



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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Wednesday, 6th March 2024

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Hon. Members, there is no quorum. Serjeants-at-Arms, ring the Quorum Bell.

(The Quorum Bell was rung)

Hon. Members, we now have quorum to transact business. Clerk-at-the-Table

COMMUNICATION FROM THE CHAIR

(Hon. Kassait Kamket stood up in his place)

Order, Hon. Members. Hon. Kamket, take your seat.

DELEGATION OF MEMBERS OF THE BUDGET COMMITTEE FROM
THE PARLIAMENT OF THE UNITED REPUBLIC OF TANZANIA

Hon Members, allow me to recognise a delegation from the United Republic of Tanzania. I wish to introduce to you a delegation of Members of the Budget Committee from the National Assembly of the United Republic of Tanzania, who are seated in the Speaker's Row. They comprise of:

1. The Hon. Daniel Baran Sillo, MP – Chairperson (Head of Delegation);
2. The Hon. Omari Mohamed Kigua, MP;
3. The Hon. Shamsi Vuai Nahodha, MP;
4. The Hon. Mariam Madalu Nyoka, MP;
5. The Hon. Dkt. Charles Kimei, MP;
6. The Hon. Subira Khamis Mgalu, MP;
7. The Hon. Jonas William Mbunda, MP;
8. The Hon. Juma Hamad Omar, MP;
9. The Hon. Kwagilwa Reuben Nhamanilo, MP;
10. The Hon. Stella Ikupa, MP;
11. The Hon. Joseph Zacharius Kamonga, MP;
12. The Hon. Josephat Sinkamba Kandege, MP;
13. The Hon. Leah Jeremiah Komanya, MP;
14. The Hon. Rashid Abdallah Rashid, MP;
15. The Hon. Zainab Athumani Katimba, MP;
16. The Hon. Bahati Khamis Kombo, MP;
17. The Hon. Vedastus Manyinyi Mathayo, MP;

18. The Hon. Oran Manase Njeza, MP;
19. The Hon. Omar Ali Omar, MP;
20. The Hon. Zaytun Seif Swai, MP; and,
21. The Hon. Bahati Kenneth Ndingo, MP.

The delegation is accompanied by nine members of staff from the Committee Secretariat. They are in the country to benchmark with their counterpart Committee in the National Assembly, share experiences on areas of mutual interest and foster parliamentary democracy and diplomacy.

On my own behalf and that of the National Assembly, I welcome the delegation to the Parliament of Kenya and wish them fruitful engagements during their stay in the country.

I thank you.

Hon. Martha Wangari (Gilgil, UDA): Ahsante sana, Mhe. Spika. Ningependa kuchukua nafasi hii kukuunga mkono na kuwakaribisha wenzetu kutoka Bunge Jirani la Tanzania katika Bunge la Kitaifa la Kenya. Ninaona wako sawa kwa sababu kuna akina mama na baba. Wamehakikisha ya kwamba kila jinsia imewakilishwa kwenye Kamati hiyo. Naomba tuendeleo na demokrasia ya Bunge ili tulete uwiano mwema kwa jamii yetu ya Afrika Mashariki. Naomba tufanye kazi pamoja kama viongozi ili tulete uwiano na utangamano. Nawakaribisha nchini, na mtakaporudi Tanzania, muyaseme mazuri ya nchi yetu. Ni muhimu pia wajue ya kwamba Nairobi pekee ndilo jiji ambalo lina mbuga la wanyama. Nawaomba mtembee Nairobi na mkirudi kwenu, mpeleke salamu za Wabunge na za nchi nzima. Karibuni tena.

Hon. Speaker: Well done, Hon. Wangari. *Naona unazungumza Kiswahili sanifu. Ahsante sana.*

Next Order.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Speaker. As I lay these papers, I also want to welcome our counterparts from the Republic...

(Hon. Zaheer Jhanda crossed the aisle without bowing)

Hon. Kangogo Bowen (Marakwet East, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Bowen, what is out of order?

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Speaker, I think Hon. Zaheer was inducted very well. He has just walked from here to the other one side of the House.

Hon. Speaker: Who?

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Zaheer.

Hon. Speaker: Where is he? You are totally out of order. Go to the Bar, bow and then cross the Floor.

(Hon. Zaheer Jhanda bowed and crossed the aisle)

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, you know people learn at different levels and times.

As I lay these papers, I want to join you to welcome our brothers and sisters from the United Republic of Tanzania to this august House. Feel most welcome and enjoy the proceedings of this House.

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

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1. Sessional Paper No.2 of 2018 on National Ethics and Anti-Corruption Policy from the Office of the Attorney-General.
 2. The Kenya-European Union Economic Partnership Agreement from Ministry of Investments, Trade and Industry.
 3. Reports of the Auditor-General and Financial Statements for the years ended 30th June 2021 and 30th June 2022, and the certificates therein in respect of:
 - (a) Our Lady of Perpetual Succour Girls' Secondary;
 - (b) Mosop Mixed Secondary School;
 - (c) St. Michael Unyuani Secondary School;
 - (d) Kwale Girls High School;
 - (e) Mishi Mboko Girls High School;
 - (f) Kanyariri High School; and,
 - (g) The Salvation Army Likoni High School for the Visually Impaired.
 4. The Annual National Government Budget Implementation Review Report for the Financial Year 2022/23, from the Office of the Controller of Budget.
- Hon. Speaker, I thank you. I can see Hon. Mishi Mboko is smiling because of her school.
Hon. Speaker: Thank you, Leader of the Majority Party. Next Order.

NOTICES OF MOTIONS

Hon. Speaker: Vice-Chairperson of the Special Funds Account Committee.

Hon. Rahim Dawood (North Imenti, Independent): Thank you, Hon. Speaker.

Hon. Speaker: Why Vice-Chairperson? Where is your Chairperson?

Hon. Rahim Dawood (North Imenti, Independent): She has gone for another meeting.

Hon. Speaker: Go ahead.

ADOPTION OF REPORT ON FINANCIAL STATEMENTS FOR THE PARLIAMENTARY MORTGAGE SCHEME FUND, PARLIAMENTARY CAR LOAN SCHEME FUND AND PARLIAMENTARY CATERING FUND FOR FINANCIAL YEARS 2020/2021 AND 2021/2022

Hon. Rahim Dawood (North Imenti, Independent): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Special Funds Account Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Parliamentary Mortgage Scheme Fund, Parliamentary Car Loan Scheme Fund and Parliamentary Catering Fund for the Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 23rd August 2023.

ADOPTION OF REPORT ON FINANCIAL STATEMENTS FOR THE LOCAL AUTHORITIES PROVIDENT FUND FOR FINANCIAL YEARS 2019/2020 AND 2021/2022

Hon. Rahim Dawood (North Imenti, Independent): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Special Funds Account Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Local Authorities' Provident Fund for the Financial Years 2019/2020 and 2021/2022, laid on the Table of the House on Thursday, 23rd August 2023.

ADOPTION OF REPORT ON FINANCIAL STATEMENTS FOR THE KENYA SLUM
UPGRADING LOW-COST HOUSING AND INFRASTRUCTURE TRUST
FUND FOR FINANCIAL YEARS 2017/2018 TO 2021/2022 AND THE
ALCOHOLIC DRINKS CONTROL FUND FOR FY 2017/2018

Hon. Rahim Dawood (North Imenti, Independent): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Special Funds Account Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Kenya Slum Upgrading Low-Cost Housing & Infrastructure Trust Fund for the Financial years 2017/2018 to 2021/2022, and the Alcoholic Drinks Control Fund for the Financial Year 2017/2018, laid on the Table of the House on Wednesday, 18th October 2023.

ADOPTION OF REPORT ON FINANCIAL STATEMENTS FOR THE COMMODITIES
FUND FOR FINANCIAL YEARS 2018/2019, 2019/2020, 2020/2021 AND 2021/2022

Hon. Rahim Dawood (North Imenti, Independent): Hon. Speaker, I beg to give notice of the following Motion.

THAT, this House adopts the Fifth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Commodities Fund for the Financial Years 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF SIXTH REPORT ON FINANCIAL STATEMENTS FOR THE STORES AND
SERVICES FUND FOR FINANCIAL YEARS 2020/2021 AND 2021/2022
AND THE OCCUPATIONAL SAFETY HEALTH FUND FOR
FINANCIAL YEARS 2020/2021 AND 2021/2022

Hon. Rahim Dawood (North Imenti, Independent): Hon. Speaker, I beg to give notice of the following Motion.

THAT, this House adopts the Sixth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Stores and Services Fund for Financial Years 2020/2021 and 2021/2022 and the Occupational Safety and Health Fund for the Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF SEVENTH REPORT ON FINANCIAL STATEMENTS FOR THE LAND SETTLEMENTS
FUND FOR FINANCIAL YEARS 2020/2021 AND 2021/2022 AND THE RAILWAY DEVELOPMENT
FUND (HOLDING ACCOUNT) FOR FINANCIAL YEARS 2017/2018, 2018/2019, 2019/2020,
2020/2021 AND 2021/2022

Hon. Rahim Dawood (North Imenti, Independent): Hon. Speaker, I beg to give notice of the following Motion.

THAT, this House adopts the Seventh Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Land Settlements Fund for the Financial Years

2020/2021 and 2021/2022, and the Railway Development Fund (Holding Account) for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF EIGHTH REPORT ON FINANCIAL STATEMENTS FOR STREET FAMILIES REHABILITATION TRUST FUND FOR FINANCIAL YEARS 2017/2018, 2018/2019, 2019/2020, 2020/2021 AND 2021/2022

Hon. Rahim Dawood (North Imenti, Independent): Hon. Speaker, I beg to give notice of the following Motion.

THAT, this House adopts the Eighth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for Street Families Rehabilitation Trust Fund for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the table of the House on Thursday, 7th December 2023.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Mishi Mboko, Member for Likoni.

