



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**VOL. III NO. 2**

## THE HANSARD

Tuesday, 14<sup>th</sup> February 2024

The House met at 9.30 a.m.

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

PRAYERS

QUORUM

**Hon. Deputy Speaker:** I direct that the Quorum Bell be rung for 10 minutes.

*(The Quorum Bell was rung)*

I can see that we now have quorum. We may proceed.

PAPERS

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

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Deputy Speaker, I beg to lay the following Papers on the Table:

1. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June 2023 and the certificates therein in respect of:
  - (a) Parliamentary Service Commission;
  - (b) The National Assembly;
  - (c) Parliamentary Joint Services;
  - (d) Parliamentary Catering Fund;
  - (e) Parliamentary Mortgage Scheme Fund;
  - (f) Management and Supervision Fund;
  - (g) Agricultural Finance Corporation;
  - (h) Kenya Veterinary Board;
  - (i) Prison Industries Revolving Fund;
  - (j) Revenue Statements of the Pensions Department;
  - (k) Uwezo Fund;
  - (l) Intelligence Service Development Fund; and,
  - (m) Public Trustee of Kenya.
2. Performance Audit Report on Support for Job Creation Component under the Kenya Youth and Opportunities Project for February 2024 from the Office of the Auditor-General.

Thank you, Hon. Deputy Speaker.

*(Hon. Beatrice Elachi spoke off the record)*

**Hon. Deputy Speaker:** Hon. Elachi, what is your point of order? I can see that you have pressed the intervention button.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Deputy Speaker. Just to appreciate that all of us are back in the House, but more importantly to appreciate the Speaker

and the Clerk of the National Assembly for the work they have done to create more ambience and ways of having knowledge reaching us.

My point of order today is on the matter of our medical health cover. We have received a new one which has many queries. When you go to hospital, you find yourself solving many issues. More importantly on public participation, I doubt whether there was any questionnaire that went around with the aim of getting feedback or information on whether the last cover had any challenges. However, as I finish, I wish to ask the Parliamentary Service Commission (PSC) to give us some training on how we are going to handle the new cover.

The Commission should start thinking through it if it is possible for Parliament to have its own cover. I know the staff have their own cover which covers them even after retirement. It is important for Members to have one too. We can create one ourselves because it will help Members beyond this House. It will enable them save money which they could have spent on medical bills after leaving this House. This is so that we do not face the challenges that our brothers and sisters who once served in this House are currently facing.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** That issue should be taken up by the Committee on Members' Services and Facilities in conjunction with the PSC.

Hon. Yusuf Hassan, Kamukunji, you also have an intervention.

**Hon. Yusuf Hassan** (Kamukunji, JP): Thank you, Hon. Deputy Speaker for the opportunity. I just wanted to bring to the attention of the House an incidence that happened in my constituency yesterday. It is a matter of urgency and one that needs attention.

A group of multi-agency undercover operatives have put their focus on the business district of Eastleigh. They have targeted wholesale shops trading in milk products more specifically, powdered milk. They have, since January, carried out raids in shops and have been arresting traders. Yesterday, the heavily armed security agents carried out what looked like a commando anti-terror attack operation thus disrupting business in the crowded Eastleigh business hub.

Eventually, this led to closure of business district activities along First Avenue, which is one of the busiest trading areas in the country. It caused business losses running into millions of shillings. The security agents refused to identify themselves. They did not have a search warrant and used brute force to vandalise and break into the shops owned by individuals.

When a curious crowd gathered outside this particular place, they started terrorising the population by firing live bullets into the air and eventually called for reinforcement from the police who teargassed a densely populated neighbourhood with hospitals, schools, elderly people, women and children.

They collected unspecified and undocumented goods without leaving any documentation or signed inventories of the confiscated items – no accountability. This says a lot about the behaviour of those officials, which I think is contrary to the rules of the National Police Service (NPS) which operates under our constitutional mandate. They operate with total impunity as if they are above the law.

We have the Border Patrol Unit, Kenya Revenue Authority (KRA), Kenya Bureau of Standards (KEBS) and other institutions trusted with the control of our borders. Eastleigh is not an Island. The question I am asking is: have our border control systems collapsed? Why are they going around harassing law-abiding citizens who are going about their own businesses? Why are they refusing to accept documents and receipts that have been provided by KRA, KEBS and other relevant authorities? Why are the police who come to these premises not upholding the rule of law? I am concerned about this as a Member of Parliament for this particular neighbourhood. I also want the Inspector-General of Police, the Ministry of Interior and National Administration to look into this particular issue and stop the harassment and intimidation of traders in this neighbourhood.

Hon. Deputy Speaker, I am also seeking your guidance in terms of how more effectively we can hold certain sections of the police to the rules by which they operate. I think what has been going on is above normal. They were looking for powdered milk. I just wanted to know whether powdered milk has now become a prohibited item and should not be sold in shops in our country. If that is the case, the Government should issue a statement to state the types of powdered milk that are prohibited and cannot be stocked or sold in shops and in Kenya.

Thank you, Hon. Deputy Speaker for the opportunity to raise this issue.

**Hon. Deputy Speaker:** Thank you very much. That is on the *Hansard* but you better give a more formal Statement to the Departmental Committee on Administration and Internal Affairs.

Next Order.

*(Hon. Kimani Ichung'wah rose on a point of order)*

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I have listened to both Hon. Yusuf and yourself. However, what you have said is not clear because the Chair, Departmental Committee on Administration and Internal Affairs is not... Have you directed that the Chair avails a formal statement or that Hon. Yusuf does a formal statement that can then be responded to?

If I listened to Hon. Yusuf carefully, there are issues that touch on agriculture and, especially the import and sale of powdered milk. Hon. Deputy Speaker, kindly make it clear. Having listened to Hon. Yusuf, I believe it is a matter that touches on agriculture. In as much as powdered milk is not banned in this country, there have to be licensed importers of powdered milk. Members of Parliament who represent farmers will tell you that farmers suffer immensely when powdered milk is imported into this country illegally. The powder milk is reconstituted into liquid milk which is then sold to people. It has the effect of bringing down the price of milk. The Government has been very keen on ensuring that our milk market is not distorted by powdered milk which is being imported mostly from European countries.

Therefore, as much as I sympathise with the Member for Kamukunji and the issues that have been raised touching on the police and their conduct, this is something that the Member for Kamukunji would, probably, seek a statement from the cabinet secretaries responsible. They would then be obliged to respond to the issues touching on security and dairy products respectively.

**Hon. Deputy Speaker:** Leader of the Majority Party, let me make this one clear. I said that although it has been captured in the *Hansard*, I am asking Hon. Yusuf to take initiative and ensure that he gives the Statement to the Departmental Committee on Administration and Internal Affairs so that they can be able to respond appropriately.

Hon. John Mutunga, Member for Tigania West had pressed the intervention button.

*(Hon. John Mutunga rose on a point of order)*

You cannot press the intervention button by shouting. I am following the list here and I have seen that Hon. John Mutunga had pressed the intervention button while Hon. Ichung'wah was speaking. I will give him a chance because his committee was mentioned.

**Hon. (Dr) John Mutunga** (Tigania West, UDA): Thank you, Hon Deputy Speaker. Kenya is self-sufficient when it comes to milk. Kenya has only allowed importation of a certain kind of powdered milk. This information is with the Kenya Dairy Board because they are the ones who give permits. So, not all powdered milk, but a specific type that is not processed in our country, is imported. What was confiscated is milk whose importation is already barred.

The Anti-Counterfeit Authority (ACA) and the Kenya Dairy Board (KDB) need to come in. Let him seek a formal Statement and we shall give him the Government position.

**Hon. Deputy Speaker:** Thank you, Hon. Mutunga. That is also my position. We should not speculate or be asked to respond without a comprehensive Statement having been sought. If Hon. Yusuf's Statement touches on various committees, the same copy will be given to them so that they can proceed.

*(Hon. Yusuf Hassan spoke off the record)*

Hon. Yusuf Hassan, there is no need for you to clarify anything because you will do so in your formal Statement. It does not matter how much you say now; just bring the formal Statement. I had given you indulgence so that you can have a window to submit it to the Committee which will deal with it comprehensively. You should include all the issues whether it is going to the Departmental Committee on Administration and Internal Affairs, Departmental Committee on Agriculture and Livestock or any other Committee.

*(Hon. Yusuf Hassan spoke off the record)*

Yes. Again, that will be a substantive subject in your Statement, and they will deal with it.

We can proceed to the next order.

## PROCEDURAL MOTIONS

### LIMITATION OF DEBATE ON PARTY AND COMMITTEE BILLS

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows: A maximum of forty-five (45) minutes for the Mover in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party, and the Chairperson of the relevant Departmental Committee, in that order.

Hon. Deputy Speaker, this being a Procedural Motion, I beg to move and request the Deputy Whip of the Minority Party, Hon. Mwenje to second.

**Hon. Mark Mwenje** (Embakasi West, JP): Thank you, Hon. Deputy Speaker. I take this opportunity to also greet Members of the House and wish them a happy new year.

I second the Motion. Thank you.

*(Question proposed)*

*(Hon. (Dr) Robert Pukose spoke off the record)*

**Hon. Deputy Speaker:** Hon. Pukose you are out of order.

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

**Hon. Deputy Speaker:** Is it the mood of the House that we put the Question?

**Hon. Members:** Yes.

*(Question put and agreed to)*

LIMITATION OF DEBATE ON  
INDIVIDUAL MEMBERS' BILLS

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on Bills not sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows: A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

Thank you, Hon. Deputy Speaker. I beg to move and request Hon. CNN to second.

**Hon. Charles Nguna** (Mwingi West, WDM): Thank you, Hon. Deputy Speaker. Before I second, I wish Catholics a happy Ash Wednesday and happy Valentine's to the rest of the Members.

Hon. Deputy Speaker, I second. Thank you.

*(Question proposed)*

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

**Hon. Deputy Speaker:** Is it the mood of the House that we put the question?

**Hon. Members:** Yes.

**Hon. Deputy Speaker:** Okay.

*(Question put and agreed to)*

Next order.

LIMITATION OF DEBATE ON MOTIONS

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on any Motion, including a Special Motion be limited in the following manner: A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for any other Member

speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

I ask Hon. Nabwera to second. Thank you, Hon. Deputy Speaker.

**Hon. Nabii Nabwera** (Lugari, ODM): Thank you, Hon. Deputy Speaker. I wish all the Members a happy season after the break.

I second the Motion.

*(Question proposed)*

**Hon. Deputy Speaker:** Is it the mood of the House that I put the question?

**Hon. Members:** Yes.

**Hon. Deputy Speaker:** Okay.

*(Question put and agreed to)*

Next Order.

LIMITATION OF DEBATE ON  
REPORTS OF AUDIT COMMITTEES

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in debate on Reports of Audit Committees be limited as follows: A maximum of 60 minutes for the mover in moving and 30 minutes in replying, and a maximum of 10 minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of 15 minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party in that order.

I request the Member for Mwea, Hon. Mary Maingi, to second.

**Hon. Mary Maingi** (Mwea, UDA): I second.

*(Question proposed)*

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

**Hon. Deputy Speaker:** Looks like I am in as much rush as you.

*(Question put and agreed to)*

Next Order.

LIMITATION OF DEBATE ON  
REPORTS OF OTHER COMMITTEES

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on other Committee reports, including a Report of a Joint Committee of the Houses of Parliament or any other report submitted to the House for which limitation of time has not been specified, shall be limited as follows: A maximum of two-and-a-half hours, with no more than 20 minutes for the mover in moving and five minutes for any other Member speaking, including the Leader of the Majority Party, the Leader of the Minority Party, and the Chairperson of the relevant Committee if the Committee Report is not moved by the Chairperson of the relevant Committee, and that 10 minutes before the 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 Majority Party and the Leader of the Minority Party, in that order.

I beg to move and request the Nominated Member from Meru, Hon. Muthoni, to second.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Dorothy Ikiara.

**Hon. Dorothy Muthoni** (Nominated, UDA): Hon. Deputy Speaker, I second.

**Hon. Deputy Speaker:** Thank you.

*(Question proposed)*

**Hon. (Dr) Robert Pukose** (Endebess, UDA): Put the Question.

**Hon. Deputy Speaker:** Is that the mood of the House?

**Hon. Members:** Yes.

*(Question put and agreed to)*

Next Order.

#### LIMITATION OF DEBATE ON PRESIDENT'S ADDRESS

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. I beg to move the following Procedural Motion:

THAT, noting that Standing Order 24(6) provides that debate on a Motion on the Address by the President shall be limited to not more than four sitting days, and pursuant to the provisions of Standing Order 97(1), this House orders that debate on a Motion on the address by H.E. The President under Article 132(1)(a) of the Constitution shall be limited as follows: A maximum of 30 minutes for the mover in moving, 20 minutes for the Leader of the Minority Party, and 10 minutes each to the Chairperson of the Departmental Committee on Justice & Legal Affairs to speak on the report submitted under Article 132(1)(c)(i) of the Constitution relating to the realisation of the national values; the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations to speak on the report submitted under Article 132(1)(c)(iii) of the Constitution relating to the progress made in fulfilling the international obligations of the Republic; and the Chairperson of the Departmental Committee on Administration and Internal Security to speak on the report submitted under Article 240(7) of the Constitution relating to the state of the security of the Country; and five minutes for any other Member speaking, and that 10 minutes before the expiry of the time, the Mover shall be called upon to reply.



