



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**VOL. I NO. 30**

## THE HANSARD

Thursday, 24<sup>th</sup> November 2022

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

**The Temporary Speaker** (Hon. Farah Maalim): Ring the bell for quorum.

*(The Quorum Bell was rung)*

Hon. Members we have quorum.

MESSAGE

PASSAGE OF COUNTY GOVERNMENTS ADDITIONAL  
ALLOCATIONS (NO. 2) BILL BY THE SENATE

**The Temporary Speaker** (Hon. Farah Maalim): I have a Message from the Senate.

Hon Members, pursuant to the provisions of Standing Order 41(4) of the National Assembly Standing Orders, I wish to convey to the House that I have received a Message from the Senate regarding the passage of the County Governments Additional Allocations (No.2) Bill (Senate Bill No. 4 of 2022).

Hon. Members, County Governments Additional Allocations (No.2) Bill (Senate Bill No. 4 of 2022) was published *vide Kenya Gazette Supplement* No. 163 of 26<sup>th</sup> October 2022, as a Bill to provide for additional allocations to county governments for the Financial Year 2022/2023, the responsibilities of the national Government and county governments pursuant to such allocation and for connected purposes.

The Message conveys that on Tuesday, 22<sup>nd</sup> November 2022, the Senate considered and passed the said Bill with amendments and now seeks the concurrence of the National Assembly on the Bill. Standing Order 143 (1) (c) requires the Speaker to cause a Bill received from the Senate to be read a First Time upon conveyance of this Message. I therefore direct the Clerk to have the Bill listed on the Order Paper for the First Reading in the next Sitting. Pursuant to Standing Order 143(2), the Bill now stands referred to the Budget and Appropriations Committee for consideration. I urge the Committee to prioritise the Bill for its possible conclusion before the House proceeds on recess next week, given its urgency. The House is accordingly informed.

Thank you.

**Hon. Opiyo Wandayi** (Ugunja, ODM): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Yes, Hon. Wandayi, did you rise on a point of order?

**Hon. Opiyo Wandayi** (Ugunja, ODM): Yes. I rise pursuant to the Communication you have just delivered concerning the Bill that has come from the Senate. Without necessarily pre-empting debate, the import of the Bill is the increased allocation of revenues or funds to the

counties. You have indicated quite correctly that you want this House to consider it before it goes for the long recess. Hon. Temporary Speaker, that is fairly okay.

Even as we rush to conclude these matters, I am aware that a number of counties, as we speak, have not yet received their rightful allocations from the National Treasury. There are counties which are operating on shoestring budgets. Their service delivery and other operations have halted as a result of either delay or total lack of release of funds that have been duly allocated to them by this House and the Senate. As we endeavour to prosecute that matter, I bring to the attention of the House that something still needs to be done. These counties are a lifeline to some of us. The only money you can be sure of in this country is the one which goes to the counties and constituencies. You cannot be sure of monies which are left here in Nairobi, if history is to go by. They are at the mercy of a small clique of persons who think these resources belong to them.

Therefore, as we consider this matter in the fullness of time, I appeal once more to the National Treasury to release all monies which are correctly and properly due to county governments, so that they can be used to provide services to our people. Even though we know a few county governments are involved in wanton corruption, that should not be a hinderance to frequent and proper release of funds.

Thank you.

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): On a point of order, Hon. Temporary Speaker.

**Hon. Opiyo Wandayi** (Ugunja, ODM): There is nothing out of order and you know it.

**The Temporary Speaker** (Hon. Farah Maalim): What is your point of order, Hon. Chepkonga? If the microphone is not working, you can come forward.

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): Thank you very much, Hon. Temporary Speaker. I did not want to rise on a point of order against the Leader of the Minority Party. However, since he is protesting that I have risen....

**The Temporary Speaker** (Hon. Farah Maalim): Has your point of order been overtaken by events?

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): No. I rise on a point of order, Hon. Temporary Speaker. I requested the substantive Speaker for a ruling with regard to the Committee on Delegated Legislation on regulations that have not been forwarded to the Committee. While I am still there, you should have ruled Hon. Opiyo Wandayi out of order for raising Senate issues on the Floor of the National Assembly.

**The Temporary Speaker** (Hon. Farah Maalim): Order! You do not direct the Speaker.

*(Laughter)*

That Communication is ready and it will be delivered on Tuesday, next week.  
Next Order.

## PAPERS

**The Temporary Speaker** (Hon. Farah Maalim): Are there any Papers to be laid on the Table of the House by the Leader of the Majority Party, Deputy Leader of the Majority Party or Whip of the Majority Party?

*(Laughter)*

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, I have Papers to lay on the Table of the House. However, the Leader of the Minority Party was engaging me

on other Papers that are yet to be laid. So, I was just informing him that those will come later at the appropriate time.

*(Laughter)*

Hon. Temporary Speaker, I beg to lay the following Papers on the Table:

Legal Notice No. 213 of 2022 relating to the Public Finance Management (Financial Inclusion Fund) Regulations, 2022 and the Explanatory Memorandum from the National Treasury.

The Annual Report and Financial Statements of the Office of the Auditor-General Staff Car Loan Scheme for the year ended 30<sup>th</sup> June 2017.

The Annual Report and Financial Statements of the Kenya Civil Aviation Authority for the Financial Year ended 30<sup>th</sup> June 2020.

The Annual Report and Financial Expenses of the Nuclear Power and Energy Agency for the year ended 30<sup>th</sup> June 2020.

The Second Quarterly Report from the Ethics and Anti-Corruption Commission for the period covering 1<sup>st</sup> April 2022 to 30<sup>th</sup> June 2022.

Reports of the Auditor-General and Financial Statements of the following institutions for the year ended 30<sup>th</sup> June 2021 and the certificates therein:

- (a) Energy and Petroleum Regulatory Authority.
- (b) Pwani University.
- (c) Kenya Maritime Authority Staff Mortgage and Car Loan Scheme.
- (d) Kamukunji Technical and Vocational College.
- (e) Ngong Technical and Vocational College.
- (f) National Council for Persons with Disabilities.
- (g) Child Welfare Society of Kenya.
- (h) Anti-Doping Agency of Kenya.
- (i) National Council of Children's Services.
- (j) Kenya Industrial Property Institute.
- (k) Scrap Metal Council.
- (l) Talanta Football Club.
- (m) Karatina University.
- (n) Kirinyaga University.
- (o) Kenya National Bureau of Statistics.
- (p) Youth Enterprise Development Fund.
- (q) National Government Affirmative Action Fund.
- (r) Local Authorities Provident Fund.
- (s) Prisons Farm Revolving Fund.
- (t) National Social Securities Fund.
- (u) National Youth Service Mechanical and Transport Fund.
- (v) Rural Electrification Scheme.
- (w) Registration of Certified Public Secretaries Board.
- (x) Kenya Accountants and Secretaries National Examinations Board.
- (y) Institute of Certified Investment and Financial Analysts.
- (z) The Retirement Benefits Authority.
- (aa) The Kenya Investments Authority.
- (bb) Financial Reporting Centre.
- (cc) Weru Technical Training College.
- (dd) Ekerubo Gietai Technical Training Institute.
- (ee) Keroka Technical Training Institute.

Report of the Auditor-General and Financial Statements of the following constituencies for the year ended 30<sup>th</sup> June 2021 and the certificates therein:

- (a) Lafey Constituency;
- (b) Banissa Constituency;
- (c) Bura Constituency;
- (d) Balambala Constituency;
- (e) Ndhiwa Constituency;
- (f) Kitutu Chache Constituency;
- (g) Kamukunji Constituency;
- (h) Nyeri Town Constituency;
- (i) Kieni Constituency;
- (j) Tetu Constituency;
- (k) Roysambu Constituency;
- (l) Othaya Constituency;
- (m) Nyatike Constituency;
- (n) Nyaribari Masaba Constituency;
- (o) Homa Bay Town Constituency;
- (p) Rongo Constituency;
- (q) Bomet Central Constituency;
- (r) Suna West Constituency;
- (s) Suna East Constituency;
- (t) Suba North Constituency;
- (u) Ganze Constituency;
- (v) Bomachoge Chache Constituency;
- (w) Karachuonyo Constituency;
- (x) Wundanyi Constituency;
- (y) North Mugirango Constituency;
- (z) Kilifi South Constituency;
- (aa) Kisauni Constituency;
- (bb) Nyali Constituency;
- (cc) Jomvu Constituency;
- (dd) Rabai Constituency;
- (ee) Matuga Constituency;
- (ff) Msambweni Constituency;
- (gg) Kaloleni Constituency;
- (hh) Lungalunga Constituency;
- (ii) Uriri Constituency;
- (jj) Kitutu Masaba Constituency;
- (kk) Konoin Constituency;
- (ll) Bomachoge Borabu Constituency and;
- (mm) Bomet East Constituency.

Thank you, Hon. Temporary Speaker, but I have a point of order.

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, sorry. There is something else that has just come in on Papers.

**The Temporary Speaker** (Hon. Farah Maalim): Order! Do you want to lay some additional Papers?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Yes. Something has just come in from the Table Office.

Hon. Temporary Speaker, I beg to lay the following Papers on the Table:

The Defence Cooperation Agreement between the Government of the Republic of Kenya and the Government of the Republic of the United Kingdom of Great Britain and Northern Ireland and the Explanatory Memorandum from the Ministry of Defence.

## QUESTIONS AND STATEMENTS

### ORDINARY QUESTIONS

**The Temporary Speaker** (Hon. Farah Maalim): We are now in Questions. We will start with Question 015/2022 by Hon. Charity Chepkwony, Member for Njoro. We will come back to it.

Member for Mwingi West, Hon. Charles Nguna, I understand that he delegated or authorised somebody else to ask the Question on his behalf. I am meant to understand that he has delegated or authorised Hon. (Dr.) Makali Mulu to ask the Question on his behalf.

Hon. (Dr) Makali proceed and ask the Question on behalf of Hon. Nguna.

*Question No. 037/2022*

#### FAILURE TO ELEVATE PROMOTED TEACHERS TO CORRESPONDING JOB GROUPS

**Hon. (Dr.) Makali Mulu** (Kitui Central, WDM): Thank you, Hon. Temporary Speaker. I did not have the Order Paper but thank you very much for your indulgence.

Hon. Temporary Speaker, I rise to ask the Chairperson of the Teachers Service Commission (TSC) the following Question, on behalf of the Member for Mwingi West, Hon. Charles Nguna:

- (i) Could the Chairperson explain why 1,011 classroom teachers promoted to Senior Graduate Teacher, Job Group M, in April 2017 and subsequently promoted to head teachers have not been elevated to the corresponding Job Group D1?
- (ii) Could the Chairperson further explain if there are any plans to elevate the said head teachers to the required Job Group D1 and state by when this will be done?
- (iii) Further, could the Commission explain the reasons for existing discrepancies where Senior Graduate Teachers are head teachers yet some with the same qualifications are still in Job Group C5 instead of D1?

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): That will be replied to before the Departmental Committee on Education.

Next Question is by Hon. Beatrice Adagala, I understand that she has delegated Hon. Joshua Mwalyo the Member for Masinga to ask the Question on her behalf.

*Question No.038/2022*

#### STATUS OF INVESTIGATIONS INTO DEATH OF HILLARY KHAYUMBI

**Hon. Joshua Mwalyo** (Masinga, Independent): Hon. Temporary Speaker, I stand on behalf of the Member for Vihiga County, Hon. Beatrice Adagala to ask the Cabinet Secretary for Interior and National Administration the following Question:

- (i) Could the Cabinet Secretary provide the status of investigations into the death of Hillary Khayumbi from Bundavo Village, Makuchi Sub-location, Shiru

Ward, Hamisi who was shot dead by unknown assailants on 30<sup>th</sup> October 2022?

- (ii) Could the Cabinet Secretary explain why there has been a rise in insecurity and crime in Muhundy Hamisi Busali in Sabatia and in the whole county generally, where people are regularly waylaid and their homes raided?

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Fair enough. To be replied to before the Departmental Committee on Administration and Internal Affairs.

Next Question is by the Member for Starehe, Hon. Amos Mwago. You may proceed.

*Question No. 039/2022*

ALLOCATION OF KENYA RAILWAYS CORPORATION LAND TO MARIKITI MARKET

**Hon. Amos Maina** (Starehe, JP): Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for Roads and Transport the following Question:

Could the Cabinet Secretary consider allocating the unutilized piece of land that belongs to Kenya Railways Corporation next to Marigiti Market to the traders there on a temporary basis pending structural expansion of the new market in the Central Business District area?

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Fair enough. To be replied before the Departmental Committee on Transport and Infrastructure.

The next Question is by the Member for Gichugu, Hon. Gichimu Githinji. Proceed Hon. Gichimu to ask your Question.

*Question No. 040/2022*

DETAILS OF CONTRACTS ON TRANSPORTATION OF CARGO  
THROUGH STANDARD GAUGE RAILWAY

**Hon. Gichimu Githinji** (Gichugu, UDA): Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for Roads and Transport the following Question:

- (i) Could the Cabinet Secretary provide details of the contract entered into by the Kenya Railways Corporation and private companies in 2018 for the transportation of cargo through the Standard Gauge Railway (SGR) including leasing of land for cargo, to ensure SGR commercial viability for the period between 1<sup>st</sup> June 2017 and September 2019?
- (ii) Could the Cabinet Secretary explain whether the necessary procedures were followed by the Kenya Railways Corporation (KRC), including undertaking a competitive procurement process and obtaining the requisite approvals, when entering into the two long-term contracts for the provision of rail haulage services with two private entities, namely M/s. Grain Bulk Handlers Limited and M/s. Autoports Freight Terminal Limited?
- (iii) Could the Cabinet Secretary provide information on financial gains, if any, made by the Corporation, as a result of the contracts?
- (iv) Could the Cabinet Secretary state the specific measures being taken to address any omission or commission by public officials and officers of the private entities?

Thank you, Hon. Temporary Speaker for the opportunity to ask that Question.

**The Temporary Speaker** (Hon. Farah Maalim): Fair enough. The Question will be replied to before the Departmental Committee on Transport and Infrastructure.

Next is Statements. Pursuant to provisions of Standing Order 44 (2) (c) the following Statements will be requested. Member for Kamukunji, Hon. Yusuf Hassan, where are you? Proceed.

### REQUEST FOR STATEMENTS

#### EXPIRY OF UNUSED DATA BUNDLES AND WIDE-SPREAD INTERNET THROTTLING

**Hon. Yusuf Hassan** (Kamukunji, JP): Thank you, Hon. Temporary Speaker for the opportunity. I am seeking a Statement concerning the expiry of unused data bundles and wide-spread internet throttling practised by internet service providers.

The request for Statement is pursuant to Standing Order 44 (2) (c). I wish to request for a Statement from the Chairperson of the Departmental Committee on Communication, Information and Innovation on the expiry of unused data bundles and the wide-spread practice of internet speed throttling practised by the internet service providers. We are in the midst of an internet revolution whereby access to the internet has made the world a global village. There has been a steady increase in Kenya of internet users. According to the World Digital Quality of Life Index of 2022, an estimated 42 per cent of the total Kenyan population has access to the internet.

Hon. Temporary Speaker, further, data from the Communications Authority of Kenya (CAK) indicates that mobile data subscriptions account for the largest contributor to internet subscriptions as more Kenyans access the internet using mobile devices. As a result, Kenyans spent billions of shillings in subscribing to data packages offered by telecommunication companies and other internet service providers.

Hon. Temporary Speaker, telecommunication companies and internet service providers (ISPs) have been charging subscribers exorbitant prices for their data packages which are subject to expiry of validity. Consumers are required to use their data bundles within limited periods usually a day, week or month. The high cost of data bundles coupled with this imposed expiry period has largely disadvantaged millions of Kenyans who are arbitrarily deprived of the unused data bundles already paid for in full. The time limits imposed on the validity of data services has resulted in a waste of a great deal of subscribers' money. According to statistics available in 2021, the value of unused Safaricom airtime and data stood at Ksh5.7 billion; a huge amount.