PROVISION OF MENTAL HEALTHCARE SERVICES IN SUB-COUNTIES

Hon. Mishi Mboko (Likoni, ODM): Thank you, Hon. Speaker. I beg to give notice of the following Motion:

THAT, aware that Article 43(1)(a) of the Constitution provides that every person has the right to the highest attainable standard of health, including the right to health care services; further aware that, mental health is a key determinant of overall health and socio-economic development; recognising that, the Constitution assigns to the National Government the responsibility of matters of health policy; concerned that, according to the World Health Organization (WHO), mental and neurological disorders are common and about 10 per cent of the global population suffer from, at least, one mental health disorder at any given time; concerned that, psychiatric units are only available in a few facilities in the country and patients requiring psychiatric services have limited or no access to those facilities; acknowledging that, access to healthcare facilities would lead to improved overall health, increased economic productivity, social equity and improved quality of life for all; now therefore, this House urges the National Government, through the Ministry of Health, to collaborate with county governments to develop a policy integrating mental healthcare services in all healthcare facilities in the country.

I, thank you, Hon. Speaker.

Hon. Speaker: Thank you, Commissioner Mishi. Before I call the next Order, Hon. Members, allow me to acknowledge the presence of the following schools in the Public Gallery. They are Getarwet Girls, Bureti Constituency, Kericho County; Kiriti Secondary School, Tetu Constituency, Nyeri County and Mama Ngina University, Gatundu South Constituency, Kiambu County.

On my behalf and that of the House, we welcome the students and their teachers to Parliament.

Hon. Major (Rtd.) Abdullahi Sheikh (Mandera North, UDM): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Abdullahi.

Hon. Major (Rtd.) Abdullahi Sheikh (Mandera North, UDM): With your permission Hon. Speaker, I seek your indulgence on a Statement that I made on the Floor of the House on 30th November 2023. You approved my Bill, the Constitutional of Kenya (Amendment) Bill, 2023 in regard to the Independent Electoral Boundaries Commission (IEBC). On the 6th of December 2023, you allowed me to make a Statement on the Floor of the House which I did. After my Statement, you said that you would allow a few Members to make contributions to the same Statement later, before you refer the Bill to the relevant Committee. I, therefore, seek your indulgence on the way forward.

I, thank you.

Hon. Speaker: The response has not been brought?

Hon. Major (Rtd.) Abdullahi Sheikh (Mandera North, UDM): You approved the Bill, and I made a Statement on the Floor of the House. You committed that you would allow a few Members to ventilate in the subsequent sessions; which has not happened. It now requires your direction as to whether we continue directly, or you approve it to go to the relevant committee.

(Hon. Speaker consulted with the Clerks-at-the-Table)

Hon. Speaker: Hon. Bashir, your matter is slated on the Order Paper for tomorrow. Have you not been notified? You can approach the Clerks-at-the-Table to advice you.

Hon. Major (Rtd.) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Speaker.

Hon. Speaker: Next Order. Order, Hon. Members.

MOTIONS

ADOPTION OF REPORT ON THE 2024 MEDIUM-TERM DEBT MANAGEMENT STRATEGY

THAT, this House adopts the Report of the Public Debt and Privatization Committee on its consideration of the 2024 Medium-Term Debt Management Strategy, laid on the Table of the House on Thursday, 29th February 2024, and pursuant to the provisions of Section 15(4) of the Public Finance Management Act, 2012 and Standing Order 232a (7) and (8) –

- (a) approves the 2024 Medium-Term Debt Management Strategy; and
- (b) makes the policy and financial resolutions contained in the Schedule to the Order Paper.

SCHEDULE

POLICY AND FINANCIAL RESOLUTIONS RELATING TO THE 2024 MEDIUM TERM DEBT MANAGEMENT STRATEGY

A. POLICY RESOLUTIONS

1. THAT, in the next Medium Term Expenditure Framework (MTEF) cycle, the National Treasury ensures consistency between the Medium-Term Debt Management Strategy and the Budget Policy Statement regarding the optimal borrowing strategy and the fiscal consolidation path;

2. THAT, the National Treasury ensures that the fiscal deficit and subsequent public borrowing projections are realistic by incorporating forecasts on any potential in-year changes to interest rates, exchange rates, and contingency spending;
3. THAT, to address the emerging escalation of domestic interest rates alongside domestic interest payments, within 60 days of adoption of the Report, the National Treasury submits a report to the National Assembly providing practical measures to reduce the domestic debt service burden to sustainable levels;
4. THAT, in line with the resolution of the National Assembly on the 2023 Medium Term Debt Management Strategy, the National Treasury publishes guidelines that will ensure that the Treasury Single Account is established and operational by July 1st, 2024;
5. THAT, within 30 days of the adoption of the Report, and subject to Section 50 of the Public Finance Management Act, 2012 (Amended in 2023), the National Treasury submits a comprehensive report to the National Assembly on the breach of the debt anchor of 55 percent (+5) of Gross Domestic Product and the remedial measures undertaken to ensure adherence to the debt threshold;
6. THAT, in order to promote fiscal sustainability, reduce debt distress and to slow debt accumulation, any deviation from medium term fiscal deficit path designed by both the Budget Policy Statement and the Medium-Term Debt Management Strategy, and any resultant readjustment to loan financing, should be preapproved by the National Assembly;
7. THAT, the National Treasury ensures the customization of the MTDS for the next MTEF cycle to Kenya's specific debt challenges by providing specific measures to deal with undisbursed loans and related commitment fees, measures to resolve risks emanating from non-performing loans owed by state-owned enterprises, and estimation of contingent liabilities;
8. THAT, in order to help enhance public participation in public debt matters, the National Treasury publishes simplified, citizen-friendly documents to accompany the technical reports on public debt submitted to the National Assembly; and,
9. THAT, at least two months before the end of the current financial year, the National Treasury submits to the National Assembly:
 - (i) the Annual Borrowing Plan that addresses any deviations from the 2024 MTDS in financing the FY 2024/25 Budget Estimates, attendant cost and risks of the deviations and policy measures to address them; and,
 - (ii) a schedule of all projects for which borrowing is to be undertaken in the FY 2024/25.

B. FINANCIAL RESOLUTIONS

1. THAT, the fiscal deficit target for the medium term is approved and set at 3.9% of GDP for FY 2024/25; 3.3% of GDP for FY 2025/26, and 3.3% of GDP for FY 2026/27, in line with the fiscal consolidation path; and,
2. THAT, the country's borrowing strategy is approved at 55 percent for net external borrowing and 45 percent for net domestic borrowing as contained in the 2024 Medium Term Debt Management Strategy.

(Question put and agreed to)

Hon. Speaker: Hon. Ndindi Nyoro, Chairman, Budget and Appropriations Committee.

ADOPTION OF REPORT ON THE 2024 BUDGET POLICY STATEMENT

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Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Speaker, I beg to move:

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Budget Policy Statement (BPS) for the financial year 2024/2025 and a compendium of Departmental Committee reports on the 2024 BPS, laid on the Table of the House on Tuesday, 5th March 2024, and pursuant to the provisions of section 25(7) of the Public Finance Management Act, 2012 and Standing Order 232(9) and (10) –

- (a) approves the Budget Policy Statement (BPS) for the financial year 2024/2025;
- (b) makes the following Financial Resolutions with respect to the BPS-
 - (i) That, the National Government budget ceiling be approved at Kshs. 2,564,563,100,000;
Of which:
 - 1) Executive Kshs. 2,488,650,300,000
Of which: Office of the Auditor General Kshs. 8,599,500,000
 - 2) Parliament Kshs. 43,623,000,000
 - 3) Judiciary Kshs. 23,690,300,000
 - (ii) Resolves that, the allocation to County Government Equitable Share be approved at Kshs. 391,117,000,000;
 - (iii) Resolves that, consistent with the latest audited and approved revenues for FY 2020/21 amounting to Kshs 1,570,562,945,014, the allocation to the Equalization Fund be set at Kshs. 7,852,814,725;
 - (iv) Approves that, the arrears to the Equalization Fund be set at Kshs. 3,547,185,275;
 - (v) Approves that, the allocation for the County Additional Allocations be approved at Kshs. 48,196,590,924 as per the Third Schedule to the Report, which shall form the basis for the County Government Additional Allocations Bill, 2024;
 - (vi) Resolves that, consistent with the approved borrowing strategy in the Medium-Term Debt Management Strategy, the projected fiscal deficit be set at Kshs 703,870,000,000 (3.9% of GDP) being the difference between total revenues and grants and total expenditure and net lending.
- (c) That, the First and Second Schedules to the Report form the basis for the ceilings for the FY 2024/2025 Budget Estimates;
- (d) That, once approved by the House, these recommendations SHALL form the basis for FY 2024/2025 Budget Estimates;
- (e) orders that, the First Schedule to the Order Paper forms the basis for the ceilings for the FY 2024/25 Budget Estimates; and
- (f) makes the Policy Resolutions contained in the Second Schedule to the Order Paper (Non-financial recommendations relating to the Budget Policy Statement for the financial year 2024/25).