Hon. Deputy Speaker, I beg to move and request Hon. Dorice Donya to second.

**Hon. Dorice Donya** (Kisii County, WDM): Thank you very much. Happy Ash Wednesday to the Catholic congregation and all Kenyans. I stand to second.

*(Question proposed)*

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

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): On a Point of Order.

**Hon. Deputy Speaker:** Hon. Makali, you had not pressed the intervention button earlier.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Hon. Deputy Speaker, I was trying to catch your eye, but when you finish reading the Motion and you are still standing it makes it very difficult for us to say something. What the House is doing now is very important in terms of trying to agree on the time-frames we will be doing Motions, Bills and all that. However, you will realise that even as the House passes this Motion, what has been happening, and I hope it will not happen in this Session, is that very important Motions and Bills would come to the House, be debated and immediately they are moved and seconded Members would not be allowed even a single minute to debate. How I wish this time, since we have mostly two to three hours, at least, one or two Members will be allowed to debate.

I still insist and beg the House to realise that some of these Motions are very important to the nation, and it is important that Members are allowed to say one or two things about them. For example, when we were discussing the appointment of the Deputy Governor of the Central Bank of Kenya, the *Hansard* can bear me witness, other than the Mover and the Seconder, nobody else was allowed to debate.

**Hon. Deputy Speaker:** Hon. Makali, you are referring to a matter that is already dispensed with.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): I am just giving an example. What I am saying is that even as we fix these timelines, it is important that Members be allowed to debate. I want to urge my colleague Hon. (Dr) Pukose to move from that position and stop this idea of always saying, "Put the Question".

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Okay. Hon. Makali, you have made your point. However, I am asking whether you would be interested to debate this one?'

*(Hon. (Dr) Makali Mulu spoke off the record)*

Not on this this one? So, you are speculating about the future of the conduct of business during this Third Session so that we are clear. You are not talking about the current situation? Okay? Hon. (Dr) Pukose, I know that you have been mentioned adversely. I will let you have a minute.

**Hon. (Dr) Robert Pukose** (Endebess, UDA): Hon. Deputy Speaker, Hon. Makali Mulu is my friend. We meet every morning in the gym to exercise together. I have never cut him off in debates of this House. I do not have the power to cut anybody off. I think, Hon. Makali that was not said in good faith as a friend. The issue about Procedural Motions is agreeable and the House normally consents to whether the Hon. Speaker should put the Question or not. It is not me who dictates.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Yes, Hon. Nyikal. Hon. (Dr) Pukose, do not be worried. I think Hon. Makali has confirmed that he is merely speculating and is fearful of what may happen going forward. He has confirmed it has not occurred yet and so there is no cause of action yet. Proceed Hon. Nyikal.

**Hon. (Dr) James Nyikal** (Seme, ODM): Hon. Deputy Speaker, thank you for this opportunity. This is my first time to speak in this new Session. Let me take the opportunity to welcome all my colleagues back. I hope they enjoyed the recess. We support the issue that has been raised by Hon. Makali on all what has happened and witnessed here so far. I think he is raising a general issue which has been a problem before. He did mention Hon. (Dr) Pukose's name because he has been associated with this before. Maybe that is not fair, but I think in future we should really try to get important issues discussed. So, as we are starting a new session, we are putting in new thoughts and ways of doing things. From the way the Hon. Leader of the Majority Party is looking at me, I think he agrees with my view that in the new Session we are going to be more careful that we get people say what they need to say. Sometimes you wonder why we do not discuss things properly and when they are taken to court, we are caught off guard.

Hon. Deputy Speaker, on this one, we support.

**Hon. Deputy Speaker:** Hon. Makali, are you happy if I put the Question?

*(Laughter)*

I am giving you sufficient time to ventilate on this point.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Thank you, Hon. Deputy Speaker. I think Hon. Nyikal has put it better than me. What we are just saying is as people from this side. We are Kenyans and Kenyans do listen to a lot of these debates. I have no problem. I support this Motion. When we discuss important matters of this nation, and I am sure the Hon. Leader of the Majority Party will agree with me as we have been in this game for long, it is important that Kenyans hear the voice of this House.

I support Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Okay Hon. Makali. Just remember, at that time, to raise your hand because this rule will not apply in perpetuity.

**Hon. Owen Baya** (Kilifi North, UDA): On a Point of Order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Owen Baya, do you have a Point of Order?

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Deputy Speaker, I want to appreciate my colleagues, Hon. (Dr) Makali and Hon. (Dr) Nyikal. This is a House of debate where the Hon. Speaker tells us about candour and banter. Sometimes, there is something also called filibustering which our colleagues from the other side want to use. On this other side, because we have to pass this important debate, we have to also pull certain cards to ensure we progress. That is how the House will continue to be as the minority and the majority parties are part of it. It is an interesting thing that makes this House be alive. So, do not worry Hon. (Dr) Makali. You could also introduce filibustering, but get more Members to support you. Otherwise, we will continue to transact business so that the Government moves forward.

**Hon. Farah Maalim** (Dadaab, WDM): On a Point of Order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is your Point of Order? Proceed.

**Hon. Farah Maalim** (Dadaab, WDM): Hon. Deputy Speaker, one of the cardinal doctrines of the kind of the Westminster Parliament we have for democracy is the will of the Majority Party and the right for the Minority Party to be heard.

We say power corrupts and absolute power corrupts absolutely. This happens in many democracies. It is not unique to just us. When there is a tyranny of the majority, the tendency is to steamroll everything. That does not bring out the finer aspects of democracy such as debates and philosophies behind some of these things, and other very good ideas. Such things would essentially not only be good for us, but would also entertain, inform and educate the masses.

The Minority side asserts that the Majority side will have its way at the end of the day. But for God's sake, do not steamroll the process to eliminate the possibility of candour and banter. Let us have a lively House that will be appreciated within the country and all over the globe. Always allow for serious debate when matters are brought before the House so that we educate ourselves on many things.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Even as I put the Question, the Office of the Clerk is ready to make sure that every Member has their card so that they can be easily seen. You can press the intervention button and use the technology availed to us by the Office of the Clerk.

*(Question put and agreed to)*

Next Order.

#### APPROVAL OF THE CALENDAR OF THE HOUSE FOR THE THIRD SESSION

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order 28, this House approves the Calendar of the National Assembly (Regular Sessions) for the Third Session (2024) as contained in the Schedule to the Order Paper.

#### SCHEDULE

#### CALENDAR OF THE NATIONAL ASSEMBLY FOR 2024

#### REGULAR SESSIONS

TUESDAY, 13 <sup>TH</sup> FEBRUARY 2024 – THURSDAY, 5 <sup>TH</sup> DECEMBER, 2024	
PERIOD	DAYS
FIRST PART	
<b>A. Sitting Days:</b> Tuesday, 13 <sup>th</sup> February – Thursday, 21 <sup>st</sup> March 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>B. Short Recess:</b> Friday, 22 <sup>nd</sup> March – Monday, 8 <sup>th</sup> April 2024	
<b>C. Sitting Days:</b> Tuesday, 9 <sup>th</sup> April – Thursday, 2 <sup>nd</sup> May 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>D. Long Recess:</b> Friday, 3 <sup>rd</sup> May – Monday, 3 <sup>rd</sup> June 2024	
Annual Prayer Breakfast on Thursday, 30 <sup>th</sup> May 2024	
SECOND PART	
<b>E. Sitting Days:</b> Tuesday, 4 <sup>th</sup> June – Thursday, 4 <sup>th</sup> July 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>F. Short Recess:</b> Friday, 5 <sup>th</sup> July – Monday, 22 <sup>nd</sup> July 2024	
<b>G. Sitting Days:</b> Tuesday, 23 <sup>rd</sup> July – Thursday, 15 <sup>th</sup> August 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)

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<b>H. Long Recess:</b> Friday, 16 <sup>th</sup> August – Monday, 9 <sup>th</sup> September 2024	
<b>THIRD PART</b>	
<b>I. Sitting Days:</b> Tuesday, 10 <sup>th</sup> September – Thursday, 10 <sup>th</sup> October 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>J. Short Recess:</b> Friday, 11 <sup>th</sup> October – Monday, 28 <sup>th</sup> October 2024	
<b>K. Sitting Days:</b> Tuesday, 29 <sup>th</sup> October – Thursday, 5 <sup>th</sup> December 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>L. Long Recess:</b> Friday, 6 <sup>th</sup> December 2024 – Monday, 10 <sup>th</sup> February 2025	
Annual suspension of Committee Sittings from 16 <sup>th</sup> December 2024 to 26 <sup>th</sup> January 2025	

Disclaimer: The House may, however, resolve to hold sittings on other days outside this published Calendar.

Hon. Deputy Speaker, having been reconstituted yesterday, the House Business Committee met and proposed this new Calendar for the Third Session of 2024. This Calendar constitutes a total of 122 sittings from 13<sup>th</sup> February 2024 to 5<sup>th</sup> December 2024. This excludes any special and extra sittings that the House may resolve to sit depending on the workload that will come up in the course of the Session.

As Members are aware, the First Part of the Session is largely guided by the submission of the Budget Policy Statement (BPS) and the Medium-Term Debt Strategy, which we expect to be tabled in the House by tomorrow, 15<sup>th</sup> February 2024. They should be considered and adopted by the House within a period of 14 days. That tells Members who sit in departmental committees and the Budget and Appropriations Committee that they will have a rather busy two weeks. I hope that they will all be available. The Division of Revenue Bill is also expected to be tabled in the National Assembly by 10<sup>th</sup> March 2024.

The Second Part of the Session will be guided by budget timelines on conducting public hearings by the Budget and Appropriations Committee on the Annual Budget Estimates and as such, this should be undertaken before the Committee tables its report on the Estimates for approval by the House. As you may be aware, the pronouncement of the budget highlights and revenue-raising measures will take place in mid-June. Thereafter, we will consider the approval of the report of the Budget and Appropriations Committee on the Annual Estimates, and the introduction and approval of the Appropriations Bill. You may note that the Finance Bill, the Appropriations Bill and the Supplementary Appropriations Bill should be approved by 30<sup>th</sup> June 2024.

The preparation of the Calendar has also taken into account the Easter Holiday. I note that many of us who profess the Catholic faith are donning the Ash Wednesday sign. With Good Friday being on 29<sup>th</sup> March 2024 and Easter Monday being on 1<sup>st</sup> April 2024, that is when we will be on the short recess. The House Business Committee has also endeavoured to care for our Muslim brothers and sisters who will be celebrating their Ramadan from 10<sup>th</sup> March 2024. Therefore, just about a week after, we shall have our short recess. They will not have to go through Ramadan while enduring a strenuous working period in the House since they will be on a short recess. Further, the Calendar has taken into consideration our Annual Prayer Breakfast which is now part of our annual calendar. This is scheduled to take place on the last Thursday of May on 30<sup>th</sup> May 2024.

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Finally, the Calendar has taken into consideration the schools' calendar for both primary and secondary school holidays. In this case, I am referring to public primary and secondary schools because Hon. Owen Baya was asking me whether those pursuing international curricula are taken care of. However, we will have a short recess in July and a long recess in August when children pursuing international curricula are at home during their summer break from the end of June to August.

With those few remarks, I believe that this Calendar will serve us well throughout the year. It will guide us in planning constituency operations. I know that before many of us came to the House, we had occasion to award part of the bursaries. I am certain that as we await the next disbursement of the National Government Constituencies Development Fund (NG-CDF) to complete the bursary awards and to implement projects that we oversee, we will have created time in the Calendar to carry on with our work of representation in our constituencies and oversight of Government operations in ministries, departments and agencies.

Finally, I was keenly listening to the debate on the earlier Motion. I agree with Hon. James Nyikal and Hon. Makali Mulu that we all have a duty and an obligation to listen to each other and have an opportunity to speak.

Hon. Deputy Speaker, whenever any Member of the House calls on the Speaker to close debate and put the Question, it does not mean he is curtailing anybody else from speaking. If anything, it will be casting aspersions on the person of the Speaker or whoever is chairing a Sitting, to assume that any member who calls for closure of debate and the Speaker asks whether that is the mood of the House or not, that the Speaker is in anyway curtailing any Hon. Member from speaking.

Hon. Deputy Speaker, I bear witness that in the past, I have not seen the Speaker, in any way, curtail Hon. Members, from whichever side of the political divide, from expressing themselves. Hon. Members are free to debate because this is a House of debate and therefore anyone and everybody should present themselves to debate.

Hon. Deputy Speaker, I encourage my colleagues, Hon. Nyikal and Hon. Makali Mulu, since I know they are quite diligent and are always present in the House. I also pray that even the others who want to come and speak will always be as available as Hon. Nyikal. All of us should take time to read and get the gist of whatever is before us in the House so that we can offer meaningful contributions. Such contributions will show people in our constituencies and Kenyans at large that we truly understand what we are doing here.

Hon. Deputy Speaker, I beg to move the Motion. Once again, I wish all of us a very good Session. I wish all Kenyans a happy Valentine's Day today, especially our ladies, and especially the Hon. Member for Migori County and the Hon. Member for Busia County, Hon. Catherine Omanyoo, who is very well dressed today.

*(Laughter)*

I see that she is dressed in black and red. I am sure she will have a good evening at the end of the day.

*(Laughter)*

Hon. Deputy Speaker, allow me to move the Motion. I request the Hon. Member for Taita Taveta County to second the Motion on Approval of the Calendar of the National Assembly for 2024.