Hon. Temporary Speaker, the continued expiry of data services is further made unreasonable by poor network coverage in some parts of the country and widespread throttling of internet speeds by internet service providers thus preventing consumers from fully exhausting what they have purchased. It is notable that data bundles that are affordable to consumers have shorter expiry periods while packages which last longer tend to be more expensive with lesser data. This has compelled subscribers to spend more money.

Hon. Temporary Speaker, there is need to protect Kenya internet consumers who find themselves exploited because of the expiry of data bundles before they can be depleted and the deliberate reduced internet speeds. Forcing expiry dates on subscribers only benefits internet service providers and has a negative impact on efforts to promote digital adoption in the country. It is on this account that I seek a Statement from the Chairman of the Departmental Committee on Communication, Information and Innovation on the following:

1. Could the Ministry of Information, Communication and the Digital Economy clarify the rationale behind time limitations on validity of data services used by telecommunication companies and internet service providers?
2. What immediate steps is the Ministry taking to ensure internet service providers do not continue to deprive subscribers of unused data bundles already paid under the current validity expiry model?
3. What plans does the Ministry intend to put in place to cushion consumers through regulation to ensure ISPs extend bundle validity cycles and provide roll over of unused data options?
4. What specific measures is the Ministry taking to enhance e-infrastructure to boost the reliability of network coverage in the country?
5. What immediate steps is the Ministry taking to ensure consumers are entitled to full enjoyment of bundles which they have paid for through curbing the widespread internet throttling speed that is used by almost all the ISPs in the country?

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): The Leader of Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. I just want, by way of comment, to thank the Member for Kamukunji for seeking this Statement. It is true that many of our telecommunication and internet service providers are literally stealing from our people. The moment you buy bundles, for example a one-week package, you are told it has expired before you utilise it. They never account for the money you paid. This is outright theft and they must be held accountable.

Internet service provision is a service like water, power or any other to your home. You pay for what you consume and, therefore, they cannot charge Kenyans for what they have not consumed. Some of them are very notorious especially those who vend money lending services at very exorbitant rates. You must ask yourself what they did under this regime that they were able to cut the charges on *fuliza* by close to 50 per cent. This is the same business some of these internet service providers are engaged in of exploiting Kenyans.

I want to ask the Departmental Committee on Communication, Information and Innovation under the chairmanship of Hon. KJ to look into all the issues raised by the Member for Kamukunji because they are of concern. The people they punish most is not me and you because we can afford to buy bundles. It is the millions of young Kenyans who use these bundles to explore the internet and work online. They have no jobs yet for the little jobs they can do over the internet, they are being punished by these internet service providers.

I support this Statement and ask the Chairperson of this Committee to ensure it is expedited in the shortest time possible. Hon. KJ and your Committee, if you can engage with them and give us a report before we go on recess next week, it will be the most ideal thing. So, as we break for Christmas, we can be sure nobody will steal our bundles.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): The Member for Ainabkoi, Hon. Chepkonga, you have business in this industry in the sense that you are a telecommunications man. Proceed.

*(Hon. Johana Kipyegon spoke off-record)*

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): Hon. Temporary Speaker, ignore what Hon. Ng'eno is saying. I want to thank the Member for Kamukunji for bringing a very timely and important Statement. You can imagine I put my money in a bank and it has an expiry date. That is exactly what Safaricom and Airtel are doing. You put your money hoping to use it but

you do not. Then somebody puts a time limit within which you must use it. If you do not, it becomes theirs. This is robbery without violence.

As the Leader of Majority Party has said, Hon. KJ has a very important task of bringing the Cabinet Secretary together with the regulator who took over from me. It seems he is not sensitive as I was. When such matters are raised, he should not wait until he is dragged into this House. This should be resolved fairly quickly and if there is money that has not been used in someone's account, it should be refunded. They should not make it part of their profit because what service have they provided? They just keep our money, invest and use it to make profit. In fact, they should be thanking us and giving us some more *bonga* points.

It is important that the Cabinet Secretary for the Ministry of Information, Communication and Digital Economy, Mr. Owalo, together with the former Chief Executive Officer (CEO) of the Independent Electoral and Boundaries Commission (IEBC) are brought to this House fairly quickly by Hon. KJ. If he lacks powers, let him invoke Article 125 of the Constitution and they will appear. They should not mess with hustlers.

Thank you, Hon. Temporary Speaker.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): What is the point of order Member for Nyando? Did I hear you say IEBC?

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): Former IEBC.

**The Temporary Speaker** (Hon. Farah Maalim): Of course, and the current one. Member for Nyando you are on point of order.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Thank you, Hon. Temporary Speaker. It is very unfortunate that you are reading "Navakholo" as "Nyando".

**The Temporary Speaker** (Hon. Farah Maalim): Member for Navakholo proceed; you are on a point of order.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Thank you, Hon. Temporary Speaker. I want to consult Hon. Chepkonga. Is he in order to reprimand his predecessor that he is not active without disclosing to this House what portion of the bundles were not charged during his time?

**The Temporary Speaker** (Hon. Farah Maalim): Order! Order! Proceed Member for Moyale, Prof. Guyo Jaldesa. Do you have a problem with technology? Use the next microphone.

**Hon. (Prof.) Jaldesa Guyo** (Moyale, UPIA): Thank you, Hon. Temporary Speaker. The issue of bundles is very emotive because people consume money without knowing. That should be handled as quickly as possible as mentioned in the Statement. Issues of telecom companies, internet, Wi-Fi, and the entire telecommunications system must spread across the country so that everybody can access them according to their desire.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Fair enough. Member for Saku, Rtd. Col. Dido Raso, you can contribute wherever you are.

**Hon. Ali Raso** (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I thank Hon. Yusuf for raising that issue. The youth make up 70 per cent of the population of this country. Most of them are in colleges and universities. This is what they use every day for their studies, communication and to also work online around the world. If service providers take advantage of them, yet most of these youngsters depend on many of us, including their parents who eke out a living by hustling, then service providers would not be doing justice to majority of the population in the country.

I call upon Hon. KJ, because he is an avid user of technology, to ensure that these things are brought to an end. We must check them. They must give rebates to most youths such that if one spends Ksh10, they are given a rebate of Ksh5. In that way, they pay Kenyans back.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Let us have Nominated Member, Hon. Irene Mayaka.

**Hon. Irene Mayaka** (Nominated, ODM): Thank you, Hon. Temporary Speaker. I also support the issue of mobile internet and its use. As a young person, I know that we spend most of our time on the internet when we want to do research and communicate with people. As has been previously said, a lot of the research that youths do at work and for their own social use requires the internet.

This matter should be dealt with urgently. The good thing is that my Chair, Hon. KJ, is here. He is technology savvy. This matter should be taken up by our Departmental Committee on Communication, Information and Innovation so that we interrogate it further and make sure that we give a solution that is amicable to everyone.

Also, it is not only the youth who use the internet. Our parents are now technology savvy and they use network bundles. As has been said, telecom providers are taking advantage of that because they know that there is an increased use of that particular service in our country. I agree that this needs to be urgently interrogated.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Let us have Hon. Nyamai, Member for Kitui South.

**Hon. (Dr.) Rachel Nyamai** (Kitui South, JP): Thank you, Hon. Temporary Speaker. First, I would like to thank the Member for Kamukunji, Hon. Yusuf, for raising the matter.

Our constituents are being misused by mobile companies. I would like to give you an example of three locations in my constituency called Mutha, Kasaala and Kanziko. Those three locations can have no network for a week. When someone purchases bundles that expire in seven days, it is important that mobile companies tell us where they take those bundles. I would like to ask Hon. KJ to request for a refund for the people of Kitui South and others in the 290 constituencies that have lost money through this scam.

Thank you very much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Let us have the Member for Mogotio.

**Hon. Kiborek Reuben** (Mogotio, UDA): Thank you, Hon. Temporary Speaker. I support the Member of Parliament for Kamukunji.

Many young people my age and those younger than me use internet bundles. There are no corporate social responsibility projects undertaken by these companies for the youth. The youth invest their money in those bundles and when they expire, we do not know what “eats” them at night. You load bundles into your phone and when you wake up in the morning you are told to reload. I do not know what “eats” them at night. We have to look into how these telecom companies use those bundles at night. How do they intend to give back to those who invest in those bundles? What CSR projects are they undertaking for the youth who invest in their bundles? Do they have any plan to train the youth so that they use the internet to their advantage to generate income and for education?

We must look into these companies because they are enriching themselves at the expense of active youths. Currently, there are few jobs in the country. Many young people spend a lot of time on their phones. These telecom companies take advantage of that and siphon money out of their phones through bundles. We must look into it. Hon. KJ should work on that issue as the Chairperson of the Departmental Committee on Communication, Information and Innovation and deal with those companies so that they lower the cost of internet.

Thank you so much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Member for Rangwe, Dr. Lilian Gogo? Is she here in the House? Okay. Let us have the Member for Igembe Central. Proceed.

**Hon. Daniel Karitho** (Igembe Central, JP): Thank you, Hon. Temporary Speaker. First and foremost, I congratulate Hon. Hassan, the Member for Kamukunji, for bringing this Statement.

I believe that you own whatever you buy. When one buys bundles, you own them. The bundles are yours and you should be given a chance to use them whenever you need to. Those companies are defrauding users and should understand that what you buy is yours. They should give users an opportunity to use their bundles during their time of use.

In most rural areas, there are no network connections. If you buy bundles when you are in town, you will not get an opportunity to use them when you go home. If you hang around at home for a week or two, your bundles expire and you lose your money. These mobile service and airtime providers should give us time to use our bundles until they are over.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Member for Wajir South.

**Hon. Mohammed Adow** (Wajir South, ODM): Thank you, Hon. Temporary Speaker. I would like to thank the Member for Kamukunji for raising this very important issue of telecommunication companies stealing from their customers. It has given rise to other issues and characters that we have observed. Whenever some of my constituents call me on *WhatsApp*, they immediately switch off their data because they do not want to waste it. It is very difficult to sometimes get back to them because they do not switch on their data again. This is a very important matter to almost every Kenyan.

There is also the issue of telecommunications infrastructure. Vast areas in my constituency do not have network. In places where there are masts and network is available, it is at 2G internet speed. Most of the cost of data...

**The Temporary Speaker** (Hon. Farah Maalim): What is your point of order, Leader of the Majority Party?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, I was just concerned because the Member said his constituents call him on *WhatsApp*. I was wondering because since freedom came, we no longer use *WhatsApp* to call. Unless there is a section of this country that the public feels there is no freedom and still have to call using *WhatsApp*... I want to encourage the Member. I know he is from a divide that may not believe that freedom is here; please feel free to call on any open line. Freedom is here.

(Laughter)

**Hon. Mohamed Adow** (Wajir South, ODM): Well, we will believe when we see that freedom. My constituents call me on *WhatsApp* because it is cheaper for them. We have nothing to hide because they tell me of their problems and I get back to them too, via the *WhatsApp*. It is the phenomenon that was raised by Hon. Yusuf Hassan on telecommunication companies stealing data from the people which is causing all these.

I was talking about the availability of telephone networks in my constituency which are few and far between and in places where the communication masts are, the network is at 2G which is a very frustrating thing for my constituents. I appeal to the Committee and its Chairperson, Hon. KJ that kindly when you sit down with the telecommunication companies to address this matter, could we have these masts upgraded to 4G?

Thank you very much.

**The Temporary Speaker** (Hon. Farah Maalim): Member of Parliament for Kwana, Hon. Ferdinand Wanyonyi, whatever happened to your technology? Can the Clerks-at-the-

Table help him? Proceed, Hon. Wanyonyi, the microphone had been switched on but you switched it off again.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD – K): Hon. Temporary Speaker, that off and on thing must have been sabotage. I want to agree with Hon. Yusuf Haji for what he has come up with. It is important for us...

**The Temporary Speaker** (Hon. Farah Maalim): Order, order, Hon. Wanyonyi. It is Hon. Yusuf Hassan.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD – K): Sorry, Hon. Haji is a former colleague, whom I worked with. Because we are going for the long recess, it is important that the Committee concerned calls all the telecommunication companies to sort out this problem because we are going to communicate a lot.

My children ask for money from me daily claiming that they want to buy bundles. I ask that the Committee talks to the telecommunication companies and have this problem sorted once and for all. That is a concern for most Members of Parliament.

Thank you. I support.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Weytan.

**Hon. Hussein Weytan** (Mandera East, ODM): Thank you, Hon. Temporary Speaker.

This is a timely question by the Member for Kamukunji, Hon. Yusuf Hassan. I thank him very much. This is an issue that is affecting our youths. They spend a lot of money unknowingly on communication. We need to push these service providers to make sure they adhere to the rules and regulations of this country.

I urge my friend, Hon. KJ, to move fast and summon the concerned people so that they can give explanation as to why they have expiry dates for our data.

Hon. KJ is a youth and he understands because he is always on it. He knows the problems affecting our youths. I am happy that he is the one leading this Committee. We need to assist our youths so that they can benefit and use their data appropriately without thinking of the expiry dates. Since the COVID-19 outbreak, most of our students have been using data for their studies in the universities, colleges and even secondary schools. People study via *Zoom* while others are doing distance learning using data. Data is greatly used by our Kenyans.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Member be very brief.

**Hon. Hussein Weytan** (Mandera East, ODM): We expect this Committee to move very fast and bring back the report before we go on recess.

Thank you very much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): I will give a chance to three more Members. I want to be gender sensitive. The lady up there, you keep raising your hand but I do not see your name here. What is your name?

Proceed, Hon. Chelule. Give her the microphone.

*(Loud consultations)*

Hon. Chelule you are wasting valuable time. There you go. Please, be very brief because we have heavy business left. Just take a minute.

**Hon. Liza Chelule** (Nakuru County, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to also add my voice to the Statement that has been brought to the Floor of the House by the Member for Kamukunji.

I want to appreciate him because this Statement has come at the right time. I have heard Members speak about the youths but all of us are victims of the bad services from Safaricom. Members have only talked about bundles but I also want to speak about the *Okoa Jahazi*. When you request Ksh500 from the provider, they give you Ksh450. This means that they have deducted their interest even before you start using the funds. I request the Chairperson, Hon.

KJ, that when the time comes please investigate each and every service that Safaricom offers to Kenyans. Let this be our Christmas present.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): The Member for Lagdera. Please, do not take more than a minute.

**Hon. Abdikadir Mohamed** (Lagdera, ODM): Thank you, Hon. Temporary Speaker for giving me this opportunity to contribute to this Statement.

Let me thank Hon. Yusuf for bringing this matter to the House. Recently, I read a story about Safaricom. They want the loyalty *bonga* points to have an expiry date. They are saying that Ksh4.5 billion worth of *bonga* points are lying in the hands of Kenyans. Why do they want to exploit Kenyans? These telecommunication companies have been making huge profits out of Kenyans yet they cannot allow Kenyans to have Ksh4.5 billion of *bonga* points. The Committee needs to look into that. They should ask Safaricom why they want to have expiry dates for *bonga* points.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Member for Sotik, a minute. He should be followed by Hon. Waqo of Marsabit, Proceed. Please give him the microphone.

**Hon. Francis Sigei** (Sotik, UDA): Thank you very much for this opportunity, Hon. Temporary Speaker.

I would like to thank Hon. Yusuf, who is ever creative in this House, for bringing this timely Statement.

*(Several Members walked out of the Chamber)*

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Members, for your information there is a serious voting to be done on a Motion that you passed yesterday on NG-CDF and if you keep walking out, we might not have quorum and we might not be able to vote when the time comes. So, you better stay in the House for us to be assured of quorum.

Proceed.