FIRST SCHEDULE**CEILINGS FOR THE FY 2024/25 BUDGET ESTIMATES**

FIRST SCHEDULE: BUDGET CEILINGS FOR FY 2024/25				
VOTE CODE	VOTE & PROGRAMME	FINAL BUDGET CEILINGS FOR FY 2024/25 (Approved by National Assembly)		
		CURRENT	CAPITAL	TOTAL
1011	Office of the President	4,578,600,000	852,300,000	5,430,900,000
	0603000 Government Printing Services	694,300,000	500,000,000	1,194,300,000
	0701000 General Administration Planning and Support Services	1,699,200,000	194,300,000	1,893,500,000
	0703000 Government Advisory Services	1,247,600,000	-	1,247,600,000
	Programme: Leadership and Coordination of Government Services	937,500,000	158,000,000	1,095,500,000
1012	Office of the Deputy President	4,219,200,000	250,400,000	4,469,600,000
	0734000 Deputy President Services	4,219,200,000	250,400,000	4,469,600,000
1013	Office of the Prime Cabinet Secretary	1,502,100,000	-	1,502,100,000
	0755000 Government Coordination and Supervision Services	1,502,100,000	-	1,502,100,000
1014	State Department for Parliamentary Affairs	846,100,000	-	846,100,000
	0759000 Parliamentary Liaison and Legislative Affairs	289,700,000	-	289,700,000
	0760000 Policy Coordination and Strategy	260,600,000	-	260,600,000
	0761000 General Administration, Planning and Support Services	295,800,000	-	295,800,000
1015	State Department for Performance and Delivery Management	1,064,500,000	-	1,064,500,000
	0762000 Public Service Performance Management and Delivery Services	297,600,000	-	297,600,000

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FIRST SCHEDULE: BUDGET CEILINGS FOR FY 2024/25				
VOTE CODE	VOTE & PROGRAMME	FINAL BUDGET CEILINGS FOR FY 2024/25 (Approved by National Assembly)		
		CURRENT	CAPITAL	TOTAL
	0764000 General Administration, Planning and Support Services	431,100,000	-	431,100,000
	Programme: Coordination and Supervision of Government Services	36,500,000	-	36,500,000
	Service Delivery Management	299,300,000	-	299,300,000
1016	State Department for Cabinet Affairs	881,800,000	-	881,800,000
	0758000 Cabinet Affairs Services	881,800,000	-	881,800,000
1017	State House	7,675,100,000	1,558,700,000	9,233,800,000
	0704000 State House Affairs	7,675,100,000	1,558,700,000	9,233,800,000
1023	State Department for Correctional Services	35,964,100,000	1,175,800,000	37,139,900,000
	0623000 General Administration, Planning and Support Services	614,000,000	12,000,000	626,000,000
	0627000 Prison Services	32,932,600,000	943,300,000	33,875,900,000
	0628000 Probation & After Care Services	2,417,500,000	220,500,000	2,638,000,000
1024	State Department for Immigration and Citizen Services	10,289,300,000	5,584,000,000	15,873,300,000
	0605000 Migration & Citizen Services Management	4,232,200,000	2,660,000,000	6,892,200,000
	0626000 Population Management Services	5,177,400,000	2,612,000,000	7,789,400,000
	0631000 General Administration and Planning	879,700,000	312,000,000	1,191,700,000
1025	National Police Service	112,162,800,000	2,128,900,000	114,291,700,000

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FIRST SCHEDULE: BUDGET CEILINGS FOR FY 2024/25				
VOTE CODE	VOTE & PROGRAMME	FINAL BUDGET CEILINGS FOR FY 2024/25 (Approved by National Assembly)		
		CURRENT	CAPITAL	TOTAL
	0601000 Policing Services	112,162,800,000	2,128,900,000	114,291,700,000
1026	State Department for Internal Security & National Administration	27,799,200,000	7,437,300,000	35,236,500,000
	0629000 General Administration and Support Services	8,622,600,000	6,580,500,000	15,203,100,000
	Programme: National Government Field Administration Services	17,734,600,000	741,800,000	18,476,400,000
	0630000 Policy Coordination Services	1,442,000,000	115,000,000	1,557,000,000
1032	State Department for Devolution	1,817,500,000	2,740,000,000	4,557,500,000
	0712000 Devolution Services	1,817,500,000	2,740,000,000	4,557,500,000
1036	State Department for ASALs and Regional Development	9,488,000,000	7,507,700,000	16,995,700,000
	0733000 Accelerated ASAL Development	6,467,400,000	1,750,100,000	8,217,500,000
	0743000 General Administration, Planning and Support Services	402,800,000	-	402,800,000
	1013000 Integrated Regional Development	2,617,800,000	5,757,600,000	8,375,400,000
1041	Ministry of Defence	161,734,600,000	38,836,000,000	200,570,600,000
	0801000 Defence	158,376,700,000	38,836,000,000	197,212,700,000
	0802000 Civil Aid	350,000,000	-	350,000,000
	0803000 General Administration, Planning and Support Services	2,657,900,000	-	2,657,900,000
	0805000 National Space Management	350,000,000	-	350,000,000

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FIRST SCHEDULE: BUDGET CEILINGS FOR FY 2024/25				
VOTE CODE	VOTE & PROGRAMME	FINAL BUDGET CEILINGS FOR FY 2024/25 (Approved by National Assembly)		
		CURRENT	CAPITAL	TOTAL
1053	State Department for Foreign Affairs	20,260,900,000	2,390,100,000	22,651,000,000
	0714000 General Administration Planning and Support Services	4,376,700,000	426,700,000	4,803,400,000
	0715000 Foreign Relation and Diplomacy	15,717,400,000	1,713,400,000	17,430,800,000
	0741000 Economic and Commercial Diplomacy	51,800,000	-	51,800,000
	0742000 Foreign Policy Research, Capacity Development and Technical Cooperation	115,000,000	250,000,000	365,000,000
1054	State Department for Diaspora Affairs	1,258,100,000	-	1,258,100,000
	0752000 Management of Diaspora and Consular Affairs	1,258,100,000	-	1,258,100,000
1064	State Department for Technical Vocational Education and Training	23,992,000,000	6,474,000,000	30,466,000,000
	0505000 Technical Vocational Education and Training	23,677,000,000	6,474,000,000	30,151,000,000
	0507000 Youth Training and Development	45,000,000	-	45,000,000
	0508000 General Administration, Planning and Support Services	270,000,000	-	270,000,000
1065	State Department for Higher Education and Research	127,642,000,000	3,956,000,000	131,598,000,000
	0504000 University Education	126,640,000,000	3,602,000,000	130,242,000,000
	0506000 Research, Science, Technology and Innovation	678,000,000	354,000,000	1,032,000,000
	0508000 General Administration, Planning and Support Services	324,000,000	-	324,000,000
1066	State Department for Basic Education	126,972,000,000	17,490,000,000	144,462,000,000

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FIRST SCHEDULE: BUDGET CEILINGS FOR FY 2024/25				
VOTE CODE	VOTE & PROGRAMME	FINAL BUDGET CEILINGS FOR FY 2024/25 (Approved by National Assembly)		
		CURRENT	CAPITAL	TOTAL
	0501000 Primary Education	19,030,000,000	8,712,000,000	27,742,000,000
	0502000 Secondary Education	97,510,000,000	8,375,000,000	105,885,000,000
	0503000 Quality Assurance and Standards	5,076,000,000	303,000,000	5,379,000,000
	0508000 General Administration, Planning and Support Services	5,356,000,000	100,000,000	5,456,000,000
	The National Treasury	79,583,400,000	72,512,200,000	152,095,600,000
1071	0717000 General Administration Planning and Support Services	64,872,900,000	9,624,000,000	74,496,900,000
	0718000 Public Financial Management	12,630,800,000	49,041,200,000	61,672,000,000
	0719000 Economic and Financial Policy Formulation and Management	1,472,100,000	13,820,000,000	15,292,100,000
	0720000 Market Competition	607,600,000	27,000,000	634,600,000
	State Department for Economic Planning	4,174,300,000	65,119,700,000	69,294,000,000
1072	0706000 Economic Policy and National Planning	2,400,900,000	62,604,800,000	65,005,700,000
	0707000 National Statistical Information Services	1,267,300,000	2,479,400,000	3,746,700,000
	0708000 Monitoring and Evaluation Services	150,200,000	35,500,000	185,700,000
	0709000 General Administration Planning and Support Services	355,900,000	-	355,900,000
	State Department for Medical Services	66,833,900,000	59,113,200,000	125,947,100,000
1082	0402000 National Referral & Specialized Services	49,636,900,000	20,591,300,000	70,228,200,000
	0410000 Curative & Reproductive Maternal New Born Child Adolescent Health RMNCAH	1,388,200,000	21,508,700,000	22,896,900,000

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VOTE CODE	VOTE & PROGRAMME	FINAL BUDGET CEILINGS FOR FY 2024/25 (Approved by National Assembly)		
		CURRENT	CAPITAL	TOTAL
	0411000 Health Research and Innovation	3,457,000,000	1,337,000,000	4,794,000,000
	0412000 General Administration	12,351,800,000	15,676,200,000	28,028,000,000
	State Department for Public Health and Professional Standards	20,491,100,000	5,161,500,000	25,652,600,000
1083	0406000 Preventive and Promotive Health Services	1,158,000,000	4,251,000,000	5,409,000,000
	0407000 Health resources development and Innovation	13,481,600,000	785,500,000	14,267,100,000
	0408000 Health Policy, Standards and Regulations	5,080,500,000	75,000,000	5,155,500,000
	0412000 General Administration	771,000,000	50,000,000	821,000,000
1091	State Department for Roads	72,197,000,000	149,757,000,000 0	221,954,000,000
	0202000 Road Transport	72,197,000,000	149,757,000,000 0	221,954,000,000
1092	State Department for Transport	16,540,000,000	44,806,000,000	61,346,000,000
	0201000 General Administration, Planning and Support Services	1,147,000,000	2,402,000,000	3,549,000,000
	0203000 Rail Transport	500,000,000	37,389,000,000	37,889,000,000
	0204000 Marine Transport	601,000,000	3,000,000,000	3,601,000,000
	0205000 Air Transport	11,471,000,000	935,000,000	12,406,000,000
	0216000 Road Safety	2,821,000,000	1,080,000,000	3,901,000,000
1093	State Department for Shipping and Maritime Affairs	2,665,000,000	1,570,000,000	4,235,000,000