Thank you, Hon. Deputy Speaker.

**Hon. Haika Mizighi** (Taita Taveta County, UDA): Thank you very much, Hon. Deputy Speaker. Before I second, I also take this opportunity to wish all the Catholics a happy Lenten

period and wish a happy Valentine's Day to the rest of my colleagues. I also congratulate the House Business Committee, which was constituted yesterday, for the good job it has done.

The Calendar is well thought out. By looking at it, it gives us enough time to execute our mandate in the Chamber, interact with our voters as well as spend enough time with our families. This is a very good Calendar for the purpose of planning our work.

Thank you very much. I second.

*(Question proposed)*

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

**Hon. Deputy Speaker:** I am looking at Hon. Makali and Hon. Nyikal.

*(Laughter)*

**Hon. (Dr) Robert Pukose** (Endebess, UDA): Now put the Question.

**Hon. Deputy Speaker:** Hon. Members, as you can see, I have your general permission, particularly that from Hon. Nyikal and Hon. Makali.

*(Question put and agreed to)*

Next Order.

## BILL

### *Second Reading*

#### THE NATIONAL GOVERNMENT COORDINATION (AMENDMENT) BILL (National Assembly Bill No.25 of 2023)

*(Hon. Malulu Injendi on 22.11.2023- Afternoon sitting)*

*(Resumption of debate interrupted on 22.11.2023 – Afternoon Sitting)*

**Hon. Deputy Speaker:** I am told Hon. Geoffrey Mulanya was on the Floor and he has six minutes. Do you have a microphone?

**Hon. Geoffrey Mulanya** (Nambale, Independent): Thank you, Hon. Deputy Speaker for granting me this time to contribute and continue with my debate on this particular Bill on the National Government Coordination (Amendment) Bill. For the purpose of clarity, the Bill is about the National Government Act, an amendment on village elders.

Hon. Deputy Speaker, before I proceed with my debate on the Bill, I wish all the village elders in our country a happy Valentine's Day.

*(Laughter)*

They are very good and important Kenyans because their work supports peace and happy co-existence of people in our country.

According to the fair labour practice, it is fair for all workers to be remunerated and accorded good working conditions. We note that, under the National Government Act, 2012, the structure of the National Government ends at the assistant chief level. The village elder is not recognised under the law. I congratulate Hon. Malulu Injendi for thinking it wise to bring

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the amendment Bill so that we include the village elders in the Act as part of the administration. We note with appreciation the work that they do for our nation. As a lawyer, I note that we have been having complaints about backlog of cases in courts but we do not appreciate the fact that we have a lower cadre of mediators in our villages, who are the village elders. They resolve petty offences in the villages. The Government has for a very long time failed to recognise and appreciate them by ensuring that they are given a token at the end of the month.

It is, therefore, my humble request that, as parliamentarians, we must consider this Bill and ensure that this amendment passes so that the village elders can form part of the leadership pyramid in this country.

I, therefore, support the Bill and congratulate Hon. Malulu Injendi, for introducing this amendment Bill.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Beatrice Elachi.

**Hon. Beatrice Elachi** (Dagoretti North, UDA): Thank you, Hon. Deputy Speaker. I also rise to support the National Government Coordination (Amendment) Bill by Hon. Malulu Injendi. I appreciate what he is proposing.

As we talk about Valentine's Day today, we also appreciate the fact that we want to bring in village elders on board through this amendment Bill. As we do that, we should also think how to deal with femicide cases that have hit our country. We know that Nyumba Kumi was introduced to assist along these lines. It was meant to assist every village to know who has come in, who the new person is and who is joining the neighbourhood. That is why when we bring in this issue of village elders, we want to see Kenya turn around and bring hope so that we appreciate each other's neighbours. If we say there is love for our neighbours, we must start appreciating our neighbours. That is why Hon. Deputy Speaker, when we talk about the village elders, we want a structure that brings in a team that will help chiefs and assistant chiefs know what is happening. We have challenges of child labour and children not going to school. Within their communities, these elders will now point out children who have finished Junior Secondary School and are supposed to join Senior Secondary School but are still loitering.

As we look at the structure, we want the Government to appreciate that we want a country with a sense of safety as we bring in community health workers and elders. We will know what is best for them if we do this together as hardworking Kenyans. How I wish we could stand together and ensure that all these things happening in Kenya come to an end.

The most important thing we should ask ourselves concerns the definition of an elder. I like it when Hon. Malulu Injendi's proposals mention recruitment and appointment. If asked, an elder should also have a value. People can identify these elders even before recruitment. They can say a certain person has brought something good to them. They can identify a person who has a history of bringing good things to their community. If we do it the recruitment way, people will feel and assume that they are employed to just do the service as a job. This structure of elders is supposed to comprise people who have retired and have been there for the community. Even elders who never went to work but were there to give their wisdom or have been in church leadership or some structures within that village level are the kind of people we are looking at. Both men and women.

We must be aware of this issue of recruitment and appointment as we move on. We want to see elders who have something to give. One sacrifices and volunteers in this job. Here, we are just talking about an incentive for the job. I wish the Mover of the Bill re-looked at it properly. Maybe we should put the type of elder we are talking about in the regulations and how to ensure we take care of all clusters.

This is a very good move. I am hoping that we can stand as a country and as Parliament this year 2024 and say that we have done a few things well. We know there are many challenges. However, I pray that we, as Kenyans, start appreciating our country of Kenya that

God has given us. It is a country with everything that people would wish to have in their countries. We should not be people who lament every day. Let us embrace our country and put it first. I am saying this aware of those of us talking about the girls who have died. We say it is one thing to talk about the girls killed recently but another to ask why this happens. Why does this happen? Why is it there? What value have we lost for us to find ourselves in such a scenario? That is a topic for another day.

The most important thing is for village elders to come in and take over the Nyumba Kumi structures. For all the challenges of insecurity we are facing and questioning in Nairobi, we have to question landlords and everyone. If you are a landlord and you are complaining that there is insecurity, it means *wewe mwenyewe* has housed that person. You must question yourself.

As I finalise, I thank *Mheshimiwa* Malulu Injendi. I am hoping that this will come out properly to safeguard what we believed in and what Kenyans want to see. Indeed, it will change the security within our communities and villages.

With those few remarks, I beg to support.

**Hon. Deputy Speaker:** The honourable Member for Kitutu Masaba. Hon. Clive Gisiaro.

**Hon. Clive Gisairo** (Kitutu Masaba, ODM): Thank you, Hon. Deputy Speaker. The name is Hon. Gisairo

**Hon. Deputy Speaker:** I stand corrected. Thank you.

**Hon. Clive Gisairo** (Kitutu Masaba, ODM): Let me start by wishing the people of Kitutu Masaba a happy Ash Wednesday and a happy Valentine's Day too. For those who celebrate Valentine's Day, I know I owe some of them some flowers. I will figure that out.

On the Motion by Hon. Malulu concerning village elders, those of us who come from rural constituencies appreciate the role played by village elders. As much as they officially recognise that leadership ends with assistant chiefs, the lowest point able to reach every home is through village elders. These people bring communities and homes together. They identify people with misdemeanour or any errant characters so that law enforcers act in good time. They help us fight things like illegal brewing of alcohol, getting children to school for parents who sometimes do not want to take children to school. These are very important people in our society.

From the way they live, sometimes you find that they do not even get airtime to make a call in case of an emergency that needs urgent response from authorities. These people are sometimes forced to survive by following elected leaders and politicians for their daily sustenance or facilitation. This is something that we can easily move away from by giving them a small appreciation on a monthly basis. This will ensure that they run their errands with dignity. It is wrong to have someone whom you call a village elder and therefore a leader recognised by villagers but cannot afford the very basic need like transport to attend a meeting. I see chiefs convening them for meetings regularly yet they do not even have sitting allowances. It is time that we, as a House, supported such an amendment to ensure that they are incorporated in the administration and have some level of compensation.

These are parents. As our colleague, Hon. Beatrice Elachi, has said, they are sometimes retired people who bring wisdom to resolve disputes in communities. Such needs compensation. We cannot use their wisdom for free. We cannot recognise them and give them titles yet we do not appreciate their sacrifice and compensate them appropriately as a government. For those from Gusii, village elders are called Abatureti. I can see the party Treasurer, Hon. Japheth, shaking his head in acceptance that I have used the correct word. Even Hon. Japheth, while convening a meeting contacts these persons to ensure that there is law and order. I believe we need to rise up as Hon. Members and ensure that our village elders, the Abatureti, get appreciation, support and adequate compensation to do their work.



Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** The Member for Kilifi North, Hon. Owen Baya

**Hon. Owen Baya** (Kilifi North, UDA): Asante sana, Mhe. Naibu Spika. Mswada ambao upo katika Sakafu ya Bunge leo ni Mswada muhimu sana unaohusu wazee wa vijiji na wazee wa Nyumba Kumi. Ninamshukuru rafiki yangu, Mhe. Malulu Injendi kwa kuleta Mswada huu. Huu ni Mswada ambao mimi niliuleta katika Bunge la Kumi na Mbili lakini haukufanikiwa. Niliuleta tena katika hili Bunge la Kumi na Tatu lakini nikapata ndugu yangu amenitangulia mbele, nikasema tuungane tusukume Mswada wake. Wazee wa vijiji hapa Kenya wanapata shida sana. Wao huamka mapema asubuhi wakimbie kwa ofisi ya chifu ili wafanye kazi ya Serikali. Wao huamshwa usiku wafanye kazi ya Serikali. Kila mtu hutafuta wazee wa kijiji, hata wanasiasa. Wazee wa kijiji wanaporudi nyumbani jioni, wanarudi mikono mitupu. Watu wao hulala njaa ilhali wao hushinda kazini kwa sababu ile kazi wanafanya hawalipwi. Huu ni wakati mwafaka kama Bunge la Kumi na Tatu kuwanusuru wazee wa vijiji. Ninaamini kwamba Serikali iko na pesa. Pesa hizi zikitafutwa, wazee wa vijiji Kenya nzima watapata pesa kwa kulipwa mshahara kama vile wanavyolipwa *Assistant Chief* na machifu ili nao wakae vizuri maanake wanafanya kazi kubwa sana.

Pale kwangu Kilifi North, kuna mzee amefanya kazi ya mzee wa kijiji kwa karibu miaka kumi. Mzee huyo anaitwa Chembakeke. Ametumikia wananchi kama mtu ambaye yuko kazini. Amewacha kila kitu ili afanyie Serikali kazi lakini watoto wake hawaendi shule kwa sababu hana pesa za kuwalipia karo. Huyu mzee hukosa pesa ya kununulia mkewe dawa anapogonjeka kwa sababu yuko kazini akifanya kazi ya Serikali. Pale Chifu na *Assistant Chief* wanakoenda, wao hutaka kwenda na wazee wa vijiji na huwa wanaenda nyumbani bila malipo yoyote. Kwa hivyo, wakati mwafaka umefika wa kuangalia wazee wetu wa vijiji ili walipwe. Kila wakati tunapoenda mikutano kama Wabunge, wazee wa vijiji husema kuwa wametufanya kazi lakini hawajui wataanza kulipwa lini. Kuna wale polisi wa Kenya Police Reserve (KPR) ambao hulipwa marupurupu. Ile kazi wanayofanya ni kama kazi ya wazee wa vijiji lakini wazee wa vijiji hawalipwi chochote. Tukiendelea kuwaacha wazee wa vijiji bila malipo, tutasambaza umaskini. Serikali yetu inafaa ipunguze umaskini, lakini inasambaza umaskini kwa sababu inaruhusu watu wafanye kazi bila malipo. Wazee wamejitolea kweli kweli kwa sababu wanapenda *community*. Wanafanya kazi zao kwa kujitolea lakini mwisho wa siku wanaenda nyumbani bila chochote na familia zao zinabaki kwa umaskini. Serikali haiwasaidii hawa wananchi. Siku moja nilisema kuwa ni afadhali ikiwa hawa wazee wote wataacha hizi kazi. Wanaweza kutafuta mambo mengine ya kufanya ambayo yatawapa mapato.

Siku saba za wiki, wazee wa vijiji huwa kazini wakiwahimiza watoto wa wazazi wengine waende shule, haswa wakati huu ambao tunaongea kuhusu 100 *per cent transition*. Ni wazee wa vijiji ambao huzunguka kila mahali wakiwaambia watoto waende shuleni ilhali watoto wao wanabaki nyumbani kwa kuwa hawana karo na Serikali haiwangalii. *At least* hata kama hakuna pesa, wazee wa vijiji wajue kuwa wana *privilege* fulani. Kwa mfano, hata kama watakosa pesa, wajue kuwa watoto wao watasoma bila kuulizwa karo. Watoto wao watasomeshwa kwa sababu wazee wa vijiji wanatumikia Serikali. *At least* tutasema kuwa hii ni kitu watakacho faidika nacho. Wazee wa vijiji wanapojitokeza kuwatafuta watoto ambao hawajaenda shule ili waende shule, wanapowapeleka watoto hao shuleni, *headmasters* huwa hawakumbuki kuwa hao ni wazee wa vijiji wawaambie watoto wao wasome shuleni bila kulipa karo. Hao huwaambia walipe karo. Kwa hivyo, hakuna faida yoyote hapa Kenya ya kuwa mzee wa kijiji.