**Hon. Francis Sigei** (Sotik, UDA): Hon. Temporary Speaker, I want to suggest to this House, and especially to our able Chairperson, Hon. Kiarie that, we bring this issue to the Committee by next week so that we can benefit during our holidays. We want them to give us the best bargain during this Christmas so that we can use these bundles effectively.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. (Dr.) Gogo, you have been called before. I do not know where you are but you better give your input in not more than a minute.

**Hon. (Dr.) Lilian Gogo** (Rangwe, ODM): Thank you, Hon. Temporary Speaker. I think there is a problem with the Information Technology (IT) system today. I rise to support.

There is a very big task to rip millions and millions of shillings from Kenya. Safaricom wakes up one morning and says that by January, all *bonga* points that people have accumulated over the years without claiming are going to disappear. Who is bewitching Kenyans? There is a problem with this country that needs to be fixed, especially in matters that affect poor people.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. (Dr.) Pukose is the last one on this matter. Take note that your contribution should not take more than a minute. Hon. Waqo will go first. I had already given the Floor to Hon. Waqo.

Please, proceed.

**Hon. (Dr.) Robert Pukose** (Endebess, UDA): Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Member for Endebess! I had given the Floor to Hon. Waqo before you. I am sorry I got mixed up.

**Hon. (Dr.) Robert Pukose** (Endebess, UDA): Now that I have started, I can talk then Hon. Waqo follows.

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

**Hon. (Dr.) Robert Pukose** (Endebess, UDA): Thank you, Hon. Temporary Speaker. You know I come from where there is MTN on the border of Kenya and Uganda. Hon. KJ, I need to know whether we can also have access to the MTN WiFi data usage from the other side of the border in connection with the Safaricom. That is because my people are also suffering from that side. I was telling Hon. Wanyonyi that we, in Endebess, will soon go to Mt. Elgon County and leave you in Trans Nzoia.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Waqo, you have half a minute and then Hon. KJ will have two minutes because he is the Chairperson of the Committee.

Order, Hon. Mary.

**Hon. Naomi Waqo** (Marsabit CWR, UDA): Thank you, Hon. Temporary Speaker. I stand to add my voice to this very important and relevant statement by Hon. Yusuf. I congratulate him for raising it.

We know very well that most of our young people, and even grown-ups, are using data for their studies online. We keep buying bundles which, at the end of the day, are stolen from us. It is my prayer that Hon. KJ will take this matter seriously so that they take care of Kenyans and also put into consideration the Kenyans who are using their bundles on a daily basis. That is because they are not even learned and do not even understand what is happening. Hon. KJ with your team, take care of us especially now as we go to the festive season.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Member for Dagoretti South. Hon. KJ is not an official name. Proceed. Take not more than two minutes

**Hon. John Kiarie** (Dagoretti South, UDA): Thank you very much, Hon. Temporary Speaker. I want to join everyone in congratulating Hon. Yusuf because we do understand that Article 95 of the Constitution does mandate this House to deliberate on and resolve all issues concerning Kenyans.

Hon. Temporary Speaker, this is a critical issue concerning Kenyans. One thing that is good is that you have allowed Members to comment on this Statement. We have started to shape up the discussion that we will be having in the Committee. These telecom companies will have to define whether *bonga* points, air time or data can be defined as utility because Kenya Power cannot give a utility...

*(Hon. Kimani Ichung'wah consulted loudly)*

**The Temporary Speaker** (Hon. Farah Maalim): Order, Leader of Majority Party. We are running out of time.

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Temporary Speaker, I was just shaping the issues that have been raised by Members, but I will jump very quickly and observe that, as a Committee, we will go in...

**The Temporary Speaker** (Hon. Farah Maalim): What is your point of order, Hon. Ichung'wah?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, I just wanted to guide the Chairperson. Since this statement is going to his Committee, he should not be doing what he is doing now. He should just tell the House when he will deal with the matter because he is now preempting what the Committee will be doing.

**The Temporary Speaker** (Hon. Farah Maalim): Order. The idea is because this matter is very close to the hearts of Kenyans. The Chairperson has the responsibility of gauging the mood of the House.

**Hon. John Kiarie** (Dagoretti South, UDA): Exactly!

**The Temporary Speaker** (Hon. Farah Maalim): This is basically ventilation. Further ventilation enriches the whole concept of dealing with this matter.

Proceed but take just one more minute.

**Hon. John Kiarie** (Dagoretti South, UDA): Thank you for protecting me, Hon. Temporary Speaker. I wish the Leader of the Majority Party waited for me to complete my remarks. We shall be as neutral as we can as we listen to Members on this matter. This is a critical issue of national concern, and it has been noted by the Committee. It is, in fact, a matter of life and death because, as we speak, airtime is what people depend on for calling ambulances or public service vehicles like Uber for critical services.

The point I want to make here is that the matter has been raised as a Statement request but we might, as a Committee, even find that this matter requires an inquiry to establish why telecommunication companies are so emboldened in doing the things they are doing. It might even be speaking to the matter of dominance and going against the Communications Authority of Kenya's regulations and provisions on when one becomes a dominant player.

I also note that this matter goes beyond just our airtime. It also goes into bonga points, which are loyalty points that one has already earned. Loyalty points cannot be taxed or deducted. So, we shall expedite this matter at the Committee level. We shall even be communicating to the Leader of Majority Party and your office so that if there is need for the Committee to sit even during recess to resolve this matter, we shall do it.

Thank you very much for giving me the opportunity.

## ORDINARY QUESTIONS

*Question No. 015/2022*

### FINANCIAL STATUS OF PUBLIC UNIVERSITIES IN KENYA

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Madam Chepkwony, please, ask your Question very fast.

**Hon. Charity Chepkwony** (Njoro, UDA): Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for Education the following Question:

- (i) Could the Cabinet Secretary provide a brief on the financial status of universities in the country and, in particular, Egerton University?
- (ii) Could the Cabinet Secretary provide the specific measures that the Government is taking to address the financial crisis that is facing many public universities and other institutions of higher learning?
- (iii) Could the Cabinet Secretary explain why Egerton University Management continues to delay the payment of salaries to their staff and state what arrangements are in place to ensure that the staff are paid their salaries without further delay?

We have a lot of challenges facing many institutions, including Egerton University, Moi University and other institutions of higher learning.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Fair enough. The Question will be replied to before the Departmental Committee on Education. Chairperson of Committee on

Education, you have a response to a Statement that was sought on CBC. Could you be very brief?

### STATEMENT

**Hon. Julius Melly** (Tinderet, UDA): Thank you, Hon. Temporary Speaker. I rise to respond to a Statement that was sought by the Member for Embakasi. The Member sought to know the following:

The response from the Ministry on the request that the examination be held on different dates or times;

Action that the Ministry is taking to make specific arrangements to especially cater for urban areas that have candidates under both curriculums with higher number of candidates; and,

Action the Ministry is taking to rectify situations where schools cannot meet the Kenya National Examinations Council's (KNEC) recommended ratio of 20 to 1.

Hon. Speaker, in response to the first part of the Question, on the issue of examinations being held at different times, the Cabinet Secretary responds as follows:

The Ministry of Education issued a circular dated 3<sup>rd</sup> December 2020 referenced MOE/CONF/G5, especially on KCSE, Kenya Primary Schools Education Assessment (KPSEA) and KCPE, and revised the term dates as follows:

In this regard, KNEC revised its schedule of activities to adhere to the new term dates set by the Ministry of Education. The timetables for the 2022 KPSEA, Kenya Intermediate Level Education Assessment (KILEA) and KCPE examinations were shared with the relevant education stakeholders in April 2022.

All the activities, in preparation for the conduct of examinations, have been guided by the dates set out in the examination timetables which were provided by KNEC. They have given a reference date. The KNEC has completed the process of development, printing, packing and centering of the 2022 KPSEA, KILEA and KCPE examinations. The packing and centering of the examination materials was completed and customised to include the dates in the approved timetables.

The schools have prepared the 2022 candidates using the term dates and the learners are ready for the examinations as per the timetable. Changing the timetable dates and times at this late stage will, therefore, have major ramifications.

The administration of the 2022 KCSE examination is scheduled to start with the small papers, or exam papers with small number of candidates, on 21<sup>st</sup> November 2022 – which was about three days ago – and the large papers, or papers with big number of candidates, on 2<sup>nd</sup> December 2022 immediately after the end of the KPSEA and KCPE examinations.

The administration of KCSE examinations large papers will require the engagement of all KNEC key personnel. Thus, it is very difficult for them to have any other major activity running within the period of administration of the large papers for KCSE examination, in case of the rescheduling of any examination.

Hon. Temporary Speaker, the second part of the Question is on arrangements to cater for schools that have higher number of candidates, to which the Cabinet Secretary replies as follows:

The KNEC received concerns from the stakeholders on the concurrent administration of the KCPE and KPSEA examinations with the main concern being the potential shortage of classrooms for schools with large candidature.

The KNEC convened a consultative meeting with various stakeholders, including Sub-County Directors of Education in Nairobi Region on 28<sup>th</sup> October 2022 on the specific issues involving centres with large candidature in the Nairobi region.

The KNEC also held meetings with Teachers Service Commission Regional Directors, Directors of Education, Kenya Primary Schools Head Teachers Association (KEPSHA), Kenya Secondary Schools Heads Association (KESHA) and Kenya Private Schools Association (KPSA). The consultative meetings ironed out all the major concerns on the simultaneous administration of the two examinations. The interventions agreed on were as follows–

All the centres with large candidature were to be identified and alternative venues found to host the additional candidates in liaison with the Sub-County Directors of Education;

Where possible, some candidates would be arranged into the rooms and halls in neighbouring schools;

Large centres were allowed to engage additional supervisors, invigilators and security officers; and,

Additional clerks to be engaged to assist in the distribution of KCPE and KPSEA at the distribution points.

Hon. Temporary Speaker, the last part of the Question is on action taken where schools cannot meet the candidate to supervisor ratio of 20 to 1 for a centre, and the Cabinet Secretary responds as follows:

The KNEC policy requires that the recommended ratio of candidates to invigilators be 20 to 1 and the ratio of students to supervisors be 200 to 1, with at least one supervisor at every centre. In order to ensure compliance with this policy, KNEC engaged with the TSC Sub-County Directors on 14<sup>th</sup> October 2022 and it was agreed as follows–

All the supervisors involved in administration of examinations would be teachers employed by TSC;

Invigilators identified must be registered with TSC and there would be close monitoring of examination centres in schools where teachers are not employed by TSC; and,

Secondary school teachers employed by TSC would be involved in supervision and invigilation of KCPE and KPSEA.

Hon. Temporary Speaker, these are the responses on the issues raised. The Cabinet Secretary brought the response quite late. I think we will be on time next time.

**The Temporary Speaker** (Hon. Farah Maalim): Fair enough. Circulate it for Members to have ample time to go through and internalize it.

Next Order.

## MOTIONS

### PUBLICATION OF REGULATIONS ON PRIVATE LAND USE AND MANAGEMENT

THAT, aware that Article 68 (c) (i) of the Constitution of Kenya provides for minimum and maximum land holding acreages in respect to private land; deeply concerned that high population growth and the demand for land have resulted in excessive fragmentation of land into uneconomic units; noting that at the same time a number of people own large tracts of land which are not utilized optimally; noting further that cognizant of the fact that the Constitution in Article 60 (1) sets out the principles of land policy which, among other things, requires that land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable; this House therefore resolves that the Government enforces compliance of Article 68 (c) (i) of the Constitution, Section 159 of the Land Act, 2012 and the National Land Policy (Sessional Paper No.3 of 2009 on maximum and minimum land holdings in Kenya) through publishing of

the rules and regulations for private land use and management in regard to the minimum and maximum land holdings in Kenya.

*(Moved by Hon. Ferdinand Wanyonyi on  
16.11.2022 – Afternoon Sitting)*

*(Debate concluded on 23.11.2022 – Morning Sitting)*

*(Question put and agreed to)*

ESTABLISHMENT OF JOINT PARLIAMENTARY COMMITTEE ON  
LEGISLATIVE PROPOSAL TO AMEND THE CONSTITUTION

THAT, acknowledging that Article 256 of the Constitution provides for the process of amending the Constitution by parliamentary initiative; further acknowledging that Standing Order 114(7A) of the National Assembly Standing Orders provides for the process of introducing legislative proposals in respect of propositions amending the Constitution; noting the general debate in the House on the legislative proposal to amend the Constitution to entrench the National Government Constituencies Development Fund, the National Government Affirmative Action Fund, the Senate Oversight Fund and the Economic Stimulus and Empowerment Fund in the Constitution; cognizant of the comments and views of honourable members during general debate on the legislative proposal; recognizing the need for a bicameral approach on the proposal prior to publication of the relevant Bill; acknowledging that the subject matter of the legislative proposal cuts across the mandate of more than one committee of the House; now therefore, in furtherance to the provisions of Article 256 of the Constitution (Amendment by Parliamentary Initiative), this House resolves the following:

- (1) to establish a Joint Parliamentary *Ad Hoc* Committee on a proposal to amend the Constitution to entrench certain specialized funds, comprising eleven (11) Members from each of the Houses of Parliament to –
  - (a) facilitate collation of the views from the comments by Members of Parliament during the general debate on the proposal; and inviting Members with similar or related proposals to make submissions before the Committee;
  - (b) invite, engage with and consider submissions from stakeholders and relevant constitutional and statutory bodies with a law reform mandate, including the Attorney-General; and the commissions and independent offices established under Chapter Fifteen of the Constitution;
  - (c) in consultation with the sponsors, attempt to develop and recommend a harmonized version of the proposal arising from the submissions received; and,
  - (d) report to the Houses of Parliament within ninety (90) days to enable the Speakers to make a decision and give direction on whether or not the legislative proposal is to be published into a Bill or not to be proceeded with.

- (2) that the Offices of the Clerks of Houses of Parliament provide secretariat services to the Joint Parliamentary *Ad Hoc* Committee in accordance with the Standing Orders;
- (3) that the following Members represent the National Assembly in the Joint Parliamentary *Ad Hoc* Committee
  - (i) The Hon. Samuel Kiprono Chepkonga, MP – Co-chairperson;
  - (ii) On the Order Paper, there was Hon. George Gitonga Murugara, MP. This where we are amending to replace him with Hon. Rebecca Tonkei, MP.
  - (iii) The Hon. Eckomas Mwenzi Mutuse, MP;
  - (iv) The Hon. Wakili Edward Muriu, MP;
  - (v) The Hon. Catherine Nanjala Wambilianga, MP;
  - (vi) The Hon. John Mbadi, EGH, MP;
  - (vii) The Hon. (Dr.) Otiende Amollo, MP;
  - (viii) The Hon. David Mwalika Mboni, MP;
  - (ix) The Hon. Kakai Bisau, MP;
  - (x) The Hon. Robert Gichimu Githinji, MP (Co-opted); and,
  - (xi) The Hon. Stephen Mule, MP (Co-opted).
- (4) to request the Senate to also appoint a similar number of Members to represent the Senate in the Joint Parliamentary *Ad Hoc* Committee.

