

I would like to support the Motion by Hon. Elachi. I would also like to congratulate her on developing a unified policy for SMEs. We all understand that SMEs play a crucial role. One, is to increase the local income, and provide employment to thousands of people. This in turn helps in the industrialisation of the rural and backward areas back at home.

To bring down the cost of living, we first have to empower the SMEs. We need to have locally made products, and empower our people on the areas of workmanship and standardisation. I would give an example of the shoe makers taking into consideration they are very costly. *Toughees* are shoes commonly worn by high school, and are roughly Ksh2,000. I would equate it to a cow's ear. We have skins and hides in this country. Why can we not empower them, give standardisation policies and also provide good workmanship?

Secondly, we need to protect these SMEs from unhealthy competition from imports. We should ban importation of locally made or manufactured products like toothpicks and others, so that we can empower our SMEs and sell the agenda 'buy Kenya, build Kenya'. For that, I support that we standardise the policy for SMEs.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much, Hon. Josses Lelmengit. Mover.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker.

Since our colleagues have really taken time on this Motion, I would like to donate two minutes each to Hon. Lilian Gogo, Hon. Jessica Mbalu, Hon. Maina Mathenge and Hon. Eric Muchangi, in that order.

The Temporary Speaker (Hon. Peter Kaluma): The Hon. (Dr.) Lilian Gogo, Member for Rangwe Constituency.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you so much, Hon. Temporary Speaker.

I appreciate my sister for her sisterhood and caring nature. The great grandson of Asumbi, in Rangwe Constituency, allow me to take a second to congratulate you for ascending

to the Chairperson's Panel. Allow me to also congratulate the substantive Speaker, Hon. Wetangula *Papa*, for allowing you to serve with him. Kindly, serve Kenyans well.

Having said that, Hon. Elachi has always been a noble Kenyan— a powerful and strong woman – a woman who works for Kenya – and, she has done it again. I appreciate you, Hon. Elachi, for coming up with something emotional that touches strictly on the basic fabric of Kenya.

These are SMEs. We should also add the word “Medium” so that we can have Medium, Small and Micro-Enterprises (MSMEs). These are the people who drive our economy mainly by work that they do at home. We should come up with a unified Policy on MSMEs. Once it is there, implementation is very important.

I support this Motion. By virtue of time, I may not have much to contribute, but this Motion is timely. It has come at the time that we need it. It needs to be passed. The Government needs to implement it as this will help to improve our economy.

I thank Hon. Elachi for donating her time. I also thank you, Hon. Temporary Speaker, for giving me time to speak. I support the Motion.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. (Dr.) Lilian Gogo. Hon. Jessica Mbalu.

Hon. Jessica Mbalu (Kibwezi East, WDM): Thank you, Hon. Temporary Speaker. Congratulations on being in the Chairperson's Panel which is a seat that I served for 10 years. It can be cold, hot, or warm. Congratulations; you are equal to the task.

Allow me to thank Hon. Beatrice Elachi for coming up with this Motion on the Development of a Unified National Policy on Small and Micro-Enterprises. It is very important to note that Hon. Beatrice Elachi is asking the House to resolve but not urge. We pass many Motions in this House. We call upon the Committee on Implementation to ensure that such Motions are implemented. In this one, we are resolving but not urging the national Government to develop a unified national policy on SMEs.

The Motion looks on how we can recognise, fund, mentor, expand, restructure and market our SMEs products. This will grow our economy. When I used to teach at the university, I used to give my students examples from United States of America (USA) where the economy has improved because of the SMEs. We ask the Government to allocate resources to our SMEs, especially after the effect of the Covid-19 pandemic. We can support the *jua kali* sector and women who sell *mbogas* in terms of funding. Let us have one unified national Policy on SMEs. Since we now have the Ministry of Cooperatives and Micro, Small and Medium Enterprises Development, it should stop a lot of competition.

We also need to ensure that we promote MSMEs to trade both locally and internationally. This will create jobs for our youth, women and men and our economy will improve. I thank Hon. Beatrice Elachi. We must pass this Motion and implement it.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Eric Muchangi.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute to this very important Motion by my one-time Secretary General of the Alliance Party of Kenya around 10 years ago. That is where the journey started.

The SMEs in Kenya offer a very great opportunity for the majority of the Kenyan youth. The people who have been absorbed in formal employment in Government are around 700,000. There are millions of young people out there who lack jobs. The SMEs sector offers them a great opportunity, if only it is well organised. The call to have a unified policy on that area is a very welcome move. I believe this will also give an opportunity to the Government to net more tax. If we must stop relying on the foreign countries go give us aid, we must know how

to generate our taxes. This is where the Government should focus on and give more support to this sector so that we can get more from it.

With those comments, I support.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Muchangi. Where is Hon. Maina Mathenge? Is he in? He has left. So, Mover?

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker.

First, I want to really congratulate and appreciate you. I know you will do justice to the seat and support Hon. Speaker. Having said that, I really thank all the Members who have contributed to this Motion and those who have stayed up to this hour. I do not take it for granted. I say thank you very much.

In summary, we appreciate that we must have implementation of the policy. We must ensure we harmonise the licences of the SMEs. I know our senior, the Member for Buuri, was very clear that it is important to have a data base identifying SMEs and research development to ensure that we partner with other organisations to really build the capacity of our SMEs to ensure we expand our tax base.

Public participation and ensuring that we have training, capacity building and financial management is very critical. More importantly and as I finalise, we have to mainstream SMEs. As Hon. John Kiarie has said, I hope all ministries will stop competition because we now have a ministry of SMEs. It is very critical. Let us now take everything SME to that ministry. That is so that they are coordinated at one place to ensure that all sectors—be it manufacturing, agriculture or talent, and all the sectors we have—indeed enjoy doing business in Kenya and build our economy. Most importantly is to build growth so that we have taxes that go back to services for our people.

With those few remarks, my Hon. Temporary Speaker, I beg to reply.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Hon. John Waweru.

Hon. John Kiarie (Dagoretti South, UDA): Thank you very much, Hon. Temporary Speaker.

I rise on Standing Order 53(3) of our National Assembly Standing Orders to request that you defer the putting of the question to another Siting, pursuant to that Standing Order. I wish we have better quorum in the House while putting the question to this very important Motion.

Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. John Waweru. Hon. Members, I will defer the putting of the question on this Motion to an appropriate time when the House will be next siting, as requested by Hon. John Waweru under Standing Order 53(3).

(Putting of the Question deferred)

ADJOURNMENT

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, the time being 7.03 p.m., this House stands adjourned until tomorrow, Thursday, 10th November 2022, at 2.30 p.m.

The House rose at 7.03 p.m.

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