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		CURRENT	CAPITAL	TOTAL
	0220000 Shipping and Maritime Affairs	2,665,000,000	1,570,000,000	4,235,000,000
	State Department for Housing and Urban Development	1,364,000,000	81,170,000,000	82,534,000,000
1094	0102000 Housing Development and Human Settlement	855,000,000	71,340,000,000	72,195,000,000
	0105000 Urban and Metropolitan Development	188,000,000	9,830,000,000	10,018,000,000
	0106000 General Administration Planning and Support Services	321,000,000	-	321,000,000
	State Department for Public Works	3,394,000,000	1,527,000,000	4,921,000,000
1095	0103000 Government Buildings	595,000,000	673,000,000	1,268,000,000
	0104000 Coastline Infrastructure and Pedestrian Access	96,000,000	660,000,000	756,000,000
	0106000 General Administration Planning and Support Services	355,000,000	14,000,000	369,000,000
	0218000 Regulation and Development of the Construction Industry	2,348,000,000	180,000,000	2,528,000,000
	State Department for Irrigation	1,530,000,000	23,467,000,000	24,997,000,000
1104	1014000 Irrigation and Land Reclamation	860,000,000	19,555,000,000	20,415,000,000
	015000 Water Storage and Flood Control	484,000,000	2,746,000,000	3,230,000,000
	1022000 Water Harvesting and Storage for Irrigation	36,000,000	1,166,000,000	1,202,000,000
	1023000 General Administration, Planning and Support Services	150,000,000	-	150,000,000
1109	State Department for Water & Sanitation	6,145,000,000	60,903,000,000	67,048,000,000

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		CURRENT	CAPITAL	TOTAL
	1001000 General Administration, Planning and Support Services	692,000,000	269,000,000	961,000,000
	1004000 Water Resources Management	1,954,000,000	18,804,000,000	20,758,000,000
	1017000 Water and Sewerage Infrastructure Development	3,499,000,000	41,830,000,000	45,329,000,000
	State Department for Lands and Physical Planning	4,113,100,000	5,093,500,000	9,206,600,000
1112	0101000 Land Policy and Planning	2,808,000,000	4,227,500,000	7,035,500,000
	0121000 Land Information Management	53,000,000	866,000,000	919,000,000
	0122000 General Administration, Planning and Support Services	1,252,100,000	-	1,252,100,000
	State Department for Information Communication Technology & Digital Economy	3,958,000,000	25,885,000,000	29,843,000,000
1122	0207000 General Administration Planning and Support Services	355,000,000	-	355,000,000
	0210000 ICT Infrastructure Development	848,000,000	22,972,000,000	23,820,000,000
	0217000 E-Government Services	2,755,000,000	2,913,000,000	5,668,000,000
	State Department for Broadcasting & Telecommunications	6,296,000,000	795,000,000	7,091,000,000
1123	0207000 General Administration Planning and Support Services	342,000,000	-	342,000,000
	0208000 Information and Communication Services	5,676,000,000	545,000,000	6,221,000,000
	0209000 Mass Media Skills Development	278,000,000	250,000,000	528,000,000
1132	State Department for Sports	1,295,900,000	16,974,400,000	18,270,300,000

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		CURRENT	CAPITAL	TOTAL
	0901000 Sports	1,295,900,000	16,974,400,000	18,270,300,000
1134	State Department for Culture and Heritage	3,625,300,000	175,500,000	3,800,800,000
	0902000 Culture / Heritage	2,259,500,000	124,300,000	2,383,800,000
	0905000 General Administration, Planning and Support Services	378,700,000	-	378,700,000
	0916000 Public Records Management	86,900,000	17,000,000	103,900,000
	Programme 4: The Arts	380,400,000	-	380,400,000
	0904000 Library Services	519,800,000	34,200,000	554,000,000
1135	State Department for Youth Affairs and the Arts	2,216,500,000	1,354,400,000	3,570,900,000
	0711000 Youth Empowerment Services	282,600,000	680,000,000	962,600,000
	0748000 Youth Development Services	806,500,000	399,000,000	1,205,500,000
	0749000 General Administration, Planning and Support Services	325,700,000	-	325,700,000
	0903000 The Arts	801,700,000	275,400,000	1,077,100,000
1152	State Department for Energy	11,566,000,000	65,316,000,000	76,882,000,000
	0211000 General Administration Planning and Support Services	409,000,000	150,000,000	559,000,000
	0212000 Power Generation	2,615,000,000	13,110,000,000	15,725,000,000
	0213000 Power Transmission and Distribution	8,451,000,000	51,501,000,000	59,952,000,000
	0214000 Alternative Energy Technologies	91,000,000	555,000,000	646,000,000

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		CURRENT	CAPITAL	TOTAL
1162	State Department for Livestock	4,528,500,000	11,037,500,000	15,566,000,000
	0112000 Livestock Resources Management and Development	4,528,500,000	11,037,500,000	15,566,000,000
1166	State Department for the Blue Economy and Fisheries	3,074,300,000	10,502,900,000	13,577,200,000
	0111000 Fisheries Development and Management	2,737,800,000	8,436,900,000	11,174,700,000
	0117000 General Administration, Planning and Support Services	293,900,000	-	293,900,000
	0118000 Development and Coordination of the Blue Economy	42,600,000	2,066,000,000	2,108,600,000
1169	State Department for Crop Development	17,435,900,000	33,707,400,000	51,143,300,000
	0107000 General Administration Planning and Support Services	8,140,300,000	2,546,000,000	10,686,300,000
	0108000 Crop Development and Management	3,705,500,000	30,054,400,000	33,759,900,000
	0109000 Agribusiness and Information Management	156,900,000	780,000,000	936,900,000
	0120000 Agricultural Research & Development	5,433,200,000	327,000,000	5,760,200,000
1173	State Department for Cooperatives	3,856,800,000	503,800,000	4,360,600,000
	0304000 Cooperative Development and Management	3,856,800,000	503,800,000	4,360,600,000
1174	State Department for Trade	3,450,400,000	50,000,000	3,500,400,000
	0309000 Domestic Trade and Enterprise Development	2,004,900,000	50,000,000	2,054,900,000
	0310000 Fair Trade Practices And Compliance of Standards	79,500,000	-	79,500,000

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		CURRENT	CAPITAL	TOTAL
	0311000 International Trade Development and Promotion	900,500,000	-	900,500,000
	0312000 General Administration, Planning and Support Services	465,500,000	-	465,500,000
	State Department for Industry	2,776,900,000	6,904,200,000	9,681,100,000
1175	0301000 General Administration Planning and Support Services	471,000,000	-	471,000,000
	0320000 Industrial Promotion and Development	1,122,900,000	4,919,000,000	6,041,900,000
	0321000 Standards and Quality Infrastructure & Research	1,183,000,000	1,985,200,000	3,168,200,000
	State Department for Micro, Small and Medium Enterprises Development	2,464,900,000	6,196,800,000	8,661,700,000
1176	0316000 Promotion and Development of MSMEs	517,200,000	114,300,000	631,500,000
	0317000 Product and Market Development for MSMEs	731,400,000	882,500,000	1,613,900,000
	0318000 Digitization and Financial Inclusion for MSMEs	703,400,000	5,200,000,000	5,903,400,000
	0319000 General Administration, Planning and Support Services	512,900,000	-	512,900,000
	State Department for Investment Promotion	1,357,800,000	4,605,400,000	5,963,200,000
1177	0322000 Investment Development and Promotion	1,357,800,000	4,605,400,000	5,963,200,000
	State Department for Labour and Skills Development	4,344,300,000	1,008,200,000	5,352,500,000
1184	0910000 General Administration Planning and Support Services	396,400,000	-	396,400,000
	0906000 Labour, Employment and Safety Services	1,280,000,000	431,100,000	1,711,100,000

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		CURRENT	CAPITAL	TOTAL
	0907000 Manpower Development, Industrial Skills & Productivity Management	2,667,900,000	577,100,000	3,245,000,000
1185	State Department for Social Protection and Senior Citizen Affairs	33,348,500,000	2,070,400,000	35,418,900,000
	0908000 Social Development and Children Services	4,416,900,000	142,500,000	4,559,400,000
	0909000 National Social Safety Net	28,405,500,000	1,927,900,000	30,333,400,000
	0914000 General Administration, Planning and Support Services	526,100,000	-	526,100,000
1192	State Department for Mining	1,317,000,000	931,800,000	2,248,800,000
	1007000 General Administration Planning and Support Services	697,000,000	-	697,000,000
	1009000 Mineral Resources Management	269,000,000	292,800,000	561,800,000
	1021000 Geological Survey and Geoinformation Management	351,000,000	639,000,000	990,000,000
1193	State Department for Petroleum	27,326,000,000	4,036,000,000	31,362,000,000
	0215000 Exploration and Distribution of Oil and Gas	27,326,000,000	4,036,000,000	31,362,000,000
1202	State Department for Tourism	10,303,000,000	606,700,000	10,909,700,000
	0313000 Tourism Promotion and Marketing	883,400,000	110,400,000	993,800,000
	0314000 Tourism Product Development and Diversification	9,134,800,000	496,300,000	9,631,100,000
	0315000 General Administration, Planning and Support Services	284,800,000	-	284,800,000

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		CURRENT	CAPITAL	TOTAL
1203	State Department for Wildlife	11,809,000,000	1,433,000,000	13,242,000,000
	1019000 Wildlife Conservation and Management	11,809,000,000	1,433,000,000	13,242,000,000
1212	State Department for Gender and Affirmative Action	2,287,100,000	3,501,400,000	5,788,500,000
	0911000 Community Development	43,400,000	3,000,000,000	3,043,400,000
	0912000 Gender Empowerment	1,857,700,000	501,400,000	2,359,100,000
	0913000 General Administration, Planning and Support Services	386,000,000	-	386,000,000
1213	State Department for Public Service	23,908,200,000	1,383,000,000	25,291,200,000
	0710000 Public Service Transformation	1,234,800,000	443,000,000	1,677,800,000
	0709000 General Administration Planning and Support Services	399,300,000	-	399,300,000
	0747000 National Youth Service	12,990,800,000	84,000,000	13,074,800,000
	Programme: Public Service Human Resource Management and Development	9,283,300,000	856,000,000	10,139,300,000
1221	State Department for East African Community	607,600,000	35,400,000	643,000,000
	0305000 East African Affairs and Regional Integration	607,600,000	35,400,000	643,000,000
1252	The State Law Office	6,312,800,000	190,900,000	6,503,700,000
	0606000 Legal Services	3,090,100,000	-	3,090,100,000
	0607000 Governance, Legal Training and Constitutional Affairs	1,964,500,000	68,900,000	2,033,400,000