*(Moved by Hon. Kimani Ichung'wah on 23.11.2022)*

*(Debate concluded on 23.11.2022 – Afternoon Sitting)*

*(Question of the Motion as amended put and agreed to)*

*Resolved accordingly:*

THAT, acknowledging that Article 256 of the Constitution provides for the process of amending the Constitution by parliamentary initiative; further acknowledging that Standing Order 114(7A) of the National Assembly Standing Orders provides for the process of introducing legislative proposals in respect of propositions amending the Constitution; noting the general debate in the House on the legislative proposal to amend the Constitution to entrench the National Government Constituencies Development Fund, the National Government Affirmative Action Fund, the Senate Oversight Fund and the Economic Stimulus and Empowerment Fund in the Constitution; cognizant of the comments and views of honourable members during general debate on the legislative proposal; recognizing the need for a bicameral approach on the proposal prior to publication of the relevant Bill; acknowledging that the subject matter of the legislative proposal cuts across the mandate of more than one committee of the House; now therefore, in furtherance to the provisions of Article 256 of the Constitution (Amendment by Parliamentary Initiative), this House resolves the following:

- (1) to establish a Joint Parliamentary *Ad Hoc* Committee on a proposal to amend the Constitution to entrench certain specialized funds, comprising eleven (11) Members from each of the Houses of Parliament to –
  - (a) facilitate collation of the views from the comments by Members of Parliament during the general debate on the proposal; and inviting

Members with similar or related proposals to make submissions before the Committee;

- (b) invite, engage with and consider submissions from stakeholders and relevant constitutional and statutory bodies with a law reform mandate, including the Attorney-General; and the commissions and independent offices established under Chapter Fifteen of the Constitution;
  - (c) in consultation with the sponsors, attempt to develop and recommend a harmonized version of the proposal arising from the submissions received; and,
  - (d) report to the Houses of Parliament within ninety (90) days to enable the Speakers to make a decision and give direction on whether or not the legislative proposal is to be published into a Bill or not to be proceeded with.
- (2) that the Offices of the Clerks of Houses of Parliament provide secretariat services to the Joint Parliamentary *Ad Hoc* Committee in accordance with the Standing Orders;
  - (3) that the following Members represent the National Assembly in the Joint Parliamentary *Ad Hoc* Committee
    - (i) The Hon. Samuel Kiprono Chepkonga, MP – Co-chairperson;
    - (ii) The Hon. Rebecca Tonkei, MP;
    - (iii) The Hon. Eckomas Mwengi Mutuse, MP;
    - (iv) The Hon. Wakili Edward Muriu, MP;
    - (v) The Hon. Catherine Nanjala Wambilianga, MP;
    - (vi) The Hon. Timothy Kipchumba Toroitich, MP;
    - (vii) The Hon. John Mbadi, EGH, MP;
    - (viii) The Hon. (Dr.) Otiende Amollo, MP;
    - (ix) The Hon. Yusuf Hassan, MP;
    - (x) The Hon. Zamzam Mohammed, MP;
    - (xi) The Hon. Beatrice Elachi, MP;
    - (xii) The Hon. Robert Gichimu Githinji, MP (Co-opted); and,
    - (xiii) The Hon. Stephen Mule, MP (Co-opted).
  - (4) to request the Senate to also appoint a similar number of Members to represent the Senate in the Joint Parliamentary *Ad Hoc* Committee.

**The Temporary Speaker** (Hon. Farah Maalim): Who is on a point of order? Leader of Majority Party, proceed. Are you on a point of order?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): No, Hon. Temporary Speaker. I was going back to Statements.

**Hon. Omboko Milemba** (Emuhaya, ANC): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Somebody is on a point of order. What is your point of order, Hon. Omboko Milemba, Member for Emuhaya?

**Hon. Omboko Milemba** (Emuhaya, ANC): Hon. Temporary Speaker, it is very important that we review our Standing Orders so that Cabinet Secretaries can come here to respond to Questions. On the Statement that has been read out by the Chairperson of the Departmental Committee on Education, we would have liked to ask the Cabinet Secretary some supplementary questions for clarification purposes, if he was here. The Committee Chair has talked a lot about how exams are going to be done in the field. As the Chairperson interacts with the Cabinet Secretary, he could also find four or five things that are not correct in that sector. One, teachers have been...

**The. Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Omboko. We have gone to the next Order. With all due respect to my fellow panellists, you sit in this House. You can amend the Standing Orders to make it possible for Cabinet Secretaries to come here and perform the duties that you want them to perform. For somebody like me who was in the 10<sup>th</sup> Parliament, when Ministers used to be Members of Parliament, the current dispensation is totally different. I do not think this arrangement is working very well for us. There are many things in the Constitution that work very well but this particular arrangement, in which Committee Chairpersons have become spokesmen for Ministries, is not working for this country. It is up to you, as Members of Parliament. I am commenting on this matter because I am also a Member of Parliament, and I would like us to rise up to the occasion.

Hon. Kimani Ichung'wah, you must proceed to do what you have to do. It is your duty, as the Leader of the Majority Party, to initiate some of these things with a lot of diligence so that you can serve Kenyans better.

## STATEMENT

BUSINESS FOR THE WEEK OF 28<sup>TH</sup>  
NOVEMBER TO 2<sup>ND</sup> DECEMBER 2022

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, the House Procedures Committee is seized of the matter of reviewing our Standing Orders to ensure that Cabinet Secretaries come to this House to answer Questions on matters affecting the people of Kenya, who are represented by these hon. Members.

Hon. Temporary Speaker, pursuant to Standing Orders 44 (2)(a), I rise to give the weekly Statement on behalf of the House Business Committee (HBC), which met on Tuesday, 22<sup>nd</sup> November 2022 to prioritise business for consideration by this House in the coming week.

On Tuesday, the House is expected to resume debate on Sessional Paper No.1 of 2022 on the National Automotive Policy, should it not be concluded today. The HBC has also prioritised approval of nominees to the remaining constituency committees of NG-CDF.

Members will note that presently, there is no much business before the House. Additionally, we are approaching the final week before we proceed on the long Christmas recess. Therefore, I urge the Committee Chairpersons to be present and to ensure that there is smooth transaction of the business of the House. Further, I request Committees with any reports that were handed over to them from the last Parliament to expedite their consideration and tabling in the House for debate. I also request any delegations that have travelled out of the country on official duty to table their reports to enable the House to benefit from their interactions with colleagues from across the globe.

Hon. Temporary Speaker, the HBC shall reconvene on Tuesday, 29<sup>th</sup> November 2022 to schedule business for the rest of the week.

I now wish to lay the Statement on the table of the House.

*(Hon. Kimani Ichung'wah laid the Statement on the Table of the House)*

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Waqo, you have a Procedural Motion.

*(An Hon. Member walked across the aisle)*

Order! Take your seat. It is supposed to be a bench but it is now a seat. Ordinarily, the tradition was that it was a bench. It is only the Hon. Speaker who had a seat, but things have changed since the 10<sup>th</sup> Parliament.

*(Laughter)*

Proceed, Hon. Waqo.

### PROCEDURAL MOTION

#### LIMITATION OF DEBATE ON SESSIONAL PAPER NO. 1 OF 2022 ON NATIONAL AUTOMOTIVE POLICY

**Hon. Naomi Waqo** (Marsabit County, UDA): Hon. Temporary Speaker, I beg to move the following Procedural Motion:

THAT, notwithstanding the resolution of the House made on Wednesday, 12<sup>th</sup> October 2022 (*Afternoon Sitting*) relating to Limitation of Debate on Sessional Papers, this House orders that debate on Sessional Paper No.1 of 2022 on the National Automotive Policy be limited as follows: A maximum of five-and-a-half hours with not more than ten (10) minutes for any Member speaking except the Leader of the Minority Party and the Chairperson of the Departmental Committee on Transport and Infrastructure, who shall each have twenty (20) minutes and that, ten (10) minutes before expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Minority Party and the Chairperson of the Departmental Committee, in that order.

Hon. Temporary Speaker, you know very well that this is a very important matter for Members to debate. We know that Kenyans have a lot of special interest in motor vehicles and, therefore, we need to debate this Sessional Paper very well. The additional time will help Members to ventilate more on this matter and see how they can move this forward.

With those remarks, I beg to move and request Hon. Eve Obara, the Member for Kabondo Kasipul, to second the Motion.

**The Temporary Speaker** (Hon. Farah Maalim): Proceed, Hon. Eve Obara.

**Hon. Eve Obara** (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker.

Being fully aware of the importance of this Policy Paper seeking to create an enabling environment for the automotive sector to realise its full potential and position, and as a major client in the industry, I second.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Fair enough. I will propose the Question.

*(Question proposed)*

**Hon. Members:** Put the Question.

*(Question put and agreed to)*

### MOTION

#### ADOPTION OF SESSIONAL PAPER ON

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## NATIONAL AUTOMOTIVE POLICY

THAT, this House adopts Sessional Paper No. 1 of 2022 on the National Automotive Policy, laid on the Table of the House on Wednesday, 25<sup>th</sup> May 2022.

*(Moved by Hon. Kimani Ichung'wah on  
23.11.2022)*

*(Resumption of Debate interrupted on  
23.11.2022 – Morning Sitting)*

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Abraham Kirwa, Member for Mosop. If he is not here, Hon. Julius Rutto, Member for Kesses, you may proceed.

**Hon. Julius Rutto** (Kesses, UDA): Thank you very much, Hon. Temporary Speaker. The Motion before us is ideal for this House to discuss. We seek to become an industrious country, create jobs for our youths, transform our economic activities and be self-sufficient in terms of livelihoods. So, we should look at this Automotive Policy Paper keenly and support it.

Hon. Temporary Speaker, you are aware that in this country, the education sector has shifted focus to support technical education in order for our youths to equip themselves with technical skills. The objective of this shift is to ensure that we address the challenge of youth unemployment with a view to ensuring that those who are not employed in the formal sector can be absorbed in the informal sector. This will give our youths opportunity to utilize the technical knowledge that they have acquired.

I support this Motion because we need policies put in place to enable our country to stop importing every now and then. Looking at our roads, they are filled with imported second-hand motor vehicles because that is what we can afford. However, the resultant net impact in terms of the cost of spare parts needed to service those motor vehicles is big. We should reduce our dependence on importation. If we allow our own industries to assemble motor vehicle and manufacture spare parts locally, the maintenance costs will reduce. This will speed up development and economic growth.

I support this Motion because it is the right direction to go. Once approved, the policy should be implemented. We want the motor vehicle sector to grow so that we can create employment, increase revenue and the income of households in this country. In the long run, families will achieve their desired livelihoods. Our youths will grow their talents and become innovative. In the long run, Kenya will export the same technology to other Third World countries like those in West Africa, which rely on us. As at now, Kenya has become more of a borrower or importer than an exporter. This explains the current challenges we are facing in terms of rising prices of commodities and difficulty in managing the cost of living.

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

*[The Temporary Speaker (Hon. (Dr.)  
Rachael Nyamai) took the chair]*

Hon. Temporary Speaker, I support the Motion because this is the best direction to go. As a country, we must hold onto the belief that one day we will become an industrial country like Japan, Germany or others that manufacture motor vehicles. As a leader, I support any effort

that is geared towards creation of employment for our youth, and for the growth of our economy.

With those remarks, I beg to support.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Very well, Member for Kesses. Hon. Ngogoyo, Member for Kajiado North.

**Hon. Onesmus Ngogoyo** (Kajiado North): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I rise to support the Motion.

This Sessional Paper is very important to the growth of our economy and protection of the environment. In this country, we have serious institutions like Jomo Kenyatta University of Agriculture and Technology (JKUAT), which have invested heavily in automotive engineering. The world over, there is a serious transformation from petrol to diesel cars. This is because of the issue of carbon emissions, which must be dealt with. Allowing importation of second-hand cars that are seven or eight years old is not addressing the problem. The issue is not the number of years but technology. We need to invest in technology so that we have less or non-fuel emission cars.

Hon. Temporary Speaker, this country previously attempted to manufacture cars locally. However, over the years, there has been no push from the Government and other stakeholders to encourage individuals interested in venturing in this sector. I have travelled in cars that are powered by gas. There is a company that installs gas in cars. Most motor vehicles operated by Uber use gas even though there has not been deliberate attempts to ensure that we move from cars with heavy carbon emissions to those with less carbon emissions. This is because of the issue of regulations. Every year, we import different types of cars. We should stop the importation and find a suitable solution.

As a country, we need to invest in technology. If the university education that we give our children is anything to be proud of, we should encourage companies and individuals that are interested in the automotive sector to manufacture cars. They can even be zero-rated so that we can reduce the taxation on locally manufactured cars in order to have them cheaper for buyers and friendly to the environment. We must protect the Ozone layer. If we do not protect the Ozone layer, in the near future, the sun will become hotter. We should remember that we do not have another layer of air to protect us from the sun apart from the Ozone layer.

Embracing environment-friendly cars is the way to go. We have a lot of geothermal power in Naivasha. There are more prospects in Magadi and parts of Turkana. Hon. Temporary Speaker, once we begin to invest in manufacturing, we can produce our own electric cars. Electric cars work in many countries and are very manageable. Even the few hybrid cars in Kenya work. We can combine the two systems. Ultimately, going forward, we need electric cars or those that use gas. The geothermal energy prospects in Naivasha are estimated to be sufficient for the country, with proper management. Therefore, I urge Members to approve this Sessional Paper. We need to look at this Policy Paper from a wider perspective. If we invest in our universities, we should also get returns by making sure that we have people who sit down to think of how Kenya can locally produce cars with little or zero-carbon emission. It is possible.

Our President is currently in South Korea, where they have embraced a similar policy. At independence, South Korea was at the same level with Kenya economically. They adopted and implemented a development plan that was developed in Kenya, but which we did not implement. Going forward, we need to have properly designed plans and people who can implement them. The Government has a serious responsibility to make sure that, by the end of its first five-year term, we increase the number of people who can produce cars locally with the help and facilitation by the Government. Once approved, this policy will enable us, as a country, to move forward, protect our environment and ensure that the future is better than it is today.

With those many remarks, I support.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Next on my request list is Hon. Julius Sunkuli, the Member for Kilgoris. He seems to have withdrawn from the Chamber. Hon. Moses Kirima, the Member for Central Imenti, you may proceed.

**Hon. Moses Kirima** (Central Imenti, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this important Sessional Paper.

The country needs to seriously invest in automotive engineering. Importation of cars consumes the biggest chunk of our hard-earned currency reserves. It is very expensive because one cannot import a car at less than a few millions of Kenya shillings worth of foreign currency. We need to revive the idea that the late President Daniel arap Moi came up with in the 1980s, of manufacturing cars locally, leading to production of the Nyayo Pioneer Car. It was a very noble idea which was killed by people who did not want the country to stop importing cars. When it comes to innovation, one must be aware that he will face a lot of competition.

Countries that produce cars in the West and the East will make sure that we do not get the technology required for mass production of automobiles. Our previous system of education was unable to support production of automobiles. Having adopted the CBC of education, we should introduce topics on automobile production to support the country. Once we start producing our own motor vehicles, we will earn foreign exchange and come out of the economic mess that we are in.

We can take advantage of the Equator, which runs across Kenya right at the middle, to produce solar-powered automobiles. Fossil fuel is very expensive. It has brought us to our knees economically. We can no longer support ourselves. We use the little revenue that we collect to import fuel, which is mainly used by powerful imported cars. We currently have solar-powered automobiles on our roads. If we can produce automobiles that use solar energy as fuel, we will succeed and save this country a lot of foreign exchange, which can support other economic fields.

This Sessional Paper has come at the right time. We must be aware that we will face challenges from foreign automobile manufacturers. We should also not limit ourselves and allow the West to dictate to us on what we should import. Currently, you cannot import a car which is more than eight years old. Did we decide that for ourselves or was it imposed on us by foreigners? Did we consider the economic gains to our people and affordability of those automobiles?

I support this Sessional Paper because it is timely. It is high time we considered how to invest in automobiles to be produced by our own engineers so as to support our local industries and create employment for our youths.

With those remarks, I support the Motion.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Hon. John Waluke, Member for Sirisia. The system shows that Hon. Waluke is here. That is okay. Hon. Charo Kazungu, Member for Ganze.

**Hon. Kenneth Tungule** (Ganze, PAA): Thank you very much, Hon. Temporary Speaker. I also wish to add my voice to the Sessional Paper on National Automotive Policy. We need such a policy because our country has become a dumping ground for large car manufacturers from outside the country. We import many cars from abroad but their condition is not the best. We have become a dumping ground. What we have on our roads are not cars *per se*, but death contraptions because they fail the test of security and safety.

We had started on a very positive note as a country during the Moi regime when they introduced the Nyayo Pioneer Car. I do not know where the rain started beating us but the idea was abandoned along the way. We would be having locally produced cars that are

technologically advanced by now had we continued with that initiative. We would be exporting cars but that idea was abandoned. It is high time we embraced such policy so that we can encourage investment in automobile manufacturing.