Huu Mswada ambao ndugu yangu, Mhe. Malulu Injendi – Mheshimiwa mzuri sana anayewafikiria na kuwajali Wakenya – ameleta, ni Mswada muhimu sana. Ninaomba Bunge hili lipitishie huu Mswada. Bajeti itakapoandaliwa mwaka huu, tuwaambie wanakamati wa Kamati ya Bajeti na Uidhinishaji wa Matumizi Pamoja na Mhe. Ndindi Nyoro kuwa ni lazima waweke bajeti ya wazee wa vijiji katika bajeti ya mwaka huu ili wazee wa vijiji wazidi kufanya

kazi na wapate pesa ya kukimu maisha yao na familia zao. Ninakumbuka nilipopendekeza Mswada huu, kuna mambo yaliyojitokeza. Usipolipa wazee wa vijiji pesa, utakuwa unasambaza *corruption* kwa sababu, wazee wa vijiji watakapokuwa wanakutana kwa mabaraza ya kuamua kesi, watakuwa wanaambiwa watapewa “kitu kidogo” ili waamue kesi kwa manufaa ya wachache. Kwa sababu hawalipwi, wazee wataanza kutafuta pesa kwa njia zingine ambazo hazifai. Ikiwa tutaendelea kuwa na wazee wa vijiji wanaofanya kazi bila kulipwa, tutakuwa tunaleta ufisadi katika hizo kazi. Kama wazee watafanya kazi na wasilipwe wanapoamua kesi katika mabaraza, atakao wapa “chai” ndiye atakayepata haki. Yule ambaye hatakuwa na chochote hatapata haki. Kwa hivyo, tuwafanyie haki wazee wa vijiji kwa kuwalipa. Tusipowalipa, watatafuta mbinu na njia za kupata pesa ambazo si halali.

Tukitaka kumaliza *corruption* katika wazee wa vijiji, ni lazima walipwe. Ninataka kuwa katika mstari wa mbele kwa kusema kwamba, katika bajeti ambayo tutapitisha, wakati ambapo Budget Policy Statement (BPS) itakapokuja kuwe na *line* itakayosema kuwa ni wakati mwafaka wa kuwalipa wazee wa vijiji na hali hio iendelezwe mpaka itakapoingia kwa bajeti. Tunaiambia Kamati ya *Administration and National Security* inayoongozwa na Mhe. Tongoyo ikae kidete. Wakipewa fursa ya kutengeneza bajeti, waweke pesa ya wazee wa vijiji iwe Ksh5 billion, 8 billion au 10 billion per year. Kenya ilitumia Ksh10 billion kufanya maneno ya “reggae.” Ten billion ilitumika kwa *Building Bridges Initiative (BBI)*. Hiyo Ksh10 billion ipatiwe wazee wa vijiji. Tukiwapa bajeti, tuhakikishe kwamba kuna usalama na utulivu katika hii nchi na vijiji vyetu vinakuwa *managed* vizuri. Huo ndio mchango wangu katika maneno ya wazee wa vijiji. Kwa hivyo, ninafurahia kuwa tumeleta huu Mswada kwa *Second Reading*. Tuupitisha kabla bajeti haijamalizwa katika hili Bunge ili wazee wa vijiji waanze kupata matunda ya kazi yao. Ninaunga mkono mia fil mia Mswada huu ambao umeletwa na Mhe. Malulu Injendi, mtu mzuri.

Asante.

**Hon. Deputy Speaker:** The Member for Kitui South, Hon. Rachael Nyamai.

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): Asante sana, Mhe. Naibu Spika kwa kunipatia nafasi hii ya kuchangia swala hili muhimu ambalo limeletwa na Mhe. Malulu Injendi. Kabla sijachangia, ningependa kuchukua fursa hii kuwatakia wakatoliki wa *constituency* ya Kitui South, Wakenya na dunia nzima Jumatano ya majivu yenye baraka. Pia, ninawatakia wakati mzuri wa *lent*. Ninachukua fursa hii kuwashukuru wanawake wa Bunge leo kwa kuvaa nguo nyeusi kwa kuwakumbuka wasichana na wanawake wetu ambao waliuwawa katika hali tatanishi katika nchi yetu ya Kenya na sehemu zingine za dunia.

Wazee wa vijiji ni jambo ambalo limezungumziwa sana katika Bunge hili lakini hatujachukua *step* kubwa ya kuwapa kiinua mgongo chao ama kuwalipa kwa kazi wanayoifanya. Hawa ni wazee na wengine wao ni wazee waliopitisha miaka sabini. Ninashukuru Serikali kwa sababu wengine wao wanapata pesa ya uzeeni kutoka kwa Serikali. Hata hivyo, wazee wa vijiji wanafaa kushughulikiwa wakati huu kwa sababu hao ndio hukutana na mambo mabaya ambayo hufanyika katika vijiji vyetu.

Mhe. Naibu wa Spika, wamekuwa wakifanya kazi hii. Wengine wamefanya miaka kumi na kumi na mitano. Wengine wamefanya kazi hii tangu wawe watu wazima. Kwa hivyo, ningependa kushirikiana na wenzangu. Huu ni wakati wa Serikali ya Kenya Kwanza kuwezesha wazee wa vijiji wapatiwe pesa, ili tuwashukuru kwa ile kazi wanafanya kila siku wakiwa na machifu na manaibu wao. Tunajua kwamba machifu na manaibu wao wanapatiwa pesa kila mwezi na mafuta ya kwenda mahali kuna matukio.

Hawa wazee wamejitolea kwa miaka mingi. Kwa hivyo, ningependa kushirikiana na Wabunge wale wamezungumza mbele yangu. Tuwapatie pesa ndio waone kazi ambayo wamekuwa wakifanya ni muhimu. Saa hii tunazungumzia kuhusu social health insurance. Wazee hawa watasaidiana na Serikali ili watuambie ni nani anaweza lipa hii mia tatu ambayo italipwa na ni nani hawezi katika jamii. Kwa hivyo, hawa wazee wa vijiji ni muhimu sana

katika kusukuma mbele mambo ya social health insurance. Pia, hawa wazee wanatumiwa sana kueneza mambo ya Serikali zote katika nchi ya Kenya. Katika Serikali hii, wataeleza watu umuhimu wa ujenzi wa nyumba na sera zote. Ninaunga mkono wapatiwe kiinua mgongo na tuwashukuru kwa kazi nzuri ambayo wanafanya.

Hata tukizungumzia mambo ya ushauri, hawa wazee ndio wanafika kwanza mahali mtu amekufa ama ameuawa. Wasichana wengi wanauawa katika hoteli wakati huu. Pia, wanafika wakati watu wamepigana na kuumia. Hatufikiri shida wanapitia akilini. Hata kama hakuna kitu kingine tutawafanyia, wacha tuwapatie pesa ndio waone kazi wanafanya ni muhimu nchini. Wengi wamengojea sana. Wale wana miaka themanini wamengojea kwa miaka ishirini. Wale wana miaka sabini, wamengoja tangu wawe na miaka hamsini. Ninaomba Kamati ya Bajeti ambayo inasimamiwa na Mhe. Ndindi Nyoro na Kamati ya Idara ya Utawala na Usalama wa Taifa ambayo inasimamiwa na Mhe. Tongoyo washikane. Pia, sisi sote tuseme wazee wa vijiji ni muhimu sana katika Kenya yetu. Wanaangalia mambo ya nyumba kumi na wasichana ambao wamepata mimba na hawajaenda shule. Pia, wanapeana ripoti ya wazazi ambao wamekataa kupeleka watoto wao shuleni, ili asilimia mia moja ya watoto kutoka shule za msingi wajiunge na shule za upili.

Mhe. Naibu wa Spika, ninashukuru kwa kunipatia nafasi hii. Ninaunga mkono kabisa kwamba wazee wa vijiji watambuliwe kwa maneno na wapatiwe kiinua mgongo. Asante.

**Hon. Deputy Speaker:** Member for Migori, Hon. Fatuma Mohammed.

**Hon. Fatuma Mohammed** (Migori County, Independent): Mhe. Naibu wa Spika, ninakushukuru kwa kunipatia nafasi hii ili nipeane maoni yangu. Ninawaambia wenzangu wote happy new year. Tunashukuru Mwenyezi Mungu kwa kutuwezesha kurudi salama sisi sote na afya nzuri.

Hawa wazee wanachangia katika jamii. Wanajua watu wa vijiji kuliko hata polisi na wakuu zaidi ambao wanalipwa. Wao niwamaana sana kwetu. Tukitaka kushika mwizi, wanajua kabisa mwizi ni nani. Saa zingine, mahakama inapata nafasi, lakini inakosea kumtambua yule mbaya. Mzee wa Kijiji anajua familia kuanzia utotoni. Anaweza shuhudia na aseme Fatuma amekuwa mtu fulani tangu azaliwe na ukweli upatikane.

Wanachukua fursa nyingi sana. Ni kama watu ambao wanafanyia Mungu kazi kwa sababu hawalipwi chochote. Wanaishi maisha mabaya. Ni maskini hata kuliko wanaowafanyia kazi. Tunahimiza Serikali ya Kenya ichukue nafasi kubwa sana kuwatetea hao wazee, ili wazidi kutusaidia. Wakati mambo ya ugaidi yalizidi sana, wazee walitusaidia sana kutambua vijana wabaya na wazuri.

Pia, wanatusaidia kuhimiza utamaduni wetu. Kila siku wanafunza wadogo wetu. Wanatuambia utamaduni wetu ulianzia wapi na unaelekea wapi. Kwa hivyo, hawa wazee wanafaa kuchungwa. Zaidi ya haya, kwa sababu ya umri wao, wana afya ambayo sio nzuri, lakini hawawezi kupata matibabu hata katika hospitali za Serikali. Ninaomba matibabu ya wazee ipewe kipaumbele ili watibiwe hospitali bila malipo yeyote. Hawana bima na Serikali haitaweza kuwalipia. Ikiwezekana, walipiwe bima ama wapewe fursa ya kuingia hospitali yeyote kutibiwa pamoja na familia.

Tukiongea kuhusu wazee, tusifikirie ni wa kiume peke yake. Kuna wa kike pia. Watambulike na wapatiwe nafasi ya kupata malipo madogo ya kujimudu kwa kuwa ile kazi wanafanya kwa jamii hawawezi kulipwa mshahara wa kutosha. Ni kuwashukuru tu kwa kazi wanayotusaidia katika jamii. Kama Serikali na Bunge la Kitaifa, tujaribu tupitishie Mswada ambao utawezesha hawa wazee wapate nafasi nzuri ya kutusaidia na motisha ya kufanya hii kazi. Tusipowapatia kitu kidogo cha kujimudu, tunaeneza ufisadi, kwa sababu itabidi waombe watu kuku ndio wafanye ile kazi wanafaa kufanya.

Wanapotaka kusafiri, hawana nauli. Inabidi waombe. Hiyo inakaa ni kama mzee anakuomba hongo. Hawa ni wazee ambao wanahekima, heshima na hawataki waonekane ni kama wanaomba. Serikali ijaribu sana tuwatetea hawa wazee. Itakuwa baraka kwetu kama

watu wadogo ama Bunge la Kitaifa ambalo litapitisha kuwa wazee wamepata nafasi nzuri ya kuweza kujimudu katika jamii yetu. Mungu awabiriki wote.

**Hon. Deputy Speaker:** Member for Sotik, Hon. Francis Sigei. Apparently, you spoke on this Bill. From the records, I have been told that you contributed to it. Member for Sotik, you may sit down.

**Hon. Hilary Kosgei** (Kipkelion West, UDA): Thank you, Hon. Deputy Speaker. I rise to support this Bill by Hon. Malulu Injendi. Before I make a few comments, allow me to welcome the students from my constituency, Lesirwo Secondary School, to Parliament Buildings and the other students who are in the Speaker's Gallery and the Public Gallery for finding time to benchmark and see the proceedings of this House.

This issue of village elders has been canvassed in this Parliament since Independence. It has come in the form of various Motions that are passed by the House and the net effect is that there is no money to actualise the fact that we must pay a form of stipend to our village elders. I thank Hon. Malulu Injendi for coming up with this Bill so that, for the first time, Motions that have been passed and lie in this House can have the strength of law. If this Bill is passed, it will be a must for the Budget and Appropriations Committee to ensure that it allocates resources to help our village elders do the noble duty they do in helping the government of the day.

I thank the Kenya Kwanza Government for achieving a lot of firsts. For the first time, we have finally registered all persons aged 70 and above. The only people remaining in this bracket are village elders. The work they do in our communities cannot be gainsaid. Government stability relies on village elders because they are at the bottom of the ladder of the national government administration. The law denies them an opportunity to be recognised as public servants. The National Government structure starts from the Office of the President and ends with the assistant chief. The law disregards thousands of village elders who enable assistant chiefs to perform the noble duties they undertake. Village elders mobilise people to attend barazas, where they are talked into accepting to move along government policies.

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

*(The Temporary Speaker (Hon. (Dr)  
Rachael Nyamai) took the Chair)*

It is time that this House approved this Bill so that it proceeds to the Third Reading stage. As we start the budget-making process, this specific Bill should be entrenched as law so that beginning with the supplementary budget that is coming, our village elders can be catered for and recognised. I insist that they must be recognised in law.

The Kenya Kwanza Government is a good government. We have registered all the senior citizens who are above 70 years in the Inua Jamii Programme. To ensure that no other government in future can come into office and abolish this programme, we must entrench it in the law and agree on the stipend as proposed by Hon. Malulu Injendi. All the village elders will be sorted. These are the people who organise Harambee meetings. They mobilise people to attend Harambee meetings for sick people who do not have National Hospital Insurance Fund (NHIF) cards. The proposed stipend will enable them to pay for their social insurance cards going forward.