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		CURRENT	CAPITAL	TOTAL
	0609000 General Administration, Planning and Support Services	1,258,200,000	122,000,000	1,380,200,000
1271	Ethics and Anti-Corruption Commission	3,899,900,000	57,900,000	3,957,800,000
	0611000 Ethics and Anti-Corruption	3,899,900,000	57,900,000	3,957,800,000
1281	National Intelligence Service	46,851,000,000	-	46,851,000,000
	0804000 National Security Intelligence	46,851,000,000	-	46,851,000,000
1291	Office of the Director of Public Prosecutions	3,637,000,000	47,500,000	3,684,500,000
	0612000 Public Prosecution Services	3,637,000,000	47,500,000	3,684,500,000
1311	Office of the Registrar of Political Parties	1,999,800,000	-	1,999,800,000
	0614000 Registration, Regulation and Funding of Political Parties	1,999,800,000	-	1,999,800,000
1321	Witness Protection Agency	782,000,000	-	782,000,000
	0615000 Witness Protection	782,000,000	-	782,000,000
1331	State Department for Environment & Climate Change	3,848,000,000	2,550,000,000	6,398,000,000
	1002000 Environment Management and Protection	1,832,000,000	2,065,000,000	3,897,000,000
	1010000 General Administration, Planning and Support Services	530,000,000	-	530,000,000
	1012000 Meteorological Services	1,014,000,000	416,000,000	1,430,000,000
	Programme 4: Water Rehabilitation and Conservation	472,000,000	69,000,000	541,000,000
1332	State Department for Forestry	9,900,000,000	5,131,000,000	15,031,000,000

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	1018000 Forests and Water Towers Conservation	9,900,000,000	5,131,000,000	15,031,000,000
2011	Kenya National Commission on Human Rights	523,500,000	-	523,500,000
	0616000 Protection and Promotion of Human Rights	523,500,000	-	523,500,000
2021	National Land Commission	1,668,400,000	147,800,000	1,816,200,000
	0119000 Land Administration and Management	1,668,400,000	147,800,000	1,816,200,000
2031	Independent Electoral and Boundaries Commission	4,353,800,000	24,300,000	4,378,100,000
	0617000 Management of Electoral Processes	4,321,000,000	24,300,000	4,345,300,000
	0618000 Delimitation of Electoral Boundaries	32,800,000	-	32,800,000
2061	The Commission on Revenue Allocation	587,400,000	-	587,400,000
	0737000 Inter-Governmental Transfers and Financial Matters	587,400,000	-	587,400,000
2071	Public Service Commission	2,672,300,000	45,300,000	2,717,600,000
	0725000 General Administration, Planning and Support Services	954,600,000	45,300,000	999,900,000
	0726000 Human Resource Management and Development	1,436,800,000	-	1,436,800,000
	0727000 Governance and National Values	173,700,000	-	173,700,000
	0744000 Performance and Productivity Management	51,200,000	-	51,200,000
	075000 Administration of Quasi-Judicial Functions	56,000,000	-	56,000,000
2081	Salaries and Remuneration Commission	559,900,000	-	559,900,000

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		CURRENT	CAPITAL	TOTAL
	0728000 Salaries and Remuneration Management	559,900,000	-	559,900,000
2091	Teachers Service Commission	369,438,000,000	505,000,000	369,943,000,000
	0509000 Teacher Resource Management	359,793,000,000	395,000,000	360,188,000,000
	0510000 Governance and Standards	1,313,000,000	-	1,313,000,000
	0511000 General Administration, Planning and Support Services	8,332,000,000	110,000,000	8,442,000,000
2101	National Police Service Commission	1,269,500,000	-	1,269,500,000
	0620000 National Police Service Human Resource Management	1,269,500,000	-	1,269,500,000
2111	Auditor General	8,284,500,000	315,000,000	8,599,500,000
	0729000 Audit Services	8,284,500,000	315,000,000	8,599,500,000
2121	Office of the Controller of Budget	758,400,000	-	758,400,000
	0730000 Control and Management of Public finances	758,400,000	-	758,400,000
2131	Commission on Administrative Justice	772,400,000	-	772,400,000
	0731000 Promotion of Administrative Justice	772,400,000	-	772,400,000
2141	National Gender and Equality Commission	498,000,000	-	498,000,000
	0621000 Promotion of Gender Equality and Freedom from Discrimination	498,000,000	-	498,000,000
2151	Independent Policing Oversight Authority	1,090,900,000	-	1,090,900,000

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		CURRENT	CAPITAL	TOTAL
	0622000 Policing Oversight Services	1,090,900,000	-	1,090,900,000
	Sub-Total: Executive	1,612,040,100,000	876,610,200,000	2,488,650,300,000
1261	The Judiciary	21,287,400,000	1,500,000,000	22,787,400,000
	0610000 Dispensation of Justice	21,287,400,000	1,500,000,000	22,787,400,000
2051	Judicial Service Commission	902,900,000	-	902,900,000
	0619000 General Administration, Planning and Support Services	902,900,000	-	902,900,000
	Sub-Total: Judiciary	22,190,300,000	1,500,000,000	23,690,300,000
2041	Parliamentary Service Commission	1,067,000,000	-	1,067,000,000
	0765000 General Administration, Planning and Support Services	1,027,000,000	-	1,027,000,000
	0766000 Human Resource Management and Development	40,000,000	-	40,000,000
2042	National Assembly	26,228,000,000	-	26,228,000,000
	0721000 National Legislation, Representation and Oversight	26,228,000,000	-	26,228,000,000
2043	Parliamentary Joint Services	6,465,000,000	2,065,000,000	8,530,000,000
	0723000 General Administration, Planning and Support Services	6,247,811,050	2,065,000,000	8,312,811,050
	0746000 Legislative Training Research & Knowledge Management	217,188,950	-	217,188,950
2044	Senate	7,798,000,000	-	7,798,000,000

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	0767000 Senate Legislation and Oversight	3,236,650,000	-	3,236,650,000
	0768000 Senate Representation, Liaison and Intergovernmental Relations	2,108,199,100	-	2,108,199,100
	0769000 General Administration, Planning and Support Services	2,453,150,900	-	2,453,150,900
	Sub-Total: Parliament	41,558,000,000	2,065,000,000	43,623,000,000
	Grand Total	1,675,788,400,000	880,175,200,000	2,555,963,600,000

SECOND SCHEDULE

POLICY RESOLUTIONS RELATING TO THE BUDGET POLICY STATEMENT FOR THE FY 2024/25 AND THE MEDIUM TERM

General Recommendations

1. THAT, given the need to link the Bottom-up Economic Transformation Agenda to the Vision 2030, the Cabinet Secretary for National Treasury and Economic Planning submits the Fourth Medium Term Plan of the Vision 2030 to the National Assembly before submission of the Budget Estimates for FY 2024/25.
2. THAT, given the huge variance between planned and actual cost of Government policies, the Cabinet Secretary for National Treasury and Economic Planning prepares guidelines for proper costing of Government policies, programmes and projects to minimize discrepancies between the planned and actual resource requirements before preparation of the 2025 BPS.
3. THAT, in view of delayed compensation for land acquired from individuals by the Government for various projects, the Cabinet Secretary for National Treasury and Economic Planning prioritizes payments for land compensation in the FY 2024/25 estimates before they are submitted to the National Assembly. Going forward, no Government project should commence before the owners of such land are compensated.
4. THAT, cognizant of the role that affordable housing can play in stimulating demand for local production, the Cabinet Secretary for Housing, Urban Planning and Public Works provides to the National Assembly the guidelines on use of locally made materials in development of affordable houses to spur the economy and create the intended job opportunities before submission of the Budget Estimates for FY 2024/25.

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5. THAT, cognizant of the need to improve the ease of doing business, the Cabinet Secretary for Industry, Trade and Investments develops a framework for the establishment of a one-stop shop for all required certifications targeting manufacturers and exporters in the lines of the Huduma Centre model by 30th June 2024.
6. THAT, in view of the challenges that smallholder farmers encounter in accessing subsidized farm inputs due to the distance from collection centres, the Cabinet Secretary for Agriculture and Livestock develops a framework for last mile delivery of subsidized fertilizer, seeds and seedlings to farmers across the country in partnership with the county governments before the finalization of the Budget Estimates for FY 2024/25.
7. THAT, given the funding challenges facing the Department of Immigration and Citizen Services on issuance of documents such as passports, identity cards, birth and death certificates, before the finalization of the Annual Estimates for FY 2024/25, the Cabinet Secretary for National Treasury and Economic Planning enhances the Appropriations-in-Aid for the Department by increasing the current allocation to 20 per cent of all the revenues it generates to the Exchequer through issuance of documents (an equivalent of Ksh3.980 billion in the FY 2024/25 Revenue estimates).
8. THAT, to improve the gender responsiveness of Government policies, before the finalization of the 2025 Budget Policy Statement, the Cabinet Secretary for National Treasury and Economic Planning incorporates a section on the gender responsiveness of the various policy proposals in line with international best practices.
9. THAT, cognizant of the duplication of functions between the national and county levels of government and the need to identify, cost and transfer such functions, the Inter-governmental Relations Technical Committee (IGRTC) gazettes those functions and submits a report to the National Assembly on the same by 30th April 2024.
10. THAT, given that the East Africa Customs Management Act, 2004 allows the Council of Ministers to review the regional customs tariffs, and that those changes have not been subjected to public participation, the Cabinet Secretary for National Treasury and Economic Planning ensures that any such reviews are subjected to public participation and submitted to the National Assembly before they are formally ratified.
11. THAT, given the delays in approval of the County Government Additional Allocations Bill and subsequent interruption in implementation of those programmes, the Cabinet Secretary for National Treasury and Economic Planning ensures that there are no requests for mid-year revisions in compliance with the provisions of section 191(1) of the Public Finance Management Act, 2012.