Hon. Temporary Speaker, we need to start encouraging investments in car manufacturing. We need to fund our universities so that they can undertake research on how to go about manufacturing cars. We can then start producing vehicles locally and make Kenya proud. I, therefore, urge Members to approve this policy proposal as soon as possible.

With those remarks, I support the Motion.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Very well, Member for Ganze. Hon. Abraham Kirwa, Member for Mosop.

**Hon. Abraham Kirwa** (Mosop, UDA): Thank you, Hon. Temporary Speaker.

I would like to support this Motion on Sessional Paper No.1 of 2022 National Automotive Policy. This is long overdue. We needed to have implemented most of the suggestions put on this Sessional Paper. Kenya is a country that is still developing. We depend on almost 60 to 80 per cent of importation of vehicles from other countries. By doing so, we spend a lot of our money outside the country. As we approve this Sessional Paper, it will help us improve our local manufacturing in our own country. It is going to create job opportunities for most of our youths who are unemployed. The citizens of this country will also get an opportunity to be employed in most of these manufacturing industries.

As we move forward as a nation, we need to look for more opportunities and this is one of them; a simple plan based in the country. We should encourage Kenyans to buy Kenyan-made vehicles. Most Kenyans import vehicles from Japan, Germany and many other countries. Their economies have continued to grow because we support them. As we move forward and change these policies, it is going to help us as a nation to increase our Growth Domestic Product (GDP), and increase vehicle ownership by coming up with ownership schemes where people will invest in, so that they can buy a vehicle. A common person may not have cash of about Ksh3 million or Ksh4 million to buy a vehicle when he or she needs to. If as a nation we can come up with a scheme for housing, it would allow the common *Mwananchi* to own a vehicle by just depositing a little money. He then gets a chance to buy a brand new vehicle and pay slowly because it is manufactured here.

We will try to encourage corporations or companies to do leasing of brand new vehicles. That way, they will continue purchasing the locally manufactured vehicles in the country. Our GDP will continue to grow, our youth and people will continue to get jobs, and we will continue as a country to be self-sustained.

We also need to implement low emission vehicles in our country. If we are talking of climate change and making sure that we have a country that is not polluted, we need to make sure that most of the vehicles which are on the road, and are emitting a lot of dangerous gas, do not operate on our roads. We need to ensure that the policy is implemented. The police should be on the lookout for the vehicles which truly, emit a lot of unnecessary gas, and encourage electric vehicles.

The price of fuel and gas has continued to go up and if as a nation we continue to depend on fuel as we have done in the past, it will in turn affect us because we depend on it. If most of the vehicles will be electric or even solar, we are going to reduce our dependence on fuel thereby saving more. We will not be importing as much fuel as we should. Part of this policy is to encourage Kenyans to manufacture some electric vehicles which will consume less gas. We should pass this Motion.

At the moment, we are talking of five years or less. They say by 2024, it is going to be three years and then we will end up at zero on the issue of reduction of years allowed to import a vehicle. I do not support it. People should be given an opportunity to import a vehicle even if it means giving it two or three years. We should not completely go to zero where you cannot

be allowed to import any vehicle. You should still be able to import, but the vehicles that will be manufactured locally should be cheaper and affordable enough for local citizens to be able to own a vehicle.

Thank you, Hon. Temporary Speaker. I support this Motion.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Member for Rangwe, Hon. Lillian Gogo. She seems to have withdrawn from the Chamber and interestingly, the card indicates that she is here. Hon. Member for Emurua Dikirr, Hon. Johana Ng'eno.

*(Hon. Johana Kipyegon spoke off-record)*

Hon. Johana Kipyegon indicates that he is targeting a different Motion and that is very well in order. I will go to the Member for Emuhaya, Hon. Omboko Milemba (*Inaudible*).

Hon. Member for Baringo North, Hon. Joseph Makilap.

**Hon. Joseph Makilap** (Baringo North, UDA): Thank you, Hon. Temporary Speaker. Whereas, I want to support this Sessional Paper on National Automotive Policy, when I look at it, this policy was approved by the Ministry of Trade, Investments and Industrialisation in ...

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Member for Baringo North, I have intervention by Hon. John Kiarie, Member for Dagoretti South. What is out of order Hon. KJ?

**Hon. John Kiarie** (Dagoretti South, UDA): There is nothing out of order.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): You need to remove your card. You have indicated an intervention.

**Hon. John Kiarie** (Dagoretti South, UDA): No, there must be an issue with the equipment because I had been put off while I was on standby to speak. I am waiting to speak to this one. I pray that you do not remove me from the queue because I am quite advanced. I will keep my request to speak.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): You may proceed, Member for Baringo North.

**Hon. Joseph Makilap** (Baringo North, UDA): Thank you, Hon. Temporary Speaker.

This National Automotive Policy was approved by the Ministry of Trade, Investment and Industry four years down the line in 2018. That tells you how lazy the Governments is in implementing serious policy papers for the country. This time round, there is need to fast-track this National Automotive Policy so that we can harness talents and ideas that can lead to the realisation of a car manufacturing plant here in our country.

Other nations have used our Sessional Papers to develop their countries. We are a country that has very good ideas but when it comes to funding them through research, it does not happen. We fail just like this National Automotive Policy has dragged for four years. Singapore in particular, has used our Sessional Paper of 1965 to develop their country. Other countries which got their independence at the same time as our country have moved on. What is it that is lacking in our country that we cannot pass this particular National Automotive Policy? We can fast-track it and inject the right resources so that we can have the right things being done.

When growing up in primary school, we used to have Thika Motor Vehicle Assembly. It was in Geography, History and Civics (GHC) subject. Today, we are importing everything. We are not only talking of manufacturing of vehicles but even manufacturing of motor vehicles spare parts. This is a nation that even wants to import toothpicks. This is a very serious matter.

If we pass this National Automotive Policy, the Ministry should put money into research. There is no good machine that can be brought into the market without proper research.

The vehicles we drive in this country are manufactured in other countries through research and are made to suit their climatic conditions and roads. They are not meant for this country. We see many accidents and loss of spare parts because we are using vehicles from other countries which are developed for their specific use.

Therefore, I support this National Automotive Policy. The Ministry in charge should have resources channeled for research in our universities and reduce some of the courses that are not beneficial to this country. We need to put resources into things that change our lives and drive our economy to the next level. Why do we need much history today? Yes, history is important but even someone who has not gone to school now knows where River Nile starts from and where it ends. They know who the first missionary to come to this country was. We must reduce the Christian Religious Education (CRE) and History and move to skilled knowledge. This is when we will generate motor vehicles and have the ideas and talents of young people in manufacturing...

Hon. Temporary Speaker, I recall of a young man who wanted to make an aeroplane in Kitale but his idea collapsed somewhere. I wish that young man would have gone to school and received funding for research. We should drive our economy using knowledge acquired from research to manufacture vehicles and spare parts to grow our GDP as a nation.

As Hon. Waqo moves this Sessional Paper, I hope that this time round this country will become a country of serious men and women who keep their word. If we can support the Kenya Association of Manufactures (KAM) to pump in resources for research, we shall have industrialists and people who can manufacture serious vehicles. This country is now a dumping ground for motor cycles. Imagine 10 million dead motor cycles, where will we store them? If we control manufacturing and live up to the phrase 'Buy Kenya, Build Kenya' we can become an industrialised nation. We should even come up with policies for companies like Toyota Kenya, so that they not only assemble here... Let us have investors who come and set up manufacturing plants in Kenya so that our youth can undergo internship training there and acquire skills. In the long run these youth can become manufacturers because they have acquired knowledge. This is the only way our country is going to grow. Where are we going as a nation if we depend on imports and shortcuts from scrupulous businessmen?

So, I support this Sessional Paper because it will support talents, knowledge and competitiveness and it will create business and wealth for our nation. We will also have many of our youth engaged in employment. We have a lot of space in Kenya. I want to believe that when we pass this Sessional Paper, the next thing will be to allocate resources in our Budget to our universities to conduct research so that our young industrialists can manufacture the right items to be used in Kenya.

The whole of India uses Mahindra vehicles because they believe in "Buy India, Build India". We need to have our own Mahindra vehicles manufactured here in Kenya like the Pioneer Nyayo cars by the Nyayo Motor Corporation. We need to have Pioneer I, II and even have Pioneer Makilap II.

Thank you, Hon. Temporary Speaker. I support this Sessional Paper.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much Hon. Member. Hon. Lilian Gogo, Member for Rangwe Constituency.

**Hon. (Dr) Lilian Gogo** (Rangwe, ODM): Thank you, Hon. Temporary Speaker for giving me this opportunity to add my voice to the consideration of the Sessional Paper No 1 of 2022 on the National Automotive Policy that has been brought to the Floor by Hon. Waqo. This is a timely Paper. As earlier indicated, this Sessional Paper has been hanging around for the longest time. On Tuesday this week, I talked to a team of women engineers from the Institution of Engineers of Kenya (IEK) in Mombasa. They were a team of brilliant women engineers who are trained and charged to put the innovation systems of our country to the next level.

Hon. Temporary Speaker, we should be seen as a nation that has some concern in innovation by coming up with our own, especially in the automobile industry. We import parts which we could easily craft here. When this will be done by our team of well-trained engineers, we will create job opportunities for young people. What takes me aback is that we do not have any automotive system that we can call our own. When you go to the villages you will see young minds, children still in primary schools struggling to come up with aeroplane systems. They want to make things that would fly but this has not been well-captured and these talents remain untapped. This is a good Sessional Paper. We want to support creativity and innovation of our own. We lose a lot of money when we import from other countries. They gain from this thus take advantage of us. We should have a system of our own that we can also export to our neighbouring countries.

This needs to be supported. As it has been elucidated, we need to support it with funds. We need to get to serious business. As a country and as a government, we need to come up with systems that are going to encourage experts in this area to continue with what they do best. We want to put food on the table of the ordinary Kenyan. Unless the country industrialises, unless we have industries where young Kenyans can earn a living and we appreciate them, we are retrogressing to several years after independence.

I support this on the basis that we are even changing our curriculum to be competency based. This is oriented to talents and abilities of the young learners as they proceed. This can only work if we appreciate that we can come up with an automotive sector that is well regulated, funded, looked after and ran by professionals to the extent that we come up with systems that are sustainable. We have the motorcycle system right now. We have many young *boda boda* riders. I am not very sure that we are unable to come up with a factory that can produce parts for motorcycles. We have thousands of motorcycles in this country. I am imagining a situation where this Motion was well choreographed to the extent that we look at generating jobs for even women, young people and those with disability. If this happens, then it will raise our economy to the next level.

With these remarks, I support this Motion. I hope we will take it to the next level, so that we do not just discuss matters on the Floor of the House without taking them further to the point of implementation. Hon. Temporary Speaker, I thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Very well, Member for Rangwe. Hon. Omboko Milemba, Member for Emuhaya.

**Hon. Omboko Milemba** (Emuhaya, ANC): Thank you, Hon. Temporary Speaker for this chance to speak on the Motion on Consideration of Sessional Paper on the National Automotive Policy. I begin by thanking the Cabinet under the presidency of William Ruto for sitting, enacting, passing and approving this Sessional Paper. It is also true that this Sessional Paper has been lying in Government circles since 2018 and had not received approval. That is why I thank the Government of the day because they have exactly done that. They have given light and moved steps forward in realising industrialisation.

The history of development begins with the old formations of Stone Age. Later on, we moved to the Agrarian Revolution. From this, we moved to Industrial Revolution. This Sessional Paper is trying to push us to the level of Industrial Revolution. Unfortunately, we need to do more as Government and people because the current revolution that is now moving very fast is the Information Technology (IT) which has taken the world. This is a correct step because over-reliance on Agrarian Revolution and exportation of agricultural products like we do is unable to sustain our lives and economy today. Therefore, this Sessional Paper is a breakthrough to try and move Kenya from Agrarian level to Industrial level.

This Sessional Paper makes sure that we shall make the automotive sector to realise its full potential. It means it will be a major player in industry. If this is carried, then it means our GDP will improve. As we get improved GDP from agriculture, we shall also improve it through

industrialisation. Once this Sessional Paper is approved, it means there will be improved local automotive assembly ecosystem in the country and expanded local market. This will go beyond manufacturing. Many of the speakers here have spoken about manufacturing vehicles in Kenya. That will be the ultimate goal. However, before manufacturing, this Sessional Paper puts us to a level where we can start assembling not only vehicles but also other automotives like motorcycles and agricultural machinery which are very important in the level and policy of the Kenya Kwanza Government. Agriculture is being given the forefront position. One other item that takes a lot of money from the agricultural sector is the importation of agricultural machinery. This will be a major breakthrough that will now make us start assembling agricultural automotives within the country. If this happens, then we shall progress.

Hon. Temporary Speaker, if this Paper is passed, we shall have a National Automotive Council. It will create a national platform for all players in this sector of automotive production. This will actually make it easy for them to market their products not only in Kenya but also expand the marketing of this product around the East African Region, Africa and later on in the world. Therefore, this Sessional Paper must be accompanied by bilateral agreements with our neighbours who can easily buy our products either as parts or assembled machineries but not only motor vehicles. I know Kenya imports vehicles that are eight years old. However, we shall manufacture all these things. This will promote quicker growth in terms of the GDP. There will be increased value addition on the products we have here in Kenya. It will enhance innovation.

Many speakers have spoken about university. This technology and policy will actually enhance innovation. Coupled with the new Competency Based Curriculum (CBC), this should play magic. That is why I have been a defender of CBC all along. This is a good system. I always say that Junior Secondary Schools should be domiciled in the high schools so that students can move from primary schools and know that they are moving to another level where they can even be more creative. Without losing track, this Paper opens way for research in industrial sector. It also ensures clean and sustainable environment in our manufacturing sector. Therefore, this is a well thought-out Sessional Paper which will move Kenya to another level, in terms of industrialisation. It will open space.

I forgot to speak about job creation. If all these things happen in that manner, it will create a lot of employment not only for youth but people in Kenya generally. Once you create employment and money goes to pockets of the people, then you create the multiplier effect. This will make every sector and people within the communities to benefit. This is a masterpiece.

I support the Motion. Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Very well spoken, Member for Emuhaya. Member for Igembe Central, Hon. Daniel Karitho.

**Hon. Daniel Karitho** (Igembe Central, JP): Thank you, Hon. Temporary Speaker for giving me a chance contribute to the Motion on Consideration of Sessional Paper on the National Automotive Policy. I believe it is wonderful. I congratulate the Government of the day for bringing this Sessional Paper.

I believe the Government will go ahead and fund this idea to be a reality. What encourages production is consumption. The Government should fund technology in this country. It is blessed with very brilliant brains and young talented people who have great ideas. We have reached milestones in technology in this country. If the Government supports the entrepreneurs to research and put up the wonderful automobiles that we need, I believe building classic automobiles will not be a big thing in this country. As earlier said by some Members, we also need to manufacture motorcycles because we have a very great potential. We have a great market.

Hon. Temporary Speaker, Kenya is among the best models of technology in East and Central Africa. If none of these countries in the region has this idea of manufacturing their motor vehicles, we will have a very big market. There is no economy in this world that can grow without exports. If you look at the countries which have grown, Japan, China and those other Middle East countries, they have grown because they had a chance to export their products. Therefore, we can take advantage of Africa where other countries are a bit sleepy and build our automobile industry and have a market around the world. We will have our GDP growing very fast. Our youth employment will be available. We will be in a position to control the region as far as economic giants are concerned.

I wholly support this Sessional Paper and believe the Government is going to implement it fully. Very soon we are going to have our own automobiles distributed and sold around the world. Locally, we import very many vehicles through the county governments, individual ownerships and the national Government. We import very many vehicles every year at very exorbitant prices. We will be in a position to be exporters of automobiles in Africa and the world.