Without saying a lot, this is a Bill whose time has come. It must be passed by this House during this Session so that the village elders can be sorted.

With those few remarks, I beg to support.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Members, before we proceed with this debate, I would like to take this opportunity to recognise students seated in the Public Gallery as follows:

1. St. Jude Muthetheni Girls High School from Mwala Constituency, Machakos County.
2. Lesirwo Secondary School from Kipkelion West, Kericho County.
3. Ikuu Girls High School from Chuka/Igambang'ombe, Tharaka Nithi County.

Let us appreciate them. You are all welcome to the National Assembly to observe the proceedings.

The next opportunity goes to Hon. Adan Haji, the Member for Mandera West.

**Hon. Yusuf Adan** (Mandera West, UDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I stand to support this very important Bill, which has been brought here by my brother, Hon. Injendi.

Village elders are very important people in any community within Kenya. If the job they do could have been valued monetarily, they could have been paid even more than Deputy County Commissioners (DCCs). They are right on the ground. They make sure that government and cultural systems work smoothly. They keep peace. Weak members of communities are reported to them and taken care. Village elders are very important that we cannot value their activities in terms of money. Unfortunately, since Independence, this House has been talking about recognising them by giving them some little stipend.

As they do their work, they make telephone calls. They need to have airtime in order for them to work effectively and more efficiently. The days when people used to ride horses and travel around by other means are gone. Nowadays people sit in their homesteads, make calls and make things happen. Unfortunately, most of them cannot afford airtime. We must recognise, register and give them some stipend to make their work smooth so that there can be stability, peace and development in the country. Without village elders, there would be no peace, stability and development in our country. They are very important. Unfortunately, they have been forgotten. We mention them year in year out. In every new Parliament, Motions like this one are always passed. Unfortunately, they do not reach the implementation stage. Many times, it is said that there is no budget line. I concur with those Members who said that this time round we are at the right time in the right place, because we want to start the budget-making process. Can we make sure that we fast-track this Bill, pass it, recognise our village elders, consider some stipend for them and put that in the budget? The Committee on Implementation should take this issue very seriously and ensure it is implemented.

With those few remarks, I support the Bill.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Julius ole Sunkuli, Member for Kilgoris.

**Hon. Julius Sunkuli** (Kilgoris, JP): Thank you, Hon. Temporary Speaker. I stand to also support the Bill. I must say at the outset that I support it because it is very popular in the country. That is the main reason as to why I support it. I have been Minister for Provincial Administration before. I know the value of provincial administration in Kenya. It is part of our history and an attempt to dilute it has been made, but I always say it is good for us to have it. The work of the village elder at the bottom is more important than even the work of those in the middle. The village is the government's point of contact with mwananchi. Those people work very hard.

As policymakers, we need to ask ourselves two questions. We want the provincial administration to work so that the people can get services. How far are we prepared in establishing units of provincial administration? Secondly, we have devolution in Kenya, which has created the office of ward administrator. How will we ensure that there is work for everybody? As it is now, we have a ward administrator and a chief but we do not know exactly

what each is supposed to do. It is important that we support this Bill so that we can be re-elected, but we need to ask ourselves a very difficult question. Are these offices going to clash or are we going to define them properly? I respect the job of the village elder but in reality, I do not know how a council of elders would work. How will they be paid because they are not village elders?

This Bill proposes creation of a council of elders headed by an administrator. How many people are you going to pay? I like the fact that the Member of Parliament for Kipkelion West has said that the Kenya Kwanza Government is working towards new things. I appreciate that very much. Please, continue doing so. Will you be able to pay? I do not think the President will sign this Bill but we will pass it. Is it going to be affordable for this country? We have created more sheriffs than the people in this country. We are one of the countries that are over-governed. We have a District Officer (DO), Chief, Sub-Chief, village elder, and I would propose that we get rid of some of them so that the village elders get paid since they do more.

These are the difficult questions that we need to ask, whether they are nice or bad. We will pass this Bill and the village elders will clap for us but is it ever going to see the light of the day? Do we have the means to continue paying for the administration of our people? I am one of those who promised the village elders that we would do something for them. Can we say what exactly it is? Are we going to pay them salary, stipend or, as Hon. Fatuma said, we give them Social Health Insurance Fund (SHIF) cards to pay for their medicines?

We devolved the leadership in this country without specifying whether the roles of the county governments are the same as those of the provincial administration. It is still possible.

**Hon. Hilary Kosgei** (Kipkelion West, UDA): On a point of order, Hon. Temporary Speaker.

**Hon. Julius Sunkuli** (Kilgoris, JP): Those are my views. I do not understand why the Member for Kipkelion West wants to interrupt me. He is my good friend. We can meet over a cup of tea and finish that business.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): I would like to give him an opportunity to put his intervention on record.

You may proceed.

**Hon. Hilary Kosgei** (Kipkelion West, UDA): Hon. Temporary Speaker, is it in order for the Member for Kilgoris to say that he supports the Bill and continue to criticise it and oppose its substance when he knows the processes involved in legislation of Bills? We have a stage where we can introduce amendments to refine and make it better. His views should come in form of amendments to make it better if he agrees with the spirit of the Bill, or he can declare that he does not support the village elders from his constituency.

*(Applause)*

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Member for Kipkelion West, this is a House of debate. The Member for Kilgoris has a lot of experience because he has been in government. Even as I sit here as the presiding Speaker, I do not have the authority to shape the debate. I am going to give him an opportunity to proceed and finalise his contribution so that we can give a chance to another person. He has the freedom to either oppose or agree with the Bill.

Please proceed.

**Hon. Julius Sunkuli** (Kilgoris, JP): Hon. Temporary Speaker, I am not opposing the Bill. I want to inform the Member for Kipkelion that when the votes are counted, mine will be there. That is what should matter to him. He should also take my words of wisdom. We will vote for it, but it is going to have a problem. We voted for the current Constitution without costing it. We have sworn to uphold it and we will do so. However, the truth is that the

Constitution of Kenya 2010 is very expensive. We are not saying that it is bad but it is very expensive. This Bill will add a lot of heavy weight on the taxpayer.

You need to make up your mind. Do you want to create the office of the village elder or the office of the council of elders? Council of elders will be too many people to pay. That is the only thing I can tell you. I, however, support everything else.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Ferdinand Wanyonyi, Member for Kwanza.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Hon. Temporary Speaker, thank you for the chance.

At the outset, I want to reassure my good brother, Hon. Sunkuli, that we will look at each item of this Bill, criticise it and make sure that village elders are paid. You have your views but we will refine it. This is a very important Bill and, therefore, we should look at it and redefine it so as to see the areas that we can adjust. Please, support it because we are going to redefine this particular Bill. The elders of this country are doing a lot of work. They are the pillars of the economy of this country. They are the same people we rely on to assist us. They help very many people, including the *mama mboga*, to go to the fields to work.

Hon. Sunkuli, you may have your views. You are very experienced. I respect you but, please, support us when the Bill comes to this House during the Committee of the whole House. Please, come with amendments. We will look at them and agree with you. My brother, do not worry. The Bill is coming.

First of all, the village elders are very important in the economy of this country. They are the ones who support and encourage people to go to the farms to work. I can assure you that they are the people who do the donkey work in the villages. Of course, others do not know anything about this. Some people do not go home, but they should know that these are the people who help us with security. They are the ones who tell the police what is happening in an area, including identifying new people and finding out whether they are wrongdoers or useful.

They also help us identify children for the purpose of issuance of National Identification Cards (IDs). They tell us whether a child was born there or was brought from elsewhere because the father is a pastor or he is a stepson, daughter or grandson. They help us identify the youth and facilitate the issuance of IDs to the right people. They also help in identifying illicit alcohol brewers. Those of us from the rural areas know that one of the reasons why our youth today are getting out of hand is because of the illicit brews and marijuana that they take. The village elders help the police and administrators to identify the wrong people. These people work 24 hours a day, seven days a week, 30 days a month but we have done nothing for them. As Members of Parliament, when we go home, these are the fellows who approach and tell us that they have a child, grandchild or neighbour who is sick and they need money to facilitate them.

I think we are going to look at the Budget and see how much we can allocate the village elders. None of us can say that village elders are not important in their constituencies. Given that they are working very hard and helping us to resolve security issues, I would like to mobilise my colleagues who may not be around so that in the coming Budget, we put something aside to help this group. I meet them every weekend I go home. I left home this morning. Yesterday, I had three such elders coming to see me with very good ideas and suggestions.

In the next Budget, Members, kindly do us a favour by supporting this Bill. Thank you, Hon. Injendi for coming up with this Bill. It is something that is on the ground. Let us allocate something to assist the village elders so that we can be able to work together as a community. I look forward to the Members who are present and those who are not mobilising support for this Bill when the time of voting comes so that when it comes to its budget proposal, we introduce some amendments to enable us assist this group.

I support the Bill.

**Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Member for Kwanza.

Hon. Catherine Omanyo.

**Hon. Catherine Omanyo** (Busia County, ODM): Thank you, Hon. Temporary Speaker.

I want to say at the outset that I supported the Motion that culminated in this Bill. The village elders do not fit in the government's spreadsheet yet the government depends on them, through the chiefs and the assistant chiefs, to know the real situation in the villages. One village elder takes care of about 200 homesteads. He understands who the owners are. The village elder knows how many children are in each of those homesteads, how many are not going to school, and ensures that all children go to school yet they do not have any salary at the end of the month. It is unfair that their children stay home.

Village elders have the inside scoop from the grassroot. The government talks about the grassroot – the hustlers. These are the people who the government should help first to make sure that they at least live in dignity because they risk and dare so much. A village elder's duties may include, among others, pointing out thieves, drug dealers and rapists. If a drug dealer who was identified, for instance, goes to jail and finds his way out, you can imagine how the village elder would still show his mettle, continues to survive and support the community. They dare to put their families in danger but still provide the right information to the Chiefs or Assistant Chiefs so that villagers can live in harmony.

Their inability to act makes them helpless. They may be holding important information but they cannot do anything. Their work is just to pass the information to the relevant government agencies. We, therefore, urge that we continue supporting this Bill so that village elders can be legitimate. If you have something every month, you will get motivated. I understand that they are appointed in accordance to the length of time that they have stayed in the villages. It does not matter if they have academic qualifications or not. When the time comes, nobody will introduce the issue of academic qualifications. The wise ones might not have gone to school and if they did, it is on lower levels. I, therefore, support fully. I also urge the government that since Independence this cadre has never been considered. It is time to affirm and make sure they get some sort of protection because the job they do is not very attractive. It is our job to ensure that everybody in our country lives in peace and harmony.

**Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Phylis Bartoo, Member for Moiben.

**Hon. Phylis Bartoo** (Moiben, UDA): Thank you, Hon. Temporary Speaker for giving me this opportunity.

I wish all members of Moiben Constituency a happy Valentine's Day. The roles and responsibilities of village elders are not written anywhere yet they play a very important role in our society. They have taken up duties and nobody recognises them. They are a form of security in our spaces. They are the first people we run to whenever there is a problem in our community, even in cases of theft. They provide enforcement in our spaces. When the government insists that we must have 100 per cent transition of students from primary schools to secondary schools, who are the people tasked with this responsibility apart from them? Village elders have been used as notice boards. For any information from the government to reach the grassroots level, it is none other than them who transmit the information from village to village.

As I traversed my constituency the other day, the village elders told me that even their wives and husbands shun them because they do not take home anything. They have been told that men and women wake up in the morning to go to work and, at the end of the day, they take home some bread or something else. However, as village elders, they only go out the whole



day with big titles of “Village Elder” sitting in very high places and performing important duties but at the end of the day, there is nothing to take home.

Their children are amongst those who are sent away from school because they cannot afford school fees, medical cover for their families and other basic needs yet they play important roles. It is unfortunate and shameful for us as a nation to continue misusing the services of such persons in our societies. As Parliament, we make the budget and appropriate money to different institutions. We go back to our communities and engage them yet since Independence nothing decisive has been done for them.

My wish is that this government, under the bottom-up economic model, would realise the importance of village elders because they are at the bottom of the pyramid. It is high time they were elevated to have a status in society and get recognised.

I want to thank Hon. Malulu Injendi for bringing this Bill so that village elders can formally be entrenched in the national government administrative structure. That way, they would be remunerated like other Kenyans. The remuneration for a village elder is a human right. However, their rights, since Independence, have been violated. It is high time Members rectified this anomaly so that village elders can also take something home at the end of the month or get a stipend. We are not asking for a lot of money. This is a small percentage of the national Government budget. It is important that this is looked into as we pass this Bill. The position of village elder should be entrenched in law, so that they start earning something.

In my constituency, you can only identify them by their uniform. Some of them do not even have soap to clean their uniforms yet they are supposed to attend functions in it. They are called every time there is a national function and they show up. Some of them have worn the same uniform for many years and it has changed colour while others have patched it. It is shameful for an honourable lady or gentleman to stand in tattered uniform. For some, the uniform is of a different colour. The shirt has changed colour because of wearing it for a long time. Even the trousers are of a different colour. Is this not embarrassing? If there are proposed amendments to this Bill, we are ready to walk the journey and ensure that they are passed so that village elders can live in dignity.

As I support this Bill in totality, I thank my brother and hope that one day village elders will have something to take to their families like other Kenyans who are on salary. We have affordable houses. How I wish they can be paid so that they, too, can purchase houses for themselves.