Social Protection, Culture and Recreation Sector

12. THAT, by 30th June 2024, the Principal Secretary in the State Department for Sports in conjunction with Sports Kenya, submits to the National Assembly clear resource requirements and funding options for each stadium and training grounds earmarked for upgrading and construction in preparation of the African Nations Championships (CHAN) 2024 and Africa Cup of Nations (AFCON) 2027.
13. THAT, by 30th June 2024, the Cabinet Secretary for Gender, Culture, the Arts and Heritage develops the framework for coordinating the distribution of sanitary towels between the State Department for Gender and Affirmative Action and offices of the 47 County Women Representatives.
14. THAT, by 30th June 2024, the Cabinet Secretary for Youth Affairs, Creative Economy and Sports submits a report to the National Assembly on the roadmap for the Talanta Hela Programme, institutions implementing the programme, expected outputs, talent identification, nurturing and marketing from the grassroots.

National Security Sector

15. THAT, in the 2025 BPS, the Ministry of Defence considers the leasing of equipment and systems it uses since rapid changes in technology make leasing more affordable than purchasing. That way, the Ministry will avoid the risk of sinking huge budgets into equipment and systems that become obsolete before the end of their useful period.

Public Administration and International Relations Sector

16. THAT, by 30th April 2024, the Cabinet Secretary for National Treasury and Economic Planning submits a detailed report on Public-Private Partnership (PPP) projects to the National Assembly. This report should address the shortcomings identified in the 2024 BPS by providing comprehensive information on the nature, scope and status of individual PPP initiatives.
17. THAT, before the finalization of the FY 2024/25 budget estimates, the Cabinet Secretary for National Treasury and Economic Planning transfers the resources previously being utilized by the Government Delivery Services from the Office of the Prime Cabinet Secretary, Vote 1013, to the State Department for Performance and Delivery Management where the service is currently domiciled.

General Economic and Commercial Affairs Sector

18. THAT, the Cabinet Secretary for Co-operatives and Micro, Small and Medium Enterprises (MSMEs) development reviews the implementation of the various funds under the Ministry, and submits proposals for better implementation of the funds with an aim of enhancing efficiency and improved outcomes to the National Assembly by 30th June 2024.
19. THAT, by 30th December 2024, the Cabinet Secretary for Tourism and Wildlife submits revised Tourism Promotion Fund Regulations that are aimed at ensuring that 80% of the Fund is geared towards funding of core tourism activities and 20% towards tourism promotion and marketing to the National Assembly.
20. THAT, by 30th April 2024, the Principal Secretary for the State Department for Wildlife presents to the National Assembly a comprehensive report on the compensation for human-wildlife conflict victims. This report should clearly indicate payments done, pending verified claims and those that are awaiting verification.
21. THAT, before the finalization of the Estimates for FY 2024/25, the Nairobi Rivers Commission submits to the National Assembly an action plan with clear timelines for the rehabilitation of the Nairobi River and management plans for the Nairobi rivers ecosystem.

Agriculture, Rural and Urban Development Sector

22. THAT, in the 2025 BPS, the Cabinet Secretary for Agriculture and Livestock Development engages the Cabinet Secretary for National Treasury and Economic Planning and the Cabinet at large to ensure that there is progressive addition of resources to the agriculture sector to enhance funding of prioritized value chains as well as achievement of the Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods.
23. THAT, before submission of the Annual Estimates for FY 2024/25, the Principal Secretary for the State Department for Lands and Physical Planning ensures that the

areas to be digitized should go hand in hand with the areas the State Department intends to undertake geo-reference to lower the cost and ensure the process is seamless.

24. THAT, before the submission of the 2025 BPS, the Cabinet Secretary for National Treasury and Economic Planning authorizes the National Land Commission to be a collector of revenue for the national Government as per section 76(1) of the Public Finance Management Act, 2012 to enhance A-in-A collections in the sector.

Environment Protection Water and Natural Resources Sector

25. THAT, by 30th June 2024, the Cabinet Secretary for Environment, Forestry and Mining rolls out the formalization of the Artisanal and Small-Scale Mining programme that aims to expedite promotion of mineral-based cottage industries in all counties with viable mineral deposits.
26. THAT, by 30th December 2024, the Principal Secretary for the State Department for Irrigation reviews the structure of the irrigation sub-sector so as to address the current overlap in mandates of the National Irrigation Authority (NIA), National Water Harvesting and Storage Authority (NWHSA) and the State Department Headquarters. Currently, there are overlaps in the projects that are being implemented by the three entities, thus raising concerns on whether the Government is getting value for money.
27. THAT, by 30th June 2024, the Principal Secretary for Irrigation develops a framework to provide technical support to the County Irrigation Development Units and the Irrigation Water User Associations. Currently, they have weak administrative capacity to manage the irrigation projects, leading to sustainability challenges for those projects once they are handed over to county governments and the community.

Energy, Infrastructure and ICT Sector

28. THAT, by 30th June 2024, the Cabinet Secretary for ICT and Digital Economy submits to the National Assembly a roadmap on consolidation of the various youth empowerment programmes including Jitume Programme, Ajira Digital Programme, Presidential Digital Talent Programme and Village Digital Hubs/Constituency Innovation Hubs and the Digital Literacy Programme.
29. THAT, by 30th June 2024, the Principal Secretary for the State Department for Broadcasting submits to the National Assembly, a draft policy on decentralization of Government advertising services with an aim to addressing the problems associated with the current centralized system, key among them being the accumulation of pending bills due to failure by the Ministries, Departments and Agencies to settle advertisement costs that are incurred by the Government Advertising Agency.
30. THAT, by 30th June, 2024, the Cabinet Secretary for Housing, Urban Development and Public Works provides a roadmap for the construction of Alternative Building and Construction Technology Centres in each constituency in the medium term, and also establishes a public portal providing information on local engagement in construction, to support the building and construction value chain.
31. THAT, by 30th June 2024, the Cabinet Secretary for Energy and Petroleum, in conjunction with Rural Electrification and Renewable Energy Corporation (REREC), submits to the National Assembly a report detailing the scope, works in progress, and pending works, including amounts accrued as well as pending bills for last mile connectivity, given that the financing agreements will lapse on 30th December 2024.

Governance Justice Law and Order Sector

32. THAT, before the finalization of the 2025 BPS, the Principal Secretary for the State Department for Correctional Services develops proposals for public private partnerships in order to modernize the prison industries and improve their outputs, including development of the huge tracts of land at its disposal through mechanization to generate adequate food to complement the exchequer receipts.
33. THAT, the Independent Electoral and Boundaries Commission, in close collaboration with the National Treasury, undertakes a thorough scrutiny and audit of all the pending bills, particularly the bills owed to suppliers, with a view to settling the eligible pending bills.

Education Sector

34. THAT, before the finalization of estimates for the FY 2024/25, and in line with the Presidential Working Party Report on Education Reforms, the Cabinet Secretary for National Treasury and Economic Planning transfers the Low-Cost Boarding Schools (LCBS) function and the attendant budgetary provisions to the National Council for Nomadic Education in Kenya (NACONEK), which is best suited to implement the programme. This will ensure that the LCBSs are given adequate attention to address education disparities and oversee interventions that will enhance access, retention, transition and completion rates in ASAL areas.
35. THAT, before the finalization of the Annual Estimates for the FY 2024-25, the Principal Secretary for the State Department for TVET Education completes and fully operationalizes the TVET Education Management Information System (TEMIS) to create a pool of accurate, verifiable and credible data of TVET learners and institutions in order to promote accountability and improve the management of disbursements for capitation and scholarships funds.
36. THAT, before the finalization of the Annual Estimates for FY 2024/25, the Principal Secretary in the State Department for Basic Education and the NGCDF Board, through the inter-ministerial technical committee established, develops collaborative guidelines to support and guide infrastructure funds disbursements for junior secondary schools.
37. THAT, beginning the FY 2024/25 and within the existing budgetary allocation, the State Department for Basic Education ensures that all learners in the public Special Needs Education (SNE) schools are covered under the school feeding programme.

Health Sector

38. THAT, before the finalization of the budget estimates for the FY 2024/25, the Principal Secretary for the State Department for Medical Services transfers the National Cancer Control Programme from the Ministry to the National Cancer Institute to enhance the coordination of cancer related services in the country.
39. THAT, by 30th April 2024, the Principal Secretary for the State Department for Public Health and Professional Standards provides a progress report to the National Assembly on the operationalization of the 21 completed Kenya Medical Training Colleges (KMTCs).

Hon. Speaker, I want to allocate myself some role to request that, if possible, we can move together with my colleagues because they have some far-reaching issues that we are going to talk about as I bring forth this Motion.

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I say so because I know there are some policy issues that we have been able to put in place that have got far-reaching implications to what we do here in the House and especially, as we serve the people of Kenya and, if possible, we can move together.

First of all, I take this opportunity to thank you for according our Committee the right environment to work in the last two weeks to come up with this Report that we are debating today. I wish to thank all members of the 20 departmental committees led by their chairpersons. I can see a majority of them are here today, including Hon. Murugara, Hon. KJ, Hon. Kangogo and Hon. Mutunga, representing all the others. They have been sitting long hours for the last two weeks to make the recommendations that they did. I could have mentioned them by name because they are all my friends, but time is limited. I want them to feel appreciated. The Budget and Appropriations Committee (BAC) would never have done this within that short time without the kind of co-operation that we got from the chairpersons of departmental committees and their members.

I also wish to thank members of the BAC, a majority of whom took leave from their homes for the last two weeks. They have been working day and night so that we can deliver to our country the right Budget Policy Statement (BPS), especially by setting ceilings that will lead to accelerated economic growth. I thank the Parliamentary Budget Office led by Dr. Masinde, which falls under you, Hon. Speaker, as our Head here in Parliament, for being very meticulous.

We were here last year and made the same kind of report. It is important that I apprise my colleagues on the leaps we have taken forward. In the last financial year, we made the main Budget which we later revised. All the good policies that are made in this House are made by these Members of Parliament. As the Budget and Appropriations Committee, our work is basically to compile a report. The power is in this House. Through the wisdom of our colleagues, the country's GDP grew by 5.5 per cent in the first quarter of 2023. In the second quarter of 2023, it grew by 5.5 per cent, and in the third quarter by 5.9 per cent GDP. We are still compiling the figures for the entire year, but it is projected that the country's GDP in 2023 grew by 5.6 per cent, which makes Kenya the 28th fastest-growing economy in the world. In 2023, the economy of Kenya grew faster than the economy of China. The Kenyan economy grew by many multiples in 2023 compared to the economy of the United States of America. The Kenyan economy grew not just by our standards as released by the Kenya National Bureau of Statistics (KNBS), but also by the data released by international organisations and Bretton Woods organisations including IMF and World Bank.