I therefore wholly support this idea. Since we have already established institutions like Jomo Kenyatta University of Agriculture and Technology (JKUAT) and other institutions like the one in Mombasa where we have students already learning about these automobiles, it will be easy for us to start this programme and build our country.

I support it and believe it will come to reality and we will be proud owners of vehicles that are our own.

Thank you.

**The Temporary Speaker** (Hon. (Dr.) Rachel Nyamai): Very well Member for Igembe Central. Let us have the Member for Siaya County, Hon. Christine Ombaka.

**Hon. (Dr.) Christine Ombaka** (Siaya County, ODM): Thank you, Hon. Temporary Speaker for giving me this opportunity. It is a very good Motion that we need to pass very fast.

Kenya is quite developed to some extent. Already, if you look at what we offer in schools at the universities and colleges, you will see that we have programmes or curriculum on engineering. Engineering embraces quite a lot of what we need. In engineering you have the mechanical aspect among others. Already we have minds of young people who train as engineers.

These other branches where automotive engineering is offered can also be introduced. The children we have today are already very creative. These are the children that are making vehicles using carton boxes, tins of *Kimbo* oil and from mud. You see them drive and pull them along. These are creative minds at such an early age. These minds grow up to the university level where they study engineering.

We have people in this country who can be trained; we have young minds that are ready to be trained in this area so that we can actually manufacture vehicles. Look at the *Jua Kali* sector. When your car is broken and you do not know what to do, you rush it there for repairs and they do it. These are young minds who have learnt through the hard way. Some of them may not have reached very high levels in education, but they are already so skilled that they can repair your car without going to any university or any other training institution.

I see a whole world of opportunities that we do have where we can come up with automotives that are being created and also assembled in this country. Opportunities are plenty because we have young minds that are trainable and we have what it takes to train young minds.

This morning we had a meeting in the Departmental Committee on Education. Somebody from one of the universities in Canada presented to us the kind of courses they are offering in Mathematics. They are changing even the idea of teaching the kind of arithmetic that we learnt. It is skill-based, problem solving and really practical. This is the way to go. We are going to get more students running for such courses so that they actually can be engaged in

manufacturing industries, especially in the motor vehicle industry. I believe that a lot can be achieved.

What we need to highlight also is that the Ministry of Education should give colleges and universities money for research. Money that can improve the technical aspect of our training. It is weak because money is never factored in. Students who graduate in engineering do not have good opportunities for attachments because there are no industries where they can go for their three or six months attachment. They suffer a lot because that is an area that is neglected, yet we have students in engineering who can easily become manufacturers in automotive engineering.

My emphasis here is that opportunity is high. This is a policy that is coming at the right time since we also have the Ministry of Industrialisation. This needs to be seen to be more practical than the way it is currently. This is an area to put money into. This is where industrialisation will take place. We assemble bicycles, but we can do much more and not just vehicles but also tractors. There are so many things that are mechanical here that can be used and fall within the automobile engineering. A lot can be achieved and this is coming at a time when training will produce good brains. We will be able to come up with our own factories where we can manufacture, repair and maintain motor vehicles including bicycles, tractors and many other things. We also have the trains. Who is going to repair them? We need brains for this technical area that has been neglected for a long time.

Thank you so much for giving me this opportunity. This is a good Motion that is coming at the right time and we need to embrace it.

Thank you and I support it.

**The Temporary Speaker** (Hon. (Dr.) Rachel Nyamai): Thank you Member for Siaya. Let us have the Member for Marakwet West, Hon. Timothy Toroitich.

**Hon. Timothy Kipchumba** (Marakwet West, Independent): Thank you Hon. Temporary Speaker for giving me an opportunity to contribute to this Motion.

Kenya has become a consumer country. We have become consumers of Western technology and products. The reason for this is that the Western countries have invested heavily on matters to do with whatever they are giving out so that you consume. If you compare vehicles that are manufactured in Japan or other Western countries and even Asia, they are of good quality.

I am aware there was a policy in 2009 that attempted to adopt a national automotive policy in Kenya. It was not adopted finally because it attempted to do away with imported cars into the country. That is the reason that policy never took off. We cannot afford to do away with imported second hand vehicles in this country unless we are able to develop capacity.

The biggest problem we have in this country is capacity. That starts with our schooling system. In this country, we do not invest a lot in critical thinking and solving problems. We only teach in schools but we do not invest in matters to do with critical thinking. That is something that we must input in our syllabus, so that as much as we teach theory, we must also teach their critical aspect in both our primary and secondary levels.

Hon. Temporary Speaker, we have invested in Technical and Vocational Education and Training (TVET) in this country. We have students studying courses like Diploma in Mechanical Engineering. If we do not have an automotive industry in this country, where will they work after graduating.

I support fully that we adopt this policy but we must be very cautious, have capacity and funding so that the automotive industry can take off. Currently, this country has banned importation of vehicles that are above eight-years old. In my opinion, this is a tragedy which we will realise its fruits very soon. What is happening is that a person who cannot afford to buy an eight-year-old vehicle will recycle the old vehicles in the market. This is something we need to relook into at as a country. This is because we are recycling vehicles. I have seen very nice

vehicles being sold in Uganda like NZE Toyota Corolla which is called *nyoka* in their local language. Looking at them they are essentially good cars compared to the recycled motor vehicles in Kenya.

I support because this will create employment. One of the biggest problems we have in this country is unemployment. If we have a good automobile company in Kenya that is well run and funded, it will create employment and most people will benefit from it.

Hon. Temporary Speaker, I rise to support the Sessional Paper on the National Automotive Policy in Kenya. Thank you.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Very well, Member for Marakwet West. Member for Funyula, Hon. Wilberforce Oundo.

**Hon. (Dr.) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Temporary Speaker for the opportunity to contribute to the Motion at hand. I want Hon. KJ to be patient as he has always been because his constituency is just a walking distance compared to mine which is far away.

I stand here to make my contribution to Sessional Paper No.1 of 2022 on National Automotive Policy. I must disclose that I interacted with it at the formative stage while I sat in the Departmental Committee of Trade, Industry and Cooperatives in the last Parliament. I want it to go on record as a colleague has mentioned that the Government is lazy. Indeed, the process of preparing this policy started way back. I am told sometimes around 2010 but there has been push and pull by various players and actors in the industry. Towards the end of last year, we had a consultative meeting at County Hall and we were able to iron out many issues with very many stakeholders.

Hon. Temporary Speaker, the economic blueprint of Vision 2030 envisages that Kenya should be industrialised by the year 2030 and be a mid-income country providing high quality of life to all its citizens. We will not achieve this goal or objective by relying on agriculture or primary industry. We have no choice but to support the manufacturing industry so we are able to employ many people, increase our per capita income and improve quality of life. For us to do this we must focus on manufacturing. There has always been a target that 20 per cent of the GDP must be attributed to manufacturing. But in the recent past even the 9 per cent that the Jubilee Government inherited in 2013 has fallen to the present level of 7.5 per cent. This has therefore informed concerted efforts to review various policies, regulations and laws pertaining to manufacturing in this country.

When we scanned, we discovered that the motor vehicle assembling and manufacture of parts is a potential industry for the many young people we have. Kenya and specifically Nairobi pioneered the *Jua Kali* industry where artisans can fabricate very many parts that can be used elsewhere. Many of us still remember with nostalgia the Nyayo cars. We were very proud and wrote letters to our friends outside the country telling them how our country was growing and we were making our vehicles. Typically, like all policies and projects in this country there was no adequate feasibility study and research to ascertain viability in the long run.

Consequently, the Nyayo car fell off the line and that is why we are here today. If you take your time to visit the numerical machining complex you will see the kind of fabricators and machines which are there and wonder why we continue to import vehicles parts. We have now resorted to importing used parts. I must admit many of us because of the hard economic times always look for ex-Japan brake pads, water pumps, fuel pumps, slim engine and many other parts yet, we have potential and capacity.

That is why I stand here today to support this policy. It has far-reaching recommendations or prescriptions that if fully implemented will move this county to the next level. The goal of this policy is to increase assembly from the current 7,000 units to 20,000 units in the first two years. Also, implement a total ban on importation of used fully built units

for commercial vehicles. As a country, we must support this looking at the data available on commercial vehicles that they are the biggest contributors towards accidents and damage to our road infrastructure. Used commercial vehicles that are in bad shape are the biggest contributors to pollution and emissions in this country. From where I stand based on the research available, it is important we implement the objectives and goals of this policy.

*[The Temporary Speaker (Hon. (Dr)  
Rachael Nyamai) left the Chair]*

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

Many of us have complained that total ban by 2024 of imported vehicles is counterproductive and will lead to challenges in this country. That is far from the truth, if we get serious, we can resolve this issue. One of the policy prescriptions they require to develop is a vehicle purchase scheme to enable the purchase of new locally assembled vehicles and support a progressive leasing policy for the public sector to expand access to new vehicles made in Kenya.

Hon. Temporary Speaker, it has to be a concerted and combined effort as we ban to improve capacity. More importantly, we must have ways and means to enable Kenyans to buy vehicles using a flexible approach in financing motor vehicle acquisition. Many have complained that fully assembled vehicles in Kenya are exorbitantly expensive. Yes, they are because we have a challenge with the cost of production and technology in this country so that every product we produce is far more expensive compared to our neighbours. We live in country or a region where we are extremely advanced. The investments we have made in TVETs and technical training institutes (TTI) have produced artisans, mechanics, electricians and electronic engineers who can produce, design and manufacture these items for the purpose of distribution in East African countries.

Hon. Temporary Speaker, as we approve this policy, it is upon the Ministry and the State Department for Industry to move with speed so as to develop regulations to implement it. It might probably even require amendments to various Acts of Parliament to develop motorcycle assembly regulations.

Allow me to make a few comments about motorcycles which have metamorphosed over time to be called *boda bodas*. I come from the border town of Busia. In the 1980s, you were not considered man enough if you did not own a bicycle. Over time, motorcycles and later *boda bodas* came in and killed that spirit. It was always a joy to give a ride to a lady or a young girl on a bicycle, apply emergency brakes and then when bodies move, you could go back home in the evening feeling happy.

Therefore, I urge all stakeholders, be they motor vehicle dealers, importers, refurbishers, new assemblers or leasing companies to realise that this is a panacea to our problems in this country. I urge Members to approve the Motion so that we proceed and implement this policy. It will increase employment and reduce radiation emissions and adverse effects of climate change. We will be proud as a nation in the East African Region.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well, Hon. Oundo, the master and originator of the *boda boda*. Well spoken. Next to speak to this is Hon. John Kiarie.

**Hon. John Kiarie** (Dagoretti South, UDA): Thank you very much, Hon. Temporary Speaker. I am excited to contribute to this Motion on consideration of Sessional Paper No.1 of 2022 on the National Automotive Policy.

Manufacturing acts as a growth catalyst for economies. We know the levels that economies that have gone into industrialisation and manufacturing have risen to in terms of development. That development has to be informed by policy hence this Sessional Paper which is one such policy. Such policy ought to be intentional and deliberate. I have scanned through the 52 pages of the National Automotive Policy to see if it has lived up to the tenets of being intentional and deliberate. I support it.

This policy will provide an enabling environment for all players in the automotive industry. Beyond that, it shall start us on the journey to solve some of the problems that we are facing in cities such as mass transport, mass transit, public transport, congestion and development of infrastructure in the transport sector.

We are not dreaming and building castles in the air. It is even happening in Africa. Nigeria is in automotive production and so are Egypt, South Africa and Morocco. Kenya was well on its way to getting to the stage where South Africa was in the 1980s. Hon. Temporary Speaker, if your memory serves you right, you will remember that we had the Kenya Vehicle Manufacturers Limited (KVM) domiciled in Thika where they would assemble the Land Rover. In fact, at some point in the 1980s, there was an offer from Peugeot, the French company, for us to manufacture a very popular variant of the Peugeot called the Peugeot 504. I do not know how these offers slipped through our fingers and how we lost them, but by now, we probably would have been at the level of South Africa and Egypt.

Currently, Kenya only manufactures parts. Even then, it is not actual manufacturing, it is an assembly of parts. The National Automotive Policy even lists the parts that we manufacture in this country. We are only able to manufacture 37 parts in the 60 years that we have been independent. You can imagine that we are only able to assemble 37 parts as a country. The policy becomes important because we can take over from where we left off in the 1980s when we were talking about Thika becoming the Bristol or the Manchester of East Africa and the industrial capital of East Africa. At this point, we shall go beyond Thika because one of the things that has been captured in this policy is zoning. That is where we delocalise manufacturing not only of motor vehicles, but even the components and parts that will go into it. Your native county can take a part and build an industry around it. It could be a wiper, a headlight, or a bumper. Busia County where Hon. Oundo comes from would take up another part and manufacture it. We in Dagoretti South Constituency would be left to do the finishing. We can be left to imagine how to make leather seats and beautiful car finishings out of the hides and skins of cows that we slaughter at Githinjiro, Dagoretti Market.

Hon. Temporary Speaker, a component that has been captured in the National Automotive Policy is the element of beefing up research. When we beef up research, we shall now start to understand how we can become an industrial country.

I vehemently refute and oppose the words that were spoken by Hon. Makilap saying that for us to develop, we need to reduce CRE, history and soft subjects. One of the reasons why we are suffering as a developing country is because we do not emphasise soft subjects in schools. Any developed country has a place for its poets, authors, historians and humourists. As the West was developing, so were their artists at that time. If you do away with soft subjects like fine art, who will design those cars? The art of designing an automobile is a multibillion-dollar industry. Countries that have mastered the design of motor vehicles are exporting their talents. Countries like France, Malaysia and India are exporting their designers because as we develop, we cannot have a dichotomy of disciplines in academia. We need to develop our scientists and artists.

Research will also inform what kind of car we want to develop. In this day and age, we have to start thinking about a green vehicle. How about Kenya becoming the first country to design ways in which we can use biofuels to power our cars in Africa? We should take the lead on that so that it becomes our M-Pesa. In the same way that we were able to leapfrog other

telecommunication companies with our fintech, we can also leapfrog with biofuel and green vehicles in the country. They do not even have to be electrical vehicles. We can decide that we will power our vehicles with seeds of a type of a tree that grows around Mt. Kenya whose seeds have such a high content of oils that can be developed to produce biofuels. I hesitate to name the tree because I only know it in my native language. I know we have some scientists here, and if I name the tree, they would be able to translate it to English.

Research is going to talk about the interconnectedness of industries because a robust automotive industry will give rise to other sub-industries around that effort. More research will also inform how we can approach the cottage industries.

Hon. Temporary Speaker, if you think about it, some of the biggest names in the automotive industry are named after people. The companies that we know such as Honda, Suzuki, Ford, Hyundai and Toyota are all named after people who started out in small cottage industries building cars but now they are international household names. That means we can have someone called Kiarie somewhere in Mutuini to assemble cars in a cottage industry at a corner somewhere there and end up being an international name that will be recognised for the efforts of building a car of its nature.

I was extremely excited going through Chapter 8 of the National Automotive Policy which talks about communication, publicity and information. This information needs to be shared with the public so that they become our biggest supporters.

Chapter 4 of this National Automotive Policy lays out the objectives that we want to achieve. They are quite a number, and of which I will not be able to talk about for now but if time allows, I will do so. As we think about the National Automotive Policy, let us not be limited to only the manufacture of...

**The Temporary Speaker** (Hon. Omboko Milemba): Please add a minute or so to Hon. Kiarie a minute so that he can finish with his deliberations.

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

I, humbly, appreciate your magnanimity for this extra minute. And even as we think about this National Automotive Policy, we will need to think beyond the manufacture of the car itself. We need to think about the passenger transportation framework as well. There have been some efforts in this country with the Mass Rapid Transit Systems (MTRs); there has been an effort which is now stalling in Nairobi of the Bus Rapid Transit System (BRTs); there is also the thinking around the two and three wheeled automotives and even quad bikes that are in the category of motorcycles.