With those remarks, I support.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Member for Moiben.

Next is Hon. Nabwera Nabii, the Member for Lugari.

**Hon. Nabii Nabwera** (Lugari, ODM): Thank you, Hon. Temporary Speaker. At the onset, I want to declare that I support this Bill. I want to congratulate Hon. Malulu Injendi and remind the House that it is through little things that we change society.

Peter Potter, a renowned change manager for institutions, had this to say: “When society is evolving, you must accept the past mistakes you have made.” One of the past mistakes we have made in this country is to have people working for us without being paid. Those people are the village elders. On a typical day, they are involved in mobilising people for development. They are relied upon on security matters and everyone goes to them to get any information about the society. They are wise men when there is a land dispute. Yet, they work for free and are not recognised.

One day, I went to a *baraza* convened by the DCC to mobilise people against illicit brew. The people he relied on were not his chiefs or assistant chiefs. He was pointing out at every village elder and asking them what was happening in their areas or villages. Yet, the people who earn money – the assistant chiefs and the chiefs – were seated there. What does

that mean? It means that the person with credible information, and who can be relied on, is the village elder.

If this country can recognise and regularise the services of Community Health Promoters (CHP), why can it not appreciate and pay for the services of village elders? What will it cost us to do so? If you were to go to my village, the only person who knows a new person is the village elder. I can tell you, even the war against terrorism, the moment we entrench village elders into the formal structure of the national government administration, we will win it. This is because they know everybody in the villages.

In the whole world, a bubble generation is going through a difficult time such that we have to motivate our children to go to school. If we want to realise the millennium goals on education, we must entrench and formalise the village elders in the national government administrative structure. This is because they take care of the smallest administrative unit and they know everyone in their communities. They will help us to ensure that every child goes to school.

I have heard an argument that paying them would be very costly. I have an opportunity of serving in the Public Accounts Committee. If we were to cut corruption by one per cent, we would have enough money to pay the village elders. It behoves this House to put systems in place that will ensure there is no corruption in the country so that we can save some money to pay village elders. We are in a generation where we want everyone to be dignified. What is dignifying in having somebody working for free? At the end of the month they should earn a salary the same way the Deputy County Commissioners, the Assistant County Commissioners, the chiefs and assistant chiefs, and Members of Parliament do. It is not dignifying for men we rely on not to earn anything.

With those remarks, I support the Motion.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Member for Kirinyaga Central, Hon. Joseph Gitari.

**Hon. Joseph Gitari** (Kirinyaga Central, UDA): Thank you, Hon. Temporary Speaker, for giving me this chance. Let me also thank Hon. Injendi for bringing this timely Bill, which I support.

Village elders play a key role in the local communities. Chiefs, assistant chiefs and other national government administrators depend on them for security and illicit brew issues. It was alluded that about 100,000 children had not reported to form one and the village elders took all their names to the relevant offices. They play a big role in our communities.

I want to echo the efforts of the village elders in Kirinyaga Central. A gun that was stolen from Kabonge Police Post was being used to terrorise people in the Kirinyaga Central area of Kagumo. The village elders gave information to the national government administration and the gun was recovered from wherever it was.

In the last two weeks, about 13 people lost their lives in Kirinyaga County over illicit brews and we are burying them on Saturday. With the efforts of the village elders, we were able to identify other dens of illicit brews.

During the 10<sup>th</sup> Parliament, we brought a similar Bill to this House but it did not see the light of the day. I hope because they are now supposed to be given stipend, it is possible and it can work just like it works for the Community Health Promoters, who get some stipend for their services. The government should set aside a budget to recognise these people. These people are suffering in the villages yet they are performing key roles. Today, nobody can steal chicken in an area and live in the same area. If somebody disappears for a long time, they take him as a suspect. They play a key role.

I hope this Bill will be passed. Our Kenya Kwanza Government is a government of hustlers. I hope even the President will consider this Bill favourably.

With those remarks, I support.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Gitari.  
Hon. James Nyikal, Member for Seme.

**Hon. James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. This is an extremely important debate. The village elders are the feet on which the government is walking on the ground. Without them, there is no link with the communities. They are in all parts of the country. On security, they are the first point of call. If anything goes wrong in a village, they are the first people to know. They are the first people that the village people will run to. If there are strangers and suspicious occurrences, the village elders will be the first to point out. Even when investigations are to happen, whoever you bring — be they police investigators or any other person — the first point of call is always the village elder. They are responsible for maintaining harmony in our villages by solving minor disputes like those involving chicken thieves, people who engage in fighting, including children, and cases of people whose animals happen to graze in somebody's farm. These are matters that could actually escalate into bigger problems. It is the village elders who solve such cases. Therefore, village elders are the people who take care of our harmony in the villages.

Hon. Temporary Speaker, on the issue of health workers, we have passed a law and we are going to pay them for their services. Even in the appointment of the health workers, we are going to rely on the village elders. The village elders are the people who work with health workers.

Even in our economic development, we put in place very important programmes but without the help of village elders, we cannot implement them. Look at the three main programmes that we have put up in this country. We are talking of the funding of education in schools — particularly in university education — health insurance and social protection. There is one thing we are all saying we are going to use to implement this — mean-testing. That is useful in identifying those to be supported with school fees when they are joining university.

Who should be supported with social health insurance? Who are the indigents that the government should pay for? Who takes us to those people? It is the village elder. When we have new programmes like agricultural programmes, whom do we go to? It is the village elders. There is no way we can do without the village elders. We have relied on them for a long time but we have not looked at their conditions of work. These people are called out at night. Do they even have spotlights? They use their own money to buy their shoes. They are taken into areas when there are floods even without boots and protective gear. My colleague was saying they have uniform. That may be the case in some place where somebody decided to give them uniform but there is no laid down structure for giving them uniform.

We need to support these people. We need to compensate them. They need a stipend. When these people are sick, they cannot afford to pay their medical bills. To me, when we are going to have indigents for whom the government will be paying for their social health insurance, the first people we should look at are actually the village elders so that they get their health insurance done. When we have bursaries, at least, in my constituency, I try to get the village elders. They cannot be pointing out to you children who need support and theirs are not taken care of. We need to support them when they need bursaries.

Hon. Temporary Speaker, I support this Bill because it is putting in place structures that will organise these people. The Bill proposes recognition of village councils and village administrators. I quite agree that there is need to support them but there is an issue that we will have to face in the implementation. Many times, we have very good programmes but at the time of implementation, we do not do the necessary coordination. When we get the village administrators and the village councils under this proposed law, for example, how do we coordinate that with the county government structures where they have ward administrators, village administrators and village councils? Which council will be doing what? If we are not careful, it will not work.

Even with the community health workers, when putting these structures in these councils, how are we going to manage that? As we support this Bill, I think at the time of implementation, we need very clear regulations and structures so that in their work, there is no conflict in what they will be doing. We should look at them in the first instance as a team that will be dealing with dispute resolution in our villages. So, as we support them, let us put these structures in place. Let us look at coordination where they do not clash with the county governments.

My colleagues have talked about cost. Cost will always be there. It was said that this is a money Bill, which means that it has passed through the Budget and Appropriations Committee. Therefore, somebody must have done some work and calculated the much it will cost us as a country. I think it is what we need to do that comes first, then cost follows, and we look for money.

With those remarks, I support the Bill. We may make some amendments, particularly in the areas of how they link with the county government administrative structures.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Melly.

**Hon. Julius Melly** (Tinderet, UDA): Thank you, Hon. Temporary Speaker. I rise to support this very important Bill that has been brought to the House by Hon. Malulu.

Village elders have performed very important roles. They perform judicial functions, arbitrate cases in the villages, and actually maintain law and order. They are security personnel. They are the individuals who move up and down at night looking for criminals. They are the fabric that holds the Kenyan society together. They even mediate in family disputes and implement government programmes and policies.

As we speak, we are telling the chiefs that we need 100 per cent student transition from primary school to secondary school. It is the village elder who knows every child in every homestead who may not have gone to school. It is the village elder who runs the base of this country. If you talk of issues of government, like those affecting agriculture, village elders play a crucial role. The other day we were registering farmers and the chiefs relied on the village elders to register farmers with the acreage of their farmland for purposes of fertiliser distribution. It is the village elder who carries out such activities. He takes around the CHPs in the villages.

When we say that these people need to be paid, it is not about if they are providing a service. These individuals have been providing very essential services yet they are not being recognised or paid. They even stick out their necks to identify individuals causing trouble in the society, through the ‘miji kumi’ initiative. As we argue about the cost, first of all, let us quantify how much these people have given us in terms of free services rendered over the years.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Melly, it is called *Nyumba Kumi* not *Miji Kumi*.

*(Laughter)*

**Hon. Julius Melly** (Tinderet, UDA): Yes, *Nyumba Kumi*. Thank you for the correction, Hon. Temporary Speaker.

I am so emotional on this matter because these are the people who take care of us. Even while we are here this morning, we have the village elders taking care of our various villages. They report back to the assistant chiefs, who earn salary. The effectiveness of a chief hinges on the village elder. There is no assistant chief or chief who is be effective without the assistance of a village elder.

I want to agree with Hon. (Dr) Nyikal on the issue of structure and roles between the county government’s ward administrator, the county government’s village administrator and

the national Government village elder. On that basis, the village elder is able to advise and link the county government and national government seamlessly. We are not going to have issue of structure and enforcement because they have been doing this throughout. When the county governments want certain functions to be done, they all go to the village elder. The chiefs, Assistant County Commissioners and everybody else use village elders to identify persons of interest. The other day they assisted a lot in my constituency in a campaign to control consumption of illegal brews. It is this guy who does it. The chief reports but it is implemented by the village elders through the Nyumba Kumi initiative.

Hon. Temporary Speaker, I want to tell this House that the issue of cost should not arise. The services of these individuals have actually been going on for all this time. If we think that village elders are not important, and that if we pay them something small they will become expensive, then let us also tell them not to be there. Then the mayhem in the society will be seen.

I urge my fellow Members to support this Bill so that the national government can start paying village elders. It is not expensive service that they render; it is paramount service.

With those remarks, I support.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Abdul Haro, Member for Mandera South.

**Hon. Abdul Haro** (Mandera South, UDM): Asante, Mhe. Spika wa Muda kwa kunipatia fursa hii nchangie Mswada huu muhimu kuhusu uratibu wa Serikali kuu wa marekebisha ya sheria ili kuhakikisha kwamba wazee wa mitaa wameweza kuzingatiwa katika sheria. Ningependa kuchukua fursa hii kumshukuru Mhe. Malulu Injendi kwa kuweza kuuleta Mswada huu wakati huu ambapo ni muhimu zaidi katika nchi yetu ya Kenya.

Wazee wa mitaa ni nguzo muhimu sana katika jamii yetu. Wamekuwa wakichangia katika sekta zote za jamii zetu humu nchini. Hata wakati tuko na janga kama lile lililotekea kule Embakasi siku chache zilizopita, ama mafuriko kama yale yaliyokuweco wakati wa El Nino, wazee wa mtaa wamekuwa msitari wa mbele wa ulinzi ili kuhakikisha kwamba usaidizi ama msaada ambao umetolewa na Serikali ama mashirika yasiyo ya Serikali umeweza kuwafikia wale ambao wanahitaji msaada ule. Wale wazee ndio huwa wanatumika kuwatambua wale ambao wameathirika zaidi. Vile vile, ndio wanaotumiwa kuwatambua wale ambao wanafaa kusaidiwa wakati janga kama hilo linapotokea.

Katika hali ya usalama, haswa sisi tunaotoka sehemu ambazo ni za watu wanaohama na mifugo wao, tumekuwa na changamoto nyingi za kiusalama, kama vile ukosefu wa sehemu za malisho na maji ya mifugo wetu. Wakati mzozo unapotokea, wazee wa mtaa wamekuwa katika safu ya mbele kuhakikisha kwamba tumepata utangamano na tuko na amani na usalama katika sehemu zetu za malisho na jamii zetu zinaendelea kuishi kwa amani.

Kwa hivyo, ni muhimu kuwatambua wazee hawa maanake siku nenda siku rudi wamekuwa wakifanya kazi ya kusaidia Serikali, jamii na mashirika yasiyokuwa ya Serikali. Kazi yao huwa ya kujitolea. Hakuna wakati wowote ambapo wanapewa mshahara ama kiinua mgongo. Hata ukiangalia katika idara zetu za mahakama, ninafikiri wazee hawa wamechangia sana katika kuhakikisha kwamba haki inatendeka kwa Wakenya wote. Wamekuwa wakishirikiana kusuluhisha kesi nyingi ndogo ndogo ambazo zingeishia kufika mahakamani na zijaze korti na kuchelewesha kesi nyingine nyingi. Watu wengi wangekaa miaka mingi bila kupata haki yao katika idara za mahakama kwa sababu ya hizo kesi kuchelewa zikiwa nyingi. Hawa wazee wanachangia kuhakikisha kwamba asilimia 50 ya kesi ambazo zingeenda mahakamani zimesuluhishwa mitaani. Mchango wao ni mkubwa na ni lazima tuhakikishe kwamba wanafidiwa.