Therefore, I thank this House for the good policies that we have put in place leading to accelerated economic growth. As you know, I do not have the capacity to generate data. My work is just to lift and report. The data I am reporting is the data presented to us even by international organisations. There are other parameters which we use to determine where the economy is headed. One, as I have said, is GDP. The other parameter that is very important for us to note is our markets. There is the commodity market, the exchange rate market, and the money market. All those are determined by the fiscal policies that we put in place alongside the monetary policies.

I can report to this House that in the money markets, we have seen increased interest rates. It is a tool we have been using as a country to control the other markets, namely, the exchange rate and the commodities markets. In the commodities market, we measure the trends of the prices using what we call inflation. In regards to inflation, we segment it into three categories: food inflation, fuel inflation and non-fuel or core inflation. In total, in January, inflation in Kenya came down from year to year to 6.9 per cent. In February, inflation climbed down to 6.3 per cent, which is within our targets as a country. Our target as a country is 5 per cent and a band of 2.5 per cent either way, that is, plus or minus. Therefore, at 6.3 per cent, we are doing fairly well.

Looking forward, and driven by food inflation, we can see our inflation going lower and lower, especially on the lower band which is below 5 per cent. In the same breath, we have seen quite significant improvements in our exchange rate market. At some point, we could see other currencies rallying against our local currency. Recently, out of the meticulous policies of this House and the right Government instruments, especially by the Central Bank of Kenya (CBK), we have been able to see our domestic currency gradually becoming stronger.

Some of the issues that I have talked about are far-reaching, but very important. There is something that we are doing on each. As we grow primary production, which is the bullwork of our economy, it behoves all of us to have the right policies that accelerate secondary and tertiary production. In terms of primary production in this BPS, we have allocated significant ceilings for the purchase of farm inputs such as subsidised fertiliser and seeds, both for cash crops and food crops. We have input ceilings for the purchase of BT cotton, which is also a cash crop in Kenya, and for other issues that I will be talking about as I conclude.

In regards to inflation, what we have major control over is food and core inflation. Fuel inflation, to a large extent, is determined by exogenous variables that are beyond our control. In terms of food inflation, as I said earlier, there are policies in this BPS to ensure that we continue to boost the production of food to balance between demand and supply as farmers strive to feed the country. Core inflation is part of the reason we have been seeing an escalation of interest rates. As I moved a similar report last year, the world was looking gloomy and dark because when the USA coughs, as Members know, the majority of other economies catch a cold. By that time, the USA was coughing through something called inflation. For them to contain inflation, they had to continually raise their basis points and the Fed rate from zero to 0.25 per cent to the current which is around 5.2 per cent. The USA had to raise their Fed rate 11 consecutive times. That, of course, had ramifications at home because, as they tried to contain their inflation, they caused an imbalance in the exchange rate market. This is because their currency is the dominant and solid currency that the world uses to transact.

To apprise Members, we have seen CBK raising the base rate, especially in the recent past, up to the current 13 per cent. This has been to control what we call net capital inflows. When we say the currency is weakening domestically, it happens when there is a lot of demand for external currencies. To balance that, we have to do things that bring about other currencies into Kenya so that we have more supply of them to be able to strengthen ours. In that regard, CBK had to raise interest rates to contain inflation but, more importantly, to make Kenya desirable as an investment destination, especially in regard to capital inflows.

The exchange rate is determined by the balance of payment which has two components. There is the import and export components, which give us net exports. On the other side, there is a plus of capital inflow minus capital outflow which then gives us net capital inflows. Import and export components are handled through fiscal policies. That is what we have been doing by raising our exports and also by creating an enabling environment for import substitution. On the other side, the capital account is managed through monetary policies. That is why CBK has been doing the needful to stabilise our currency. And we have already seen the fruits of that.

In the Budget that we will present later in the year, we have set ceilings in Kenya shillings. On this, I will talk slowly, if you permit me. We have set a Budget of Ksh4.188 trillion. On the revenue side, our number one revenue stream is ordinary revenue. We have set our ordinary revenue target at Ksh2.94 trillion. After that, we have what we call Appropriations-in-Aid (A-in-A). That is the money that Government institutions receive when they offer services to the Kenyan people, such as paying university fees in a public institution. That is the money that the Government institutions are given authority to spend at source. We have set A-in-A at Ksh486 billion. The other revenue stream is grants. We are expecting grants

of Ksh49 billion. If we add the math, then we will see that, out of what I have enumerated, there is a deficit of Ksh703.87 billion. I hope we are together, Hon. Members.

We have categorised the expenditure side into three thematic areas. Number one is the national Government expenditure for which we have set a ceiling of Ksh2.557 trillion. The national Government incorporates the Executive, the Judiciary and Parliament. I see my time is almost up and so, let me go to specifics. I thought I had 30 minutes.

Hon. Speaker: You have 30 seconds.

(Laughter)

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Speaker, I had been misinformed. I, therefore, beg for your indulgence. Kindly allow me five more minutes so that I can go to the areas that touch on the real issues. I thought I had 30 minutes.

Hon. Speaker: Hon. Members, as I indulge the Chairperson with an additional five minutes, remember that you passed a Motion that for a debate of this nature, the Secunder and all Members who contribute are entitled to only five minutes each.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Speaker. I will go to the specifics. There are very many important things that we have been able to do. I will speak very fast.

Due to security threats, we have enhanced the budget ceilings of the majority of our security organs because we cannot talk about economic growth if we have security challenges. We have allocated Ksh67 billion to water. We have allocated Ksh220 billion to roads, especially to the completion of ongoing tarmac roads.

On agriculture, we have allocated funds for fertiliser subsidies for all crops. The fertilisers are crop-specific. We have allocated funds for other farm inputs like BT cotton, sunflower seeds, and all other value chains that we are targeting. We have also established a ceiling of Ksh2 billion for the Coffee Cherry Advance Revolving Fund to guarantee coffee farmers prices through guaranteed minimum returns. We are also allocating Ksh1 billion to sugar reforms to pay the arrears of Kenyan farmers who are owed by factories.

We have enhanced our health sector budget to Ksh151 billion, of which we are giving Ksh4 billion as conditional grants to our counties to upgrade the equipment in our Level 1, 2 and 3 hospitals in our villages.

This is where I need to capture the Members' attention. Members of Parliament come to my office many times, and I am always happy to benefit from their wisdom. I am talking about the collective wisdom of this House. I also want to laud the President because he used to be a Member of Parliament and a majority of the things that I will read are his brainchild.

First, we have allocated Ksh35 billion to social security so that we can facilitate those who are aged 70 years and above, and who were registered last year, to continue or to start receiving their stipend.

We have enhanced the education budget, specifically the budget of the Teachers Service Commission (TSC) by Ksh26.3 billion. As a result of the resolutions of this House, all our 26,000 Junior Secondary School (JSS) interns will be confirmed to permanent and pensionable terms. The Government will also hire an extra 20,000 interns to bridge the gap in our learning institutions.

For the independence of this House and to accelerate its efficient legislative role, we have enhanced Parliament's budget by Ksh2.8 billion. As Members may know, many people out there think that the legislature only refers to Members of Parliament, but we also have staff and other apparatus. Kenyans who work in our constituency offices do not have an enhanced budget. Thanks to this Budget Policy Statement (BPS), constituency offices will get an enhancement of Ksh131,000 per month by July. The same goes for drivers and bodyguards.

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It is good to note that Ksh10 billion had been re-allocated to shareable revenue in our counties. I can gladly report to this House that, that money is now back and will be overseen by Members of Parliament through the Constituency Roads Committees.

We have enhanced the National Government Constituencies Development Fund (NG-CDF) by an extra Ksh8.8 billion, an average of Ksh30 million per constituency, so that we can accelerate rural development.

Lastly, listen to this, Hon. Members. Out of the guidance of His Excellency the President Dr. William Ruto...

(Loud consultations)

Hon. Speaker: Order!

Hon. Ndindi Nyoro (Kiharu, UDA): I am coming to the National Government Affirmative Action Fund (NG-AAF).

Hon. Speaker: Order, Hon. Members!

Hon. Ndindi Nyoro (Kiharu, UDA): I am coming there. Hon. Speaker, this is the most important point that I want to make. Members have been coming to my office requesting for money for rural electrification. We had a conversation with the President and we have agreed that the Rural Electrification and Renewable Energy Corporation (REREC) will get an extra Ksh12 billion in this BPS.

Hon. Speaker: Give him another two minutes.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Speaker, I want to make this last point so that...

Hon. Speaker: Wind up in two minutes. I have given you an additional two minutes.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Speaker, this is my last point. I have talked about enhancement of the NG-CDF by Ksh8.8 billion. We are having a conversation with the President and by the time we table the Estimates, even the NG-AAF will be enhanced.

Lastly, when Members come to my office, a majority of them usually request for an enhancement of the rural electrification programme. We have enhanced the ceiling of REREC by Ksh12 billion. The REREC already had a budget of Ksh9 billion. From that total, Ksh14.5 billion will be equally divided among all the 290 constituencies because the President is very clear-minded that the programmes that are overseen by Members of Parliament are the ones that get done.

I beg to move.

(Applause)

Hon. Speaker: Who is seconding?

(Loud consultations)

Order! Who is seconding?

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Speaker. Our Departmental Committees do a lot of work in Parliament. I request one of the Chairpersons of the Departmental Committees, Hon. KJ, to second this Motion.

(Loud consultations)

Order!

Hon. John Kiarie (Dagoretti South, UDA): Thank you, Hon. Speaker. As I second, I want to take this very early opportunity ...