As we develop cars, do we have space for all the automobiles that we shall be creating? Then if we think wider, we shall think of what infrastructure we want to build so that a vehicle on a highway should not be speeding at the speed at 110 kilometers per hour while there is a motorcycle, bicycle, human transport and pedestrians walking on the same road. Therefore, even as we think about this National Automotive Policy, let us think wider to see what else we need to develop beyond just building a car.

Thank you, Hon. Temporary Speaker, for this opportunity.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. Hon. Shakeel Shabbir, Kisumu East.

**Hon. Shakeel Shabbir** (Kisumu East, Independent): Thank you, Hon. Temporary Speaker. I rise to support this consideration of Session Paper No. 1 of 2022.

There was a Session Paper No.9 in 1965 but we never did anything. It was a beautiful Session Paper that was borrowed and used by Singapore, Malaysia and others. We did the work; they did the implementation. The biggest problem that we face is implementation. The National Automotive Policy is nothing new. It has been there in many countries such as Nigeria, South Africa, Malaysia, Indonesia, India and many other countries. We are basically

following the old routine. Just because certain countries have an automotive policy, we now think we must have one.

I have read the 44 pages of this Automotive Policy. I am sorry to say it is a good idea but I think it could have been better if it was implemented 20 years ago. Now, they have come up with it again in another form of seeking to create an enabling environment for the automotive sector to realise its full potential and position as a major player in the industry and also aims to improve local automotive assembly ecosystem to expand local market size by promoting manufacturing.

These are good words but literally, we are talking about the old petrol vehicles for the past 40 or 30 years ago. This was the Automotive Policy that was to be used for the *Nyayo* car which I have seen. India stopped importation of cars. They took an old Fiat model and built it 100 per cent in India. They called it the “Ambassador.” Nobody could buy a different car other than the same model called “Ambassador” – not even the Prime Minister. I have sat in the said vehicle. They then started the smaller vehicles of 1000cc and nobody including the Prime Minister was allowed to go beyond it.

I was in the 10<sup>th</sup> Parliament as a Member Parliament. We were told that they were going to ban all the four-wheel drive vehicles and instead, bring VW Passat and other smaller vehicles. This was done by none other than the then Minister for Finance, and the former President, Hon. Uhuru Kenyatta. What happened? They bought some Passat vehicles because they suited some people. They also found that the Mercedes were cheaper to run than the Passat vehicles, and the whole thing fell apart.

If we look at our car parks, we are full of four-wheel drive vehicles which are totally inefficient with huge powered guzzlers. If you go to Westminster Parliament, people report on bicycles. If you go to the Malaysian Parliament, they come in, in Malaysian vehicles and other things like those.

It is a good policy; we wanted it for the numerical machining Complex and other things but we have taken and cannibalised the National Automotive Policy of other countries. Hon. Kiarie, please, read this policy well and put it next to the one for Malaysia or South Africa. Why do we now want to go for this? Ask yourself if you want to make it relevant for now. How do we make it relevant? We do not need to go and produce those old computers. We want to produce vehicles that are valid, hybrid and electrical ones and vehicles that can run on hydrogen or hybrid ones.

When I was Mayor for Kisumu, we started with bicycles – *boda boda* as my brother says. They were not more 300 in Kisumu. Within a year, and with support from other people and the UN, we were over 10,000 *boda boda* bicycles. We then graduated to motorcycles and then to three-wheelers. Now the motorcycle is one of the most important vehicles in this country. You can move from point A to point B on a motorcycle. Many of us who do not care too much about big things have ridden motorcycles. If I want to go to a place where there is a lot of traffic, I will ride a *boda boda*. The *boda boda* is what we call grassroots economy; bottom-up if you may. So, what we need to do is to take on those bottom-up. Let us not go for the big vehicles. We want the lorries and everything else. Other than their engines and engine blocks, we have the technology to make the rest of the parts here. We can make those bodies and everything else. This policy says that a new National Automotive Council is to be set up. Who is in the Council? Are they those with the old and past way of thinking, the likes of Kenya Association of Manufacturers (KAM) and Kenya Vehicle Manufacturers Ltd (KVM). They do not want to produce. Toyotas are selling their vehicles; the Japanese are selling their scrap vehicles here and we are still buying them. We are a consumer society. In my time I thought a Porsche was used for specialised people, but nowadays you see them here like anything else. They are not the Porsches we used to know. So, what we are trying to suggest here is, let us do

this but in a new way, like we did with M-PESA. We did not go for those old analogue machines; we went for change. So, the change we want is hybrid and electric.

I was in Pakistan about two years ago and I found out something. They are taking a motorcycle, changing the rear wheel and are having electric motor in it. It costs no more than 30,000 rupees to change that motorcycle from the one that we know to a hybrid. This is the time, and that is what we need to do. We do not need long drawn out policies. They are good and we can do them, but those are old policies that will take us back to the past. We need to look at this policy. Hon. Kiarie and others who know about this need to call them and say, “hold on a second, where are we going?” Are you now trying to tell us that you want to build trains here in Nairobi and bring us old technology? We do not. We want new technology. The thing is, why can we not make a bicycle here in Dagoretti? They say that that little thing is called an engine. We cannot make an engine? We have made so many things. At Numerical Machining Complex Ltd I used to sell tractors. We used to bring scrap tractors from the United Kingdom. I used to rebuild that tractor into a completely new one here in Kenya, and sell them with a two-year guarantee. This was in Dagoretti. I used to go to Numerical Machining Complex Ltd if there was something wrong with the camshaft, I had it made there. I went with a broken block and we fixed it there. So, we have the capacity.

Hon. Temporary Speaker, with those few remarks I want to end by saying that this is the right thing done in the wrong way. You do not need what we are seeing here. It is not what we want. We do not want the sledgehammer; we want to do it properly.

Thank you very much. I look forward to interacting with those people who prepared this policy. Let us not just do it for the sake of policy because it has been done by over 100 countries. Why do you want to be...

**The. Temporary Speaker** (Hon. Omboko Milemba): Very well. Your time is over. Well spoken. I am very happy that leadership is in the House. Hon. Waqo is here listening. The contributions are immense and good. Next to speak on this is Hon. Andrew Okuome, Member for Karachuonyo Constituency.

**Hon. Adipo Okuome** (Karachuonyo, ODM): Thank you, Hon. Temporary Speaker. I support this Motion, under the persuasion that we have to look at the unemployment position in this country. We also have to consider the development situation in this country. We must be innovative and find out how we can create employment and also develop Kenya. I do realise that nearly all the machinery we need are imported. If we are to do this permanently in our lives, the automotive policy that we use must be changed and tamed to help us develop Kenya. Our agriculture is in need of development. We need to have automotive policies that can enable agriculture to be developed.

We import tractors. Some of the tractors we need could be very simple types which I am told are found in India. If we decide to manufacture them, it will not cost us so much. We have to import that kind of technology into this country. Just the technology part, and not the machinery. That is the kind of policy that will help us out of the problem that we find ourselves in. The same goes for motor vehicles. I know my colleagues have spoken about this, and if you listen to them, they have excellent points which can help us. We have to change so that we are not the consumers at all times.

I was listening the other time when the President of this country was speaking. In fact, he adopted a policy of non-subsidy for consumption. He could only do it for production. If we are importing vehicles even for the Government, it does not matter how expensive they are, with that policy, subsidy cannot be given because we are consumers. If we were to manufacture some of these things, the Government will come in because that is production. That way we will be directing our resources to what will help us create the employment I was talking about. It will help us to increase our GDP level high enough to cause good development that we need so much. Things like motorcycles, *boda boda* as it is known in Kenya, do not need very

complicated technology. If we adopt a policy that can help us manufacture these kinds of machineries, we will do good to our country.

My friend who has just spoken was waving at me negatively to indicate to me that this kind of policy was adopted long time ago, but its implementation is the problem. Yes. That kind of situation is not isolated. We have too many cases where we make decisions but implementation is conspicuously absent. That is a different kind of problem. It is not one that we can solve while discussing this issue. However, in my opinion, the Motion is timely. Even if it was there before, we need to renew it and ensure that the implementation part is done with.

Hon. Temporary Speaker, the other part of the policy that I would have liked us to really emphasise on, is the spare parts for all these kinds of machinery which we import. If you have a vehicle and a spare part is broken and you want to replace it, sometimes you wait for it to be ordered from abroad, and yet the technology to produce it is probably present in this country.

I wish that we will examine these kinds of things thoroughly and compare what is needed with our capacity financially or in human resource, so that we can do what can help this country develop. Our youths and we can get employment for us to move forward.

Thank you, Hon. Temporary Speaker, for giving me time to contribute. I emphasise that I support this Motion.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. David Mboni, Kitui Rural.

**Hon. David Mwalika** (Kitui Rural, WDM): Thank you, Hon. Speaker for giving me a chance to also put forth my remarks to this Motion on Consideration of Sessional Paper 1 of 2022 on the National Automotive Policy. At the outset, I support it because it will provide an enabling environment for automotive industry players to realise their potential and position Kenya as a major automotive manufacturer and improve the local automobile assembly ecosystem, in order to expand local market size by promotion of local parts.

Vision 2030 and Big Four Agenda put manufacturing sector as one of the pillars of this economy because of its potential to contribute to the GDP significantly. Manufacturing sector creates jobs. Most of the modern jobs are in the manufacturing sector. It promotes productivity and growth in this country. It also promotes innovation of services and trade because most of the people in this sector are in trade and manufacturing.

The sector contributes around 8 per cent of the GDP. Automotive is one of the sub-sectors in the manufacturing sector which is growing very fast in Kenya. You can see the growth in the National Economic Survey. Demand for the spares is also growing very fast. However, Kenya remains a small producer of automobiles services as compared to South Africa, Nigeria, Egypt and Morocco. It is a small player in manufacturing of automobiles.

Kenya produced its first car—the Nyayo Car—in 1990s. I do not know what happened to it. It is unfortunate that Kenyans prefer goods which are produced in other countries. If we emphasised using that car and encouraged local manufactures to continue producing it, even if it was moving at 80 Kilometres per hour, we could have improved it by now. We would be a big exporter of vehicles to East and Central Africa. If we continued with that venture, we would be earning a lot of foreign exchange and creating a lot of jobs.

Market for cars is quite big in this country. You can see the number of vehicles, saloon and big cars, which we import. We import cars, motorcycles and tractors in this country. We only manufacture new cars for public transport which are the big *matatus*. Otherwise, we import the rest like Nissans. As a country, we need to think about using our products. Even if we produce a car that is ugly, let us use it. We will improve it as time goes on. However, the moment we think about a Mercedes Benz which is a very good car from Japan or Germany, we will not move.

This Policy is very important. As a Parliament, we need to approve it. The Ministry concerned will come up with guidelines to implement it, so that at least we can move. If it is implemented, it will create jobs for our students. There are too many students who are

graduating from universities: engineers, mechanics, electrical engineers and automobile engineers. Two months ago, there was somebody who had a former student who had a First-Class Honours Degree in Mechanical Engineering but he had no job. He was cultivating somewhere in Murang'a. If this industry works and it has potential, that person cannot do manual jobs in the farms. We have students from polytechnics and TVET institutions which we are constructing in each constituency. The designers will get jobs and incomes, and then increase the productivity and GDP of this country.

If we produce new cars, they will reduce pollution. It is one of the factors which contributes to climate change. It will save our foreign exchange because we use a lot of it to import cars. That is why the value of the dollar appreciates every day and our shilling goes down every day. If we buy these products—the cars and spare parts—from this country, we will not face this kind of thing. When you import something, you export a job. As I stated before, we have too many youths who need this job.

As we implement the Policy, we also need to think about our roads because they are very congested. Traffic jams are everywhere. You cannot move. We need to design our roads in such a way that we have walkways for pedestrians and bicycles. Germany has the best road system. There are paths where bicycles are used, motorcycles are used and where people walk. These are the kinds of things which we need to think about, so that at least we move this country forward.

With those few remarks, thank you very much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Well spoken. Next is Hon. Beatrice Elachi, Member of Parliament for Dagoretti North.

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

I also rise to support the Motion on Consideration of Sessional Paper 1 of 2022 on the National Automotive Policy. First, I want to thank all the mechanics in this country who have employed many people. They are the ones who ensure that our cars move on our roads. That means if we have a national policy of automating and ensuring that they are able to now start assembling a whole car, they will do it. One of the things that kills this industry is how we have allowed those who do business of importing the cars to lobby to ensure this policy does not work.

Today in Kenya, we assemble parts of vehicles. At the same time, there are different parts also that we are able to manufacture in this country. One of the things we must do is to learn the way the Chinese have made their policies. They ensure you also bring in an expert who will support as you start building those small industries. You have an expert who comes in, and any person or any child of Kenya who will want to be in this industry is trained to become an expert of one area. If you are an expert of an engine, it is the engine; if you are an expert of just putting in the brake pads, you are that expert. Therefore, when you are assembling the whole vehicle, it moves from one station to the other. You will find you are creating jobs for many of our young people who have come from the TVETs that we have, but they are able to go into a plant and assemble a vehicle. We must also be aware that we are in East Africa, so when we want to manufacture a vehicle, we must look at the type of a vehicle that is used in Tanzania, whether it is left hand-drive or right-hand drive. This is so that we are able to trade within East Africa.

The policy also brings what the other day we were referring to - small and medium-sized enterprises. If we bring together this industry and remember all the mechanics that are there in every area, you will find young people trying to do small jobs and in turn employ one another. When you take your vehicle to them, it comes out as a new vehicle and some of the parts have been taken from Kenya. They modify some of them.

One thing that we must ask ourselves is how to work closely with Mombasa County to ensure that we also have a free port. That port does not mean you dump vehicles there. It means

that if we can ensure we implement this policy and actualise what we are talking about, we will find new cars at duty free port. People will come from other countries to buy new cars. Many companies are now in Kenya doing their assembling. Toyota and Peugeot are doing that and many others who came in during last regime who really wanted to work with the locals. They bring all the parts from their countries and assemble them here. We will learn the same system and technology they use in their countries. The facility has been there for the last four years. If we are building a country and empowering our people, we need to introduce new technology. It is time we assembled the vehicles ourselves and had a plant that assembles any vehicle in this country.

The other thing we need now to work around before we even think of a vehicle are the *boda bodas*. It is important for us to ask ourselves as a country, can we assemble *boda bodas*? Right now, we still import *boda boda* spare parts yet, we have five to six million *boda bodas* across this country. It is already an industry. If we just had a plant to assemble them, that is one industry that would have built the economy of this country.

We believe in Vision 2030 that was to build this country into middle income economy. As we speak about the Sessional Paper, there are some things that the Government has to go back and look at and ask itself whether is it important that as we do all this, we leave those who already are in the *Jua Kali* sector. We need to promote them. They are fantastic mechanics who have worked with Toyota Kenya. It means they understand the industry already. They are SMEs that are trying to build themselves.

I hope that, in the Paper, we have captured how we are going to build their capacity, their innovation and how we are going to do research to help them. Some of them can go back to class a bit and just build themselves in the new technologies that we are seeing. We are seeing electric cars coming up. Let us build their capacity so that they understand. We can even take them out of the country. That is how many countries have built their own young people and innovation. Rwanda is doing it very well. We take out students for three-four months and when they come back, they are able to work very well. We have the standard gauge railway. I doubt if we have ever thought about the locomotives. We took our students to China and they learnt everything. We need to ask ourselves, and maybe we need to have a sitting one day and ask them whether they were trained as mechanics. When the locomotives need to be repaired or maintenance, they will be called upon to do that. We will not call the Chinese to come and do that maintenance. That is very important. I hope as they speak about Automotive Policy, it captures everything that revolves around the transport sector.

While we think about the infrastructure, we must also think about negotiating and enhancing that negotiation with the countries that already have developed so that we work together.