Ninamshukuru Mhe. Malulu Injendi kwa kuuleta Mswada huu ili kuhakikisha kwamba yale ambayo tutakubaliana kuwalipa hawa wazee inawekwa katika sheria ili itumike kwa vizazi vya leo na vya kesho. Kuhusu gharama ya huduma ya wazee kama hawa, ninafikiri katika nchi

hii tuna pesa nyingi. Tunaweza kutumia kiasi kidogo tu kuwalipa wazee hawa. Kwa mfano, tuko na kata ndogo 9,045 katika nchi hii. Hiyo kata ndogo kila moja ina mtu anaitwa naibu wa chifu. Tukisema wazee watatu wa mtaa waweze kusaidiana na naibu wa chifu na walipwe shilingi 5,000 kila mmoja, kwa mwezi, ni shilingi 135,000,000. Kwa mwaka, ni Ksh1.6 bilioni. Tuliwahi kuambiwa na Rais Mustafu Uhuru Kenyatta wakati wa enzi zake; kwamba, Serikali ilikuwa ikipoteza Ksh2 bilioni kupitia ufisadi kila siku. Kuwalipa wazee wa mtaa Ksh1.6 bilioni kwa mwaka litakuwa jambo nzuri sana kwa nchi hii.

Kwa hayo machache, ninaunga mkono.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Asante sana, Mheshimiwa.

Hon. Members, I would like to welcome students who are seated in the Speaker's Gallery. They are students from Koiwa Boys High School of Konoin Constituency, Bomet County. In the Public Gallery, we have students of Tenwek High School from Bomet Central, Bomet County.

You are all welcome to the National Assembly.

*(Applause)*

Hon. Members, the next opportunity goes to Hon. Paul Mwirigi, the Member for Igembe South. I take note that we have two Members whose cards are not working. Hon. Mwangi Kiunjuri and Hon. Anthony Mupe, please be patient. You may proceed Hon. Member.

**Hon. John Paul Mwirigi** (Igembe South, UDA): Ahsante sana, Spika wa Muda, kwa kunipatia nafasi hii ya kuchangia Mswada huu. Pia, ninampa kongole Mhe. Injendi kwa kuona kuwa wazee hao wanafaa kushughulikiwa. Ninasimama kuunga mkono Mswada huu. Wazee hao wanachangia pakubwa katika vijiji vyetu kuhakikisha kuwa kuna usalama wa kutosha. Pia, wakati Serikali inafanya kazi kule mashinani, wazee hao wa Nyumba Kumi ndio wahusika wakuu. Kwa sababu wanafanya kazi kubwa na iliyo ngumu, ni vizuri sisi kama Wabunge tunaotengeneza sheria tuwasaidie ili waweze kupata hela baada ya kila mwezi ambazo zitakidhi mahitaji ya familia zao.

Utagundua kuwa watoto wa wengi wa hao wazee wa Nyumba Kumi huwa na shida kubwa ya kupata elimu bora ilhali tunawatumia wazee hao kule vijijini ili kuhakikisha kuwa kila mtoto amejiunga na shule. Tunawatumia wazee hao kule vijijini kuhakikisha kuwa kuna amani na kuwatambua wahalifu wanaotekeleza uhalifu. Huwa wanahatarisha maisha yao wakati mwingine kwa sababu wanawafahamu wauzaji wa mihadarati au madawa za kulevyo. Wanapopeana ujumbe kuhusu wahusika wakuu wa uraibu wa mihadarati au wanapoibua ile ripoti ama habari, huwa wanajiweka kwenye shida.

Ni vyema sana wazee hao waangaziwe na Serikali ili waweze kupata angalau kitu ambacho kitaweza kusaidia familia zao kila mwezi. Jambo hilo litahakikisha kuwa wanafanya kazi hiyo kwa furaha ili vijiji vyetu viimarike zaidi. Watakapokuwa wanapata zile hela, watapata motisha zaidi ya kufanya kazi.

Kwa hayo machache, ninaunga mkono Mswada huu na ninawatakiwa wakaazi wa Igembe Kusini siku njema ya kusherehekea wapendanao.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Ahsante sana, Mhe. Mwirigi. Mhe. Mwangi Kiunjuri, Mbunge wa Laikipia East.

**Hon. Mwangi Kiunjuri** (Laikipia East, TSP): Thank you, Hon. Temporary Speaker. I rise to support this very important amendment Bill. I thank Hon. Injendi for his efforts.

I am happy that all Members who have contributed have seen the value of village elders. Village elders have existed since time immemorial. When the colonial government was being set up, they found elders established in their own villages. They recognised and worked with them. Successive governments such as the Jomo Kenyatta, Moi, Mwai Kibaki, Uhuru Kenyatta, and even the current Government, have all recognised the role of village elders. They have

been in the system. Even in the Bible, 1 Timothy Chapter 3 and Acts Chapter 15 recognise them as spiritual overseers of the flock. That means they are also recognised religiously. I hope there are elders who work for their people even in the Quran.

These are people who are full of wisdom, are respected in the society, are problem-solvers, and who resolve conflicts in the villages. Their role is already established. It is not that we are looking for jobs for them to do. We are not establishing any parallel system that will conflict with any existing system. Currently, county governments have their own systems of administration, and so does the national Government. When the national Government wants to collect intelligence and information, they do not rely on chiefs, they rely on village elders. Village elders give counsel and guidance, and work closely with sub-chiefs and chiefs. Therefore, their role already exists and is well-established. We only ask that their roles be streamlined because they have suffered enough. Why should somebody help you and work for you yet you are not ready to give them anything in return? That can only translate to slavery. Why do you want to exploit them? The culture of exploitation must come to an end.

Do we have systems that can take care of them? Yes, we already have established systems in the intelligence and national security sectors, where we have National Police Reservists who are picked from villages and are paid. We also have the Social Protection Fund which works and people are paid.

You do not have to attain the age of 60 to be a village elder. You can become one even at the age of 35 or 40. We look at how respected you are in society and your level of wisdom. We must look at the parameters for recruiting village elders since immediately we streamline the process, corruption will come in. It will now be an issue of who is looking for a job and not consideration of those who have been serving the community. That must be clearly observed. When we start employing village elders or giving them stipends to show appreciation, corruption should not set in. The existing traditions on how to pick village elders and giving priority to those who have been serving the community should be preferred. That will not be the time to start firing those who have been serving the community because a certain person wants his brother, sister or supporters to serve as village elders. Issues of costs and the role that they will play should not arise. It is an issue of recognising and realising that they have been exploited for a very long time.

If you go to villages, you will find that conflict resolution, even in churches, is done by village elders. Established systems recognise their existence. It is high time we agreed that they exist, and accept them as teachers, counsellors, and conflict-resolvers. Therefore, they must be given the respect that they deserve and accorded dignity. It is high time Parliament resolves to recognise them and speeds up the consideration of this amendment Bill so that it is enacted. Budgets should not be an issue bearing in mind the amount of money that intelligence services use every day to collect information. They have a budget. There are many areas where we can reduce the allocation and ensure that we pay village elders.

With those few remarks, I beg to support the Bill.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Emmanuel Wangwe, Member for Navakholo.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Hon. Temporary Speaker, at the outset, allow me to...

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

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): What is out of order, Hon. Jared Okello?

**Hon. Jared Okello** (Nyando, ODM): Thank you very much, Hon. Temporary Speaker. I do not intend to disrupt my very good friend who is on the Floor.

I have noted that my brothers across the aisle have been given four slots consecutively. In the spirit of equality, I hope that we are going to get four slots for this side because some of

us have been here the longest waiting to contribute effectively to this most wonderful debate. In the spirit of balancing, let me wait for the four where I will be part of them.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Jared Okello, I can tell the time you walked in. As soon as you walked in, you pressed the intervention button. I appreciate that you have noted that, but I am sure it is not four. Some of the Members on my right side arrived very early and we normally follow the order on the screen. I have made a lot of effort to recognise both sides, but even on the screen now, those on the right side are more than those on the left. Please be patient.

Proceed, Hon. Wangwe.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Thank you very much, Hon. Temporary Speaker. Due to that interruption, my microphone has shifted to another cell.

At the outset, I congratulate the Member for Malava, Hon. Moses Malulu Injendi for thinking on behalf of this very vulnerable group. As we celebrate these people and support the Motion, we also wish to celebrate our ladies who have dressed in black in this House for the sake of the many Kenyan girls who have been killed in the recent past. I also join my colleagues to condemn the kind of activities some girls have been subjected to.

Allow me to appreciate the role played by this vulnerable group that is commonly known as the village elders and who have been graduated to the title village managers without money. A title without money is empty. You could be called a very big title, but what matters is what goes into the pocket. I support this Motion. These people play the very cardinal role of providing information and even guarding the sovereignty of this country. Without information, even the arsenal and the artillery that we have may not be of any use. We must have information to know where to attack and know who maybe planning to attack us.

I want to cite an example from Navakholo. The area assistant chiefs fully rely on village managers for information. In fact, whenever we sit with them, they can easily bring us a senior village elder who can tell us the character of every person in a homestead. Actually, when it comes to gathering of information, these are the people who know the true Kenyans. Therefore, it is important that we benefit from them and at the same time enrich their pocket.

I congratulate Hon. Malulu as he has not grown tired. Instead, he has fought on from the 11<sup>th</sup> Parliament when he brought the first Motion which he brought again in the 12<sup>th</sup> Parliament. Successfully, we are now debating it fully in the 13<sup>th</sup> Parliament. That only makes us acknowledge that the best time is God's time and not our own.

At the same time, I wish to inform the Kenya Kwanza Government that it is their time to implement this very noble cause and they can benefit by salvaging the otherwise very vulnerable section of the civil service who are really civil servants without benefits.

I support this Motion. I wish to clarify that let us not just give the village elders a stipend. Let them be sure that this money will be coming and will be there for them. These are the people employed within the cadre of village managers as the county governments do. Why should we be the national Government when the county governments do it better? They have already employed village managers in their various sections. Therefore, it is good that we support this cause and allow our Government to move in and see what happens.

Finally, as we undertake to provide village managers resources from the Exchequer, it is important we also know how we are going to identify them. Not every village elder is suitable for the job. Let us classify them and conduct, at least, some small tests to ensure that the people who get the positions have good standing in the community. Let us look for a way of selecting these village elders so that we can have a very vibrant section of leaders who are concerned with Kenyans.

I beg to support. Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Wangwe. Hon. Anthony Mupe, Member for Rabai.



**Hon. Kenga Mupe** (Rabai, PAA): Asante sana Mhe. Spika wa Muda kwa kunipatia fursa hii nichagie Mswada huu. Nimesimama kuunga mkono Mswada huu ambao umeletwa na Mhe. Malulu.

Mswada huu wa kubuni halmashauri ya vijiji chini ya wazee wa mitaa na wazee wa Nyumba Kumi ni hatua ya kijasiri ambayo ni ya kudhamini na kutambua kazi nzuri ambayo wazee wetu wa mitaa na wazee wa vijiji wamekuwa wakifanya katika utawala na uratibu wa kitaifa. Wazee hawa wamekuwa wakifanya kazi nzuri kule vijijini. Ni wakati mwafaka hawa wazee wa mitaa na wazee wa vijiji ama wazee wa Nyumba Kumi waanze kulipwa kwa sababu hata *DCC, ACC, Chiefs* na *Assistant Chiefs* wanawategemea sana kwa kuwapea ripoti ya mambo ya usalama.

Ninachukua fursa hii ya kipekee niwapongeze wazee wa mitaa na wazee wa Nyumba Kumi kutoka eneo Bunge pamoja na machifu na manaibu wa chifu. Wamekuwa wakifanya kazi nzuri ya ushirikiano na ndio maana usalama umetiliwa maanani sana. Kutoka jadi wazee hawa wa mitaa na wazee wa vijiji wamekuwa wakifanya kazi. Tunajua wako na familia, wako na watoto ambao wanataka kwenda shule na pia wako na majukumu mengine. Lakini hawakuwa wanalipwa kwa kazi ile yote nzuri wamekuwa wakifanya. Umefika wakati Serikali kupitia Kamati Bajeti ya Bunge hili itenge pesa ambazo wazee wetu wa mitaa na wazee wa vijiji watalipwa maana ni Wakenya kama wale wengine.

Shughuli zile zote ambazo zinafanywa na wazee wa mitaa na wale wa vijiji ni kama mambo ya elimu. Juzi wazee wote wa mitaa na wa vijiji walikuwa wanaenda nyumba kwa nyumba kuhakikisha kwamba hakuna mtoto hata mmoja amewachwa nyuma ili kuhakikisha watoto wote wameenda shule.

Ninaunga mkono wazee wetu wa vijiji na wale wa mitaa walipwe mshahara kama Wakenya wengine. Asante.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Asante Sana. Mhe. Mohammed Adow, Mbunge wa Wajir South.

**Hon. Mohammed Adow** (Wajir South, ODM): Hon. Temporary Speaker, I thank Hon. Malulu for bringing this important Bill. Remunerating village elders will recognise the valuable role they play within their communities. They are mediators in every conflict. They are advisors to the community as well as the custodians of cultural knowledge which is vital in the maintenance of order and cultural cohesion.

There are always constant attempts to push Members of Parliament beyond the three main roles of legislation, oversight and representation. Almost everything that happens in our constituencies is usually pushed to our plates. One thing many other people and I here have done is to send elders to deal with some of these burning issues and they have done it with utmost diligence every time. That is their importance to our societies. They play a very crucial role. Remunerating them will acknowledge the time and effort they make in serving their communities. Remunerating them can help attract and retain people who are qualified for these roles.