(Loud consultations)

Hon. Speaker: Order, Hon. Members. Order, Hon. Kemei. It is out of order to picket in the House. Go on, Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): Thank you for the protection, Hon. Speaker. As I second, I want to take this very early opportunity to congratulate the very esteemed Budget and Appropriations Committee for burning the midnight oil to deliver the BPS Report on time. I also take this opportunity to congratulate the very able Chairperson of the Committee, the Member for Kiharu Constituency, Hon. Ndindi Nyoro. As committees were going through the BPS, they were...

(Loud consultations)

Hon. Speaker: Order, Hon. Members. Order, Hon. David Kiplagat. You can wait and congratulate your colleague out there in the garden. Do not disrupt the business of the House. Go on, Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): We made very serious observations as we went through the BPS. One key issue that we noted is the fact that even if we agreed on paper that we are working on a zero-based budget regime, we noted that we are still budget using traditional and historical allocations to the extent that some sectors, which are traditionally not very big, end up suffering. This happens at the expense of dominant sectors such as the infrastructure-heavy and capital-intensive sectors like roads, education and health.

However, the big take-home from this BPS is the fact that this House has finally found its footing in the budget-making process, and that we are taking the very serious business of budgeting back to where it belongs, which is the Floor of this House. Over the years, some people have attempted to overtake or usurp the responsibility of budgeting to themselves. The culprits are known. The infamous Treasury mandarins have been known to interrupt the budgeting process. This year, and with the process that we have undertaken, we have truly taken our place as the budgeting House.

With a Ksh4.1 trillion Budget that we are funding to the tune of Ksh2.9 trillion from regular revenues, it means that we are a country that is serious about living within its means. As Parliament, we are not trying to budget like some counties. They over-project revenues, some of which are not even achievable. They then end up underscoring the performance targets of the budget.

Because the excitement is high, these Members have seen the money that they have put in for their electricity, schools, women and youth in their constituencies. I will not take any more time to dilute the excitement, other than to congratulate the very able Member of Parliament for Kiharu Constituency, Hon. Samson Ndindi Nyoro, and his hardworking Budget and Appropriations Committee.

I second.

(Hon. Musa Sirma walked into the Chamber)

Hon. Speaker: Order, Hon. Sirma. Take the nearest seat.

(Question proposed)

Hon. Speaker: Hon. Joseph Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Speaker. I have a reason to smile and say that the Budget Policy Statement (BPS) Report has met the expectations of Kenyans. I congratulate the Chairman of the Budget and Appropriations Committee.

Being a student of double mathematics, I can tell that each constituency will take Ksh50 million, if you divide the Ksh14.5 billion that is meant for rural electrification by 290 constituencies.

(Applause)

This will change the percentage of power distribution in our country, if this continues for the next three to four years. It is only necessary that the Rural Electrification and Renewable Energy Corporation (REREC) can now put money that will equate constituencies because not all constituencies have the same distribution network of power. It means that there is an equitable share of Ksh14.5 billion. We can add other monies to support constituencies with challenges equally. This will enable us to bring up Kenya equitably, in all directions, and ensure the people enjoy power.

The other important thing is what we were debating in the morning. The Chairman of the Budget and Appropriations Committee has raised a substantial issue that will bring development to Kenya. It is the promotion of cotton growing in parts of Kenya. It will also allow us to create employment in the value chain of the cotton industry. That is the plan of the Kenya Kwanza Government. If we encourage the growing of cotton throughout the Republic, we shall have fabrics made in Kenya. We will put on what is made in Kenya.

The other important part the Chairman has raised is bringing back about Ksh10 billion to the Kenya Rural Roads Authority (KeRRA). This will go to our constituencies. Governors have encroached on this money for some time. This will change the road network in our country. The roads that are visible in Kenya today are the ones that are done by KeRRA; not county governments. Bringing back Ksh10 billion makes sense to this House and it will cause the development of the road network in our constituencies.

Confirmation of interns without going through further interviews is changing the lives of about 56,000 teachers. An additional 20,000 teachers are to be employed. Those people meet learners every day. They are in the villages. The money that will be paid to those teachers will go to our communities. Creating employment for 20,000 people means that we are changing the lives of Kenyans.

Reduction of the fiscal deficit to Ksh703 billion is the way to go. We should continue to reduce it so that the country does not continue having a huge public debt. The Budget Policy Statement (BPS) gives us an opportunity, as Parliament, to approve a budget that will distribute resources throughout the Republic of Kenya in the fairest manner. Some of the programmes the Chairman has highlighted are pro-poor people. That is why we want to bring up the rural economies. When we develop rural economies through production, we will get more revenue into our economy and this country will grow economically.

Hon. Speaker, such programmes include giving money for the modernisation of police equipment so that we can have an effective and efficient security system that will be able to stem out the spread of criminal networks in Kenya. As a result, we will have a country that is free from gangsters and bandits who terrorise innocent citizens and grow our economy.

I support. The Chairman of the Budget and Appropriations Committee is equal to the task and needs further promotion.

(Laughter)

Hon. Speaker: Hon. Christopher Aseka.

Hon. Christopher Wangaya (Khwisero, ODM): Thank you, Hon. Speaker. I also rise to support the Report on the 2024 BPS. It is written in accordance with Section 25(2) of the Public Finance and Management (PFM) Act 2012. It lays Government priorities and strategies and it also sets expenditure ceilings per vote-head.

The National Treasury has done well to ensure that the deficit of the 2024/2025 Budget is reduced from Ksh886 billion to Ksh703 billion. As we laud the National Treasury in this endeavour, we should also ask ourselves if the over-projection of revenue collection by the National Treasury will hinder the implementation of this Budget. If the National Treasury does not collect the Ksh2.5 trillion in ordinary revenue, it means the deficit in this Budget will increase. It also means that some programmes and projects within the Budget will be affected.

On a good side, Hon. Speaker, I also want to laud this BPS. As the Chairman of the Budget and Appropriations Committee has put it, ensuring equity and equality within the nation is the way to go. We should laud the allocation of equal amount of money to all parts of the country to ensure that all areas within the Republic of Kenya are connected to the power grid.

Having money in this Budget to ensure that our interns, who we employed two or three years ago, are employed on a permanent and pensionable basis should also be lauded. Allocating more money to Parliament to enhance capacity building for Members of Parliament and ensure that there is money for the Senate oversight and ensure that Parliament does not get undermined by the Executive is also another way to go.

We must also ensure that the Budget is credible and implementable. The National Treasury has not come out clearly in this BPS, on how it is going to manage the pending bills.

Hon. Speaker, I support the Report on the 2024 BPS. Thank you.

Hon. Speaker: Thank you, Hon. Aseka. Hon. Geoffrey Mwangi, Member for Tetu Constituency.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Speaker. I also rise to applaud the Chairman of the Budget and Appropriations Committee for a well-thought-out Report on the 2024 BPS.

At the outset, I must admit that this Budget is quite pro-poor. It touches on the most important aspects and the most pressing needs of the lives of our people. This is very much in line with the Kenya Kwanza Government's Bottom-Up Economic Transformation Agenda. I would like to point out a few things that have caught my attention. One of them is the need to complete the ongoing projects, especially roads. In my Constituency of Tetu, we have a number of roads that have stalled. So, the additional money that has been provided is going to become very useful for that purpose.

It is also very important that we deal with pending bills. It is important to note that they have now become the third most important source of Government financing. Ideally, they should not because we should not be waiting for Small and Mid-size Enterprises (SMEs) to provide services to Government, but wait for many years to be paid. It is, therefore, important that we set aside money for them.

Putting more money to farming through subsidised fertiliser, subsidised seeds and seedlings is a welcome move. Part of the reason why inflation reduced to 6.3 per cent in the month of February is because of the good harvest we got in the last two seasons. With the rains setting in early, it is important that we fast-track taking subsidised fertiliser to our farmers so that they can be on time for planting.

The hiring of 20,000 interns, and especially the confirmation of the ones who are already interns, will come as a big relief. As Members of Parliament, we were already under a lot of pressure from the interns on whether they were going to be relieved of their duties or confirmed at the end of their term. The move to ensure 100 per cent of them will be absorbed on permanent and pensionable basis comes as an extra relief.

The extra Ksh30 million going to the National Government Constituency Development Fund (NG-CDF), Ksh50 million going to Rural Electrification and Renewable Energy Corporation (REREC) and Ksh10 billion going to Kenya Rural Roads Authority (KERRA), all targeted to every constituency, is going to give a much-needed boost. Just like my colleagues have said, the work that is done at the constituency level is visible. While we cannot speak about the work that is done at county level and other places, it is easy to identify a classroom or a road that has been done. It is easy to parade students who go to school courtesy of the NG-CDF bursary programme.

But Hon. Speaker, we have a challenge. It is one thing to allocate money and it is another to ensure that the money is managed prudently. We urge and implore the people concerned, especially in the Executive and the accounting officers for the various departments that are going to be receiving that money, to ensure that it is used prudently. For a developing country like Kenya, we cannot afford to waste even a single shilling. Our development is pegged on how well we can utilise our resources efficiently. Otherwise, we will continue to compare ourselves with Singapore and Korea for very many years when the difference between them and us is how well we utilise the resources at our disposal.

I support the Report on the 2024 BPS. I also congratulate the Chairman of the Budget and Appropriations Committee.

Hon. Speaker, though belatedly, allow me to welcome students of Kiriti Secondary School who are seated in the Gallery. It is one of the schools that performs very well from my constituency. Together with other schools that are here, I warmly welcome them to the House of Parliament.

Hon. Speaker: Thank you, Geoffrey. Hon. Edith.

Hon. Edith Nyenze (Kitui West, WDM): Thank you, Hon. Speaker.

I take this opportunity to support the Report on the 2024 BPS from the Chairman of the Budget and Appropriations Committee. I also congratulate the Committee and the departmental committees for the good work that they have done.

I particularly support the employment of teachers who are interns. They have been having problems trying to find out from their Members of Parliament on how they can be employed on permanent and pensionable terms. With a budget set aside for that, they will now be absorbed.

Hon. Speaker, I also congratulate the