Lastly, this House debates too many interesting things for the country; issues that can really transform our country. I hope after we finish our part, that those who have been given that responsibility can change. We must see this transformation. It is very sad and I know you have been here now for two terms, Hon. Temporary Speaker, we just say, give, the laws are there, the implementation part is there, yet those who are supposed to implement in Government find it too difficult to do what Kenyans would wish to do. I hope even as we talk about all these things, that we will see implementation. The Committee on Implementation should take things very seriously and see that these things have been operationalised, and more importantly implemented.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. That last bit on implementation, Hon. Waqo, is for you.

Next to speak on this is Hon. Zamzam Chimba, Member for Mombasa County.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Asante sana Mhe. Spika wa Muda. Leo naona mjadala mzuri sana. Sijui kwa nini tuko wachache lakini tutasukuma gurudumu polepole. Nikiangalia mambo ya viwanda, na naangalia kwangu Pwani, ninaona tuna sehemu kubwa na viwanda vingi. Kuna *Industries* nyingi ambazo zinatengeneza magari, tuk tuk na piki piki. Lakini ningependa kwanza kama inawezekana, Serikali ipunguze ushuru kwa zile *materials* ambazo zinatumiwa kwenye kuunganisha magari. Kama kweli tunataka kuboresha uchumi wa Kenya na sisi tuna nafasi kubwa sana yakuweza kutengeneza magari yetu ili tuyauze ni lazima pia tufikirie tunatumia mbinu gani. Tukiangalia Mombasa tuko na Simba Corp ambao wanatengeneza Mistubishi Fuso. Tuko na wale ambao wanatengeza...

Pia, kuna Tata Motors, Toyota Kenya, Hino Motors, Scania East Africa ambao wanatengeneza Volvo, Bayou Motors na Abson Motors ambao wako sawa kabisa kwa kutengeneza *tuk tuk*. Vijana wengi wako kule nyumbani, wamesoma, wanajua ufundi na wameenda kwenye vyo viko. Lakini hawajapata mahali wanapoweza kuboresha ujuzi wao ili wainue uchumi wa Kenya. Nikiangalia *automobile industry* naona kuna nafasi kubwa sana. Badala ya kuleta magari kutoka nje, hapa Kenya tuna vijana ambao wanaweza kupewa vifaa na *sponsorship* ili waweze kutengeneza magari ambayo ni ya bei nzuri. Pia, sisi tuweze kutoa magari yetu na kuyauza katika mataifa mengine, kama vile tunavyonunua kutoka kwao. Pia, sisi tuboreshe viwanda vyetu ndiyo watoto wetu wapate ajira na waweze kuonyesha ubora wa vile walivyosoma katika *college* na kutengeneza magari yetu.

Ningependa kusupport mjadala huu kwa kina sana. Tukiangalia boda boda kweli wako wengi katika taifa hili. Lakini ukiangalia vizuri utapata hata zile pikipiki zao wanachukua kwa deni kisha wanalipa mara mbili ya vile ilikuwa. Pengine zikitengenezwa hapa nyumbani zitawafaa zaidi. Ningependa kusema vijana wetu wanaharibika kule mashinani na wengine wameingia katika *drugs*. Vikundi haramu vinamaliza watu kule vijijini. Hii ni kwa sababu wamekosa kazi. Watu wengine wanachukua *advantage* ya hali yao na kuwaingiza katika vitu ambavyo havifai.

Napongeza sana Serikali kwa mjadala huu wa kuweza kufungua viwanda vya kutengeneza magari yetu ama tuk tuk. *Absa Motors* wako pale wanasubiri na pengine tunaweza kupunguza bei ama ushuru wa vitu ambavyo wanaleta kuassemble gari na tuk tuk. Tupunguze kwa muda wa miaka mitatu au mitano ndiyo tupatie vijana nafasi ya kuingia katika *industries* hizi waweze kujifunza. Wakijifunza pengine kwa miaka mitatu au mitano wataboresha hii *industry*. Tutaweza kusafirisha na kuuza gari zetu katika mataifa mengine, huku uchumi wa Kenya ukipanda.

Mimi kama mama wa Mombasa Kauti nasikitika sana kwa sababu nafasi hii ni nzuri na kama alivyosema Mbunge mwenzangu hii Hoja ilipitishwa mwaka uliopita. Lakini nafurahi kwa sababu niko katika *Committee on Implementation*. Kwa hivyo, nitakuwa mmoja wa wale ambao watafuatilia kwa kina kuhakikisha kuwa hii *policy* imeweza kuboresha taifa letu kwa kutengeneza magari kama mataifa mengine na kuwapatia vijana wetu ajira.

Napongeza Serikali hili kwa huu mjadala wa leo. Nikiangalia *sector* ya tuk tuk kule Mombasa utapata wanaimport kutoka India. Pengine, mtoto wa kiume amehangaika akienda juu an chini ili anunue tuk tuk kwa bei ya laki nne au tano. Lakini Serikali inafaa kufuatilia kwa kina jambo hili la kufungua viwanda. Hasa mimi naomba viwanda hivi viwe ndani ya Mombasa Kaunti. Hii ni kwa sababu mambo mazuri sana yanaonekana kule kwa sababu tayari Scania, Absan Motors, Fuso na Simba Corp wako huko. Ningependa kiwanda kiwekwe kule tuweze kukiboresha kwa kuleta bidhaa kwa bei ya chini ili vijana waweze kusoma na wale ambao wamejitolea pia tuweze kuwapunguzia ushuru ili wale vijana wetu waliosoma *college* waweze kuboreka zaidi. Zile aina za magari ambazo watatoa naomba Wakenya wanunue ili tuweze kuwaboost hao watoto. Hata kama watatengeneza tuk tuk tutajua watoto wetu wanajimudu na kujaribu. Tuweze kuwaboost baadaye watakuja kuwa bora zaidi. Kenya iko na tajiriba ya kutengeneza vitu vizuri.

Wakati mmoja nilikuwa ninangalia televisheni nikaona mwanaume mwingine kule mashinani ametengeneza gari na linaenda. Nikajiuliza angepata mtu wa kumsukuma kidogo na kumpatia vifaa vinavyofaa basi angeweza kutengeneza gari nzuri zaidi. Kuna mwingine niliona ametengeneza ndege. Mimi nasikitika kwa sababu tuna watu ambao wamebarikiwa sana ndani ya taifa hii lakini, wamekaa mahali wanasikitika pengine hata chakula hawana. Ninaomba serikali ichukue nafasi hii na iweze kutangaza wazi peupe kwamba wale wanaujuzi na wanaweza kufanya kazi katika kiwanda fulani, na kuna walimu watakaowaboresha waende wajiunge ili tuweze kuinua uchumi wa Kenya na vijana wapate ajira waweze kujijenga.

Kwa haya machache nashukuru sana. Leo ni siku ya furaha sana kwa vile mjadala huu umetoka kwa serikali. Nina imani viwanda vitawekwa na vijana wataweza kufaidika. Asante sana, Mhe. Spika wa Muda. Huyu ni mama Zamzam Chimba Mohammed kutoka Mombasa Kaunti.

**The Temporary Speaker** (Hon. Omboko Milemba): Vyema kabisa, Mama Zamzam Chimba. Atakayefuata kuzungumzia hii Hoja ni Mhe. John Kaguchia, Mbunge wa Mukurweini. Sijui kama pia yeye atazungumza kwa Kiswahili.

**Hon Kaguchia John** (Mukurweini, UDA): Thank you very much, Hon. Temporary Speaker. Indeed, I can speak in Kiswahili but I cannot do so immediately after Mama Zamzam because she is so fluent. I will speak in Kiswahili another day.

I take this opportunity to support this Sessional Paper by the Government. I appreciate that for once we have a Government whose intention is to move this policy forward and ensure it becomes a reality. This is by ensuring that our country takes the next steps in terms of manufacturing, industrialisation and production.

For too long this country has celebrated the service industry more and yet it does not produce. When you do not produce you do not grow the economy. When I see this Sessional Paper, I appreciate what the Government is thinking about. For that reason, I would like to add my voice and say if we start manufacturing and assembling cars in Kenya, we will create employment. Unemployment is a crisis we are facing and we must deal with it.

This is one of the ways in which we will deal with this problem of unemployment. It is not far-fetched that we are thinking about manufacturing cars. I am reminded of a gentleman who was a tutor at Nairobi Technical Training Institute by the name Gitonga Muchau Wathanga. This gentleman is now late and he hailed from my constituency. He assembled a limousine which was showcased in all our media stations and we celebrated him. I remember when we went for his burial a short time ago, the limousine was parked there as a testimony of a Kenyan who lived, gave his all, was innovative and attempted to manufacture or assemble a limousine. He made a very nice limousine from B15 which is an old type and it is there up to date. If this kind of Sessional Paper had been done and the Government had implemented it, our late friend would probably have had the support to start an industry that would have seen us grow our economy, promote trade, and ensure that we also become manufacturers and assemblers of limousines in Kenya. That is why I believe that we have the capacity and our young people have innovative minds that can help us produce unique products. We do not only have to think of simple and small industries like manufacturing of small vehicles like *tuk tuks*. Those are okay but as a country, we have the capacity to make more sophisticated vehicles and become the pride of Africa.

If we implement this policy, we will provoke and stir growth in other economic industries in our country. The leather industry will produce covers for vehicle seats that we will manufacture and assemble. The glass industry will also seriously come up. The vehicular body-building industry already exists, especially for minibuses and trucks. We manufacture most of these vehicular bodies in the country. That industry will be enhanced.

Hon. Temporary Speaker, I see a situation where if we manufacture vehicles in the country, we will become an exporter to neighbouring countries. Most African countries might

import their vehicles from us because we will make resilient vehicles for this continent since we understand it better. We will manufacture more resilient vehicles to sell to neighbouring countries. That means that we will have an inflow of foreign currency. Currently, we spend too much on foreign currency outflows as we import vehicles from other countries. Most of the time, we end up importing vehicles which are more than six years old. Those vehicles emit a lot of carbon into our airspace which results in low quality air in our cities, which in turn affects our health. If we manufacture our own vehicles, we are likely to have clean emissions. We hope to take advantage of new innovations in the market to come up with electric vehicles that will not be powered by fossil fuels that cause very harmful environmental impacts.

Hon. Temporary Speaker, I support this Sessional Paper so that we create employment, grow our economy, and support the TVET institutions. If we go into manufacturing, we will require many skilled and trained personnel which means that we will have to promote our TVET institutions. For example, there is Mukurweini Technical Institute that will probably produce many youths with the capacity, knowledge, and skills to be employed in some of those industries. That will improve their well-being.

As I finish, I support this Sessional Paper so that we also improve our environment. We are all aware that environmental issues are taking centre-stage in our discussions and they shape the way we move as a country and the entire globe. As I support this Motion, I would like us to think about the production of vehicles that are going to be powered by clean energy so that we abandon the fossil fuels which have destabilised our economy in a big way because of the impact of international trends and geopolitical politics that have affected the issue of exports and imports especially when it comes to the issue of petroleum across the globe.

I beg to support.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. Hon. Members, notwithstanding the Motion passed earlier today which increased the time for debate on this Sessional Paper from two hours, thirty minutes to five hours, thirty minutes; and there being no other Member with interest to speak to this Sessional Paper No.1 of 2022 on the National Automotive Policy, I will therefore, call upon the Mover to reply.

I now give this opportunity to Deputy Whip of Majority Party, Hon. Naomi Waqo to reply.

**Hon. Naomi Waqo** (Marsabit County, UDA): Thank you, Hon. Temporary Speaker.

I stand to reply to this very important Motion. Members have given it a lot of attention and that is why at the beginning, we requested for more time.

I want to take this opportunity to thank the Members who have taken their time to support this Motion that has given us great ideas on how to implement where the gaps are. From the debate, it is quite clear that Kenyans are looking forward to the implementation of Sessional Paper No.1 of 2022.

I want to congratulate the Kenya Kwanza Government for coming up, and for making effort to revive it. As we have seen, since 2018 this policy has been there but has not gotten any attention. Through this Government, we can see that there is light at end of the tunnel. From the Members' contributions, we have also seen that Kenyans are people who are really talented, very creative and innovative. It is only that they have not got the opportunity to exercise the skills that they acquired. Others have tried but they have not succeeded simply because they have not received any support from the Government.

We all know the goals of Vision 2030 is to transform our country into middle income country by providing high quality life to all its citizenry. We cannot achieve this dream if we do not promote industrialisation, and if we cannot encourage our young engineers. We have many graduates. We have taken many of our young people to TVETs and many of them have come out with brilliant ideas, skills and knowledge. Unfortunately, they have not got the opportunity to exercise or to give back to the community. We know a country's prosperity is driven by

radical actions such as, to drive inclusivity in order to develop and to make sure that we do not leave behind any member of this country.

It is quite encouraging that today Members of Parliament have deliberated, debated and have come up with a way forward on this Sessional Paper, which I believe has a lot of goodwill from the Government. We will implement it as soon as possible so that we can see the results and enjoy the fruits of our labour.

We know that doing this will have a positive impact on our GDP. As a country, we are suffering simply because of financial challenges. We are not able to create our own wealth and we also do not have enough for our country. Doing this will create jobs for our young people. It will also give hope to the hopeless and give Kenya the pride it needs.

Sometimes, when we look at Kenya Airways, with all the challenges the company goes through, we feel proud of the services that it gives to people. They clearly state that they are the 'Pride of Africa'. This will be another way to make us feel proud of our country. It will have positive impact on the entire nation.

We know very well that Kenyans are very hardworking people. They always look forward to a better life. We know that every year this country imports thousands and thousands of vehicles. In 2021, there was an increment of 14 per cent from the vehicles that were imported in 2020. In fact, the exact numbers are; in 2020 we imported 94,128 vehicles. That moved with 14 per cent to 107,499 vehicles. That is a huge investment that goes out to another country. In fact, the resources that would have helped us and transformed our country here are being transferred to another country.

We buy second-hand vehicles. Of course, as the owner of the vehicle, you may be happy but then, apart from you and your family no one else enjoys that. If we encourage our own and develop the making of those vehicles, Kenyans will be happy. Majority of the vehicles that I mentioned earlier are all imported. The benefits go to others.

When we look at the import duty which is 25 per cent, excise duty which is 20 per cent, Value Added Tax (VAT) which is 16 per cent and import declaration which is 3.5 per cent, that again increases the cost. By buying our own vehicles, we will be able to reduce the cost and we will benefit from one another.

I have taken note of Members' concerns. The Select Committee on Implementation has to be keen enough to see how best this will be implemented. The Government, particularly the President is keen enough. In fact, this works well with our vision and mission. The bottom-up idea has its place in this. There is need to review this again before implementing. That is also well noted. Setting aside some budget should be our priority so that we do not pass this then end up struggling. I am happy because the Chairperson of Budget and Appropriations Committee, Hon. Ndindi Nyoro, is here with us. I am sure he will give all the attention that this Motion deserves.

Creating space and opportunity for our young ones, so that they can exercise their skills and knowledge they have acquired will give hope to many Kenyans. This will promote us. After the implementation of this Sessional Paper, we will start exporting our motor vehicles. This will remain in the history of our country. I am happy to associate myself with this particular Motion. I thank the entire House for supporting it.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. You need to finish replying properly. Give her the microphone

**Hon. Naomi Waqo** (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. I beg to reply.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well, Member for Mukurweini.

**Hon. Kaguchia John** (Mukurweini, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 53(3), I wish to request you to defer putting of the Question to another day. It will be important to do so, so that we can have it hopefully next week, and the implementation will be done immediately.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. Chairperson of the Budget and Appropriations Committee, you will have a chance to speak on another matter. I can see you had requested to speak.

Hon. Members, following the request by Hon. Kaguchia, I direct that the Question for this Motion to be put when the House sits next.

### ADJOURNMENT

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Members, it is now time to adjourn the House. There being no other business and the time being 6.27 p.m., this House stands adjourned until Tuesday, 29<sup>th</sup> November 2022, at 2.30 p.m.

The House rose at 6.27 p.m.

*Published by*  
Clerk of the National Assembly  
Parliament Buildings  
Nairobi