Many times, because of the abject poverty in many parts of this country, people who are very good at mediation and have a high standing in society avoid these roles because they have to put bread and butter on the table for their children. If they are remunerated, we will attract people who can do a much better job. That will improve governance at the local level and ensure that cultural and social cohesion is at its utmost in rural Kenya.

Besides, remunerating elders is also an act of poverty eradication because most of these people depend on subsistence farming. Sometimes, they do not have any jobs or sources of income. We have a proverb in the Somali community that says nothing goes wrong where there are elders. I believe it is time we, as the people and Government of Kenya, paid our elders and gave them the respect they so much deserve.

Thank you very much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Racheal Nyamai): Mheshimiwa Fatuma Masito, Mbunge wa Kaunti ya Kwale.

**Hon. Fatuma Masito** (Kwale County, ODM): Nimshukuru Mhe. Spika wa Muda kwa kunipa nafasi hii nami pia niwe katika kumbukumbu za Bunge hili katika Hoja hii iliyoletwa na Mhe. Malulu. Inahusu vile wazee wa vijiji wanatumika vibaya na Serikali yetu.

Bi. Spika wa Muda wazee wa vijiji ni watu muhimu sana. Tangu nizaliwe, nimeona wazee wa vijiji wakitufanyia kazi bila kuchoka. Wanafanya kazi hii ya kujitolea. Mpaka wakati huu nimekuwa mtu mzima na kiongozi, sijawahi kusikia mzee wa kijiji akipata ruzuku ya angalau kitu kidogo ili apate sukari ya siku. Ningependa kuiambia Serikali hii kwamba tuwajali wazee na akina mama wa vijiji. Hatutaki kusema ni akina baba peke yake wanaoongoza vijiji. Wazee wa vijiji ni wa kike na kiume.

Katika sehemu ninayotoka, nimeona wazee wa vijiji wakifanya kazi ya kujitolea mpaka wengine wanapoteza maisha yao. Miaka mitatu iliyopita, Eneo Bunge la Msambweni, wazee wanne waliuawa siku moja. Watu wasiojulikana waliingia nyumbani kwao na kuwaua kwa kudhania kuwa wazee hawa ndio waliokuwa wakipeana habari kwa Serikali. Hadi sasa, familia za wazee hawa hazijalipwa fidia.

Hii ni kazi ambayo ni ya kuvunja moyo. Wazee hawa hujitolea na kushughulikia shida zote za kiusalama vijijini. Mara nyingi, Serikali hutumia wazee hawa kuandikisha “*statements*” kueleza yale yanayojiri katika vijiji vyao. Hii ni kazi ya punda kwa kuwa haina mshahara wala shukrani. Ninaomba Serikali hii iwatambue wazee hawa kwa kuwa wanafanya kazi nzuri bila mshahara. Wazee wengi wa vijiji wanaishi maisha duni. Wanaishi katika nyumba za makuti na nyasi ilhali hao ndio wa kwanza kuulizwa maswala yote ya usalama. Wao ndio hujua ni wageni wapi wamezuru vijiji vyao. Wanajua ni mama yupi amejifungua na kupata matatizo na alipelekwa hospitali gani. Pia wanajua watu wanaogombana katika ndoa. Anaweza kukuambia kuwa mume na mke fulani walipigana jana na akaita polisi au kuwaita pamoja na kushuluhisha yeye mwenyewe.

Mimi kama kiongozi wa kike ninaona ni udhalilishaji wa hali ya juu wa viongozi wetu walio nyanjani. Ninaomba Bunge hili, Kamati ya Bunge ya Fedha na Serikali kuu kusimama na wazee hawa na kuwapatia riziki. Tuwaone kama binadumu. Wengi wao ndio wametuwezesha wengine wetu kupata nafasi za kitaifa kama ubunge. Wabunge wengi hapa ukiwauliza, wasingefika hapa kama si kusaidiwa na wazee wa vijiji. Pia, wazee hawa waliunga mkono Serikali hii ya sasa wakijua kuwa labda mambo yatabadilika. Hoja hii ilianguziwa tangu 1963 tulipopata Uhuru na bado tunazungumzia hata sasa. Ni jambo la aibu sana. Ingekuwa ni mataifa mengine ya nje, swala hili lingekuwa limeshughulikiwa zamani na wazee wa vijiji kupata riziki na kuishi maisha ya heshima.

Asante sana Bi Spika wa Muda kwa kunipatia nafasi hii. Ninaunga mkono Hoja hii.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Asante sana. Mhe. Makilap, Mbunge wa Baringo Kaskazini.

**Hon. Joseph Makilap** (Baringo North, UDA): Thank you, Hon. Temporary Speaker. From the onset, I want to set the record straight that I support the remuneration and establishment of village elders. I thank Hon. Malulu, who was my teacher and registrar, for bringing this Bill.

The village elders in this country act as a fabric that holds the society together, right from the bottom. One may ask, who is a village elder? The assistant chiefs across the Republic rely on these village elders. In other words, they are the assistants to the assistant chiefs in Kenya. Notwithstanding their academic background, they unearth and resolve conflict within our society.

Hon. Temporary Speaker, to ensure that village elders operate optimally, there is need to give them some form of remuneration. I also request Hon. Malulu Injendi to enrich this Bill, so that it clearly defines who a village elder is. In my understanding, it is a person with integrity,

honesty, availability and above all, should be above the age of 35. If the age is capped at below 35 years, he becomes a youth.

Hon. Malulu Injendi also needs to know that the County Governments Act defines a village elder. Section 53(1) of the County Governments Act establishes a village council. Further, Section 53(4) proposes that a village elder shall be paid an allowance. The village elder defined by the County Governments Act and the one whom we intend to add in the national Government structure - from the assistant chief downwards - would lead to a conflict of the laws. So, there is need for synergy between the two laws. This Bill should define the village elder, as envisaged in Section 53 of the County Governments Act. He is defined in the Act, but the county governments have not fully implemented their decentralised structures. We are all aware that the national legislation supersedes the county legislation. Since the county governments have not established the decentralised units, Hon. Malulu and all of us can go ahead and have the village elders. This will help us define how many are required in a sub-location.

Even for the village elders to be remunerated, there is need for that village unit to be gazetted like a sub-location. Otherwise, how do you pay them? The unit of representation has to be gazetted in the *Kenya Gazette*. After that is done, they will be appointed. There are many legal issues that we need to consider before we can pay the person who shall be appointed as a village elder. This is because the County Governments Act establishes the qualifications of village elders. Members who have their mobile phones can download and read the Act. It states the qualifications for one to be appointed a village elder.

I support this Bill. As Members of Parliament, we are where we are today - in this privileged position - because we used these village elders to mobilise support for us. Even in the establishment of this Government, we went to the village elders because they are truthful. They require recognition. During the recess, I attended a meeting where I bumped into one village elder and he told me that Members have refused to pass a legislation for them to be paid. I informed him that the Bill was before the House but still under consideration. I hope he can now see me as I support their remuneration in a more systematic and structured manner that shall not be challenged in court.

We have arbitrators in our society. The Judiciary embraces Alternative Dispute Resolution (ADR) today. Whom do they rely on? They rely on the village elders. They are the institutional memory of our society. They are the libraries which we rely on. These are the people who will help us implement government policies further, especially the Kenya Kwanza Government where we believe in the Bottom-up Economic Transformation Agenda (BETA). They are in the lower part of the pyramid that needs support. As we support them, we need to set the structures. There are village elders who are retirees in our villages today. We need to separate them so that we get the right persons who will not have any problem in litigation. They are the people who are available to mop up children throughout the Republic to go to school. The last KCPE class has to transit to the next level. The people who help us to do that are village elders. If a Standard Eight student fails to proceed to the next level, he or she cannot repeat class because the new curriculum is the Competency-Based Curriculum (CBC). Those of us who come from insecurity-prone areas rely on village elders to give us truthful intelligence. They are actually more intelligent than the security forces. They are able to identify aggressors and visitors who come to a village. They are the people we rely on even in distribution of relief food. This Government is required to support and remunerate village elders.

I end by asking all of us to pass this Bill into law so that we do not have a clash between county governments and the national Government. It is provided that there shall be synergy between the two levels of government. The levels are distinct, but they can cooperate.

With those few remarks, Hon. Temporary Speaker, I support remuneration of village elders throughout the Republic of Kenya as the fabric of society that can ensure a homogenous society free from conflict and other issues that affect human life.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Innocent Mugambi, Member for Likuyani.

**Hon. Innocent Mugabe** (Likuyani, ODM): Thank you, Hon. Temporary Speaker, for this opportunity. My name is Mugabe, not Mugambi. First, I want to say a happy Valentine's Day to all my constituents in Likuyani and a prayerful lent season to the Catholics.

Next is to congratulate Hon. Malulu Injendi for coming up with this noble Bill that touches the base of our community. The people who operate at the very bottom of the pyramid in our leadership structure are the village elders. Their role and significance in public governance cannot be gainsaid. I would not want to belabour what they do, because many Members have acknowledged the critical role that they play in the community in terms of governance and having sanity.

Apart from remuneration, mere recognition in the governance structure will give village elders the legal backing to perform their duties and responsibilities. This is something they lack. They have been operating in an amorphous and sometimes precarious environment because their positions are not legally mandated. The mere fact that they will be included in the national Government structure will give them the legal backing to perform their duties. For that reason, I wish to support the Bill.

As we bring them on board to continue with their duties in public governance and in bridging the gap between the public and the Government, I would like us to look further and build their capacity so that they are able to perform their duties even better. In the mediation role at the village level, their capacity needs to be built to do that exercise. The results they come up with should also be recognised.

These people can also perform a very critical role in terms of security intelligence. This is because they will act as intelligence idols in our villages and will avert issues of terrorism, insecurity, theft and others.

The Ministry of Interior and National Administration and other organisations dealing with security matters, will have an opportunity to use village elders as mandated by law. They will need capacity building so they can assist in terms of collecting information. Even data which the national Government needs for development, will be easily collected by them. They will need proper training and facilitation so as to collect and disseminate information to the Government and from the Government to the village level.

Also, we should not just enumerate them and leave it at that. We should build capacity and give them more responsibilities. Looking at our current Marriage Act, 2014, the structures of customary marriage are not very clear compared to Christian or civil marriages. These village elders will come in handy through the registrars to administer customary marriages. This will be added to their duties.

Again, they need to work in a dignified environment. Prof. Phyllis said that they have uniforms, but they do not. They struggle to get uniforms through a few politicians here and there so as to have a sense of recognition in the community. In reality, they do not have uniforms so we want them kitted like chiefs and assistant chiefs. So, they can have a dignified look while serving the community. These village elders will play a great role in enhancing governance and public participation at the grassroot level.

With all that, I support this Bill brought by my brother, the Member for Malava, Hon. Malulu Injendi. Thank you very much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Suzanne Kiamba, Member for Makueni.

**Hon. Suzanne Kiamba** (Makueni, WDM): Thank you, Hon. Temporary Speaker for giving me a chance to also add my voice to this very important Bill. First and foremost, let me wish all Catholics in my constituency and Kenya at large a reflective lenten season, where we reach out to our God.

Second, let me wish all Kenyans a happy Valentine's Day, although, as women parliamentarians we are not wearing red but black. We are seriously mourning the death of many men and women through a sin called love, but they are poisoned.

I would like to state a few points on this very important Bill brought by Hon. Injendi. Firstly, we must accept that village elders are the most respectable leaders in our communities, culturally and otherwise. Most of them are appointed or elected by their own communities. They are the best change agents in their communities because people listen and believe in them. They have a lot of integrity. So, this opportunity is a game changer for the Government. Instead of employing agents who people do not believe in, village elders will be valuable agents.

Secondly, it is very unfair to have unpaid workers being used by the national and county Governments. As most Hon. Members have narrated, they do a lot of work. It is very painful that we lack money to pay the person who works directly with the people at the grassroot, but have money to pay all the others from assistant chiefs up to us, as parliamentarians. Let us be honest, all of us rely on the village elders to get work done. If this Bill goes through, it would be honourable for this House because it would empower them. We will also have money going to the grassroots.

Nowadays, it is difficult to get Ksh1000 circulating in a village. However, having these village elders paid will devolve money into the villages and money circulation will improve.

Thirdly, we realise that these village elders are multidisciplinary. They are not like the church agents who claim to be sociologist or legal persons. They are everything that the community needs. With a little incentive, they would be the pillars of transformation in our villages and this nation. It would be proper if all of us supported this Bill. We should not think of the budget when it comes to people who work. This country sometimes can be strange. How can we miss to allocate money to the people who work and allocate to the ones who do not? These are people who the chiefs, assistant chiefs and politicians depend on very much.

Fourthly, so that I may also give time to other people, we realise that for years, they have been volunteering. It is only worth that we give our village elders dignity and we give them some incentive in form of payment for the many years they have worked. We, indeed, recognise their effort. This is a Bill that we should take through and the budget provided.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Richard Yegon, Member for Bomet East.

**Hon. Richard Yegon** (Bomet East, UDA): Thank you, Hon. Temporary Speaker for giving me this opportunity.

I would also like to thank Hon. Injendi for bringing in this Bill.

When I was campaigning in my constituency, I used to tell the village elders that we would fight for them to get something. Time has come, and we should support and ensure that the village managers are given some remuneration so that, at least, they can continue doing their work.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Order, Hon. Richard Yegon. Hon. Members, Hon. Richard Yegon will have a balance of nine minutes. Please, be upstanding.

**ADJOURNMENT**

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Members, the time now being 1.00 p.m., this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 1.00 p.m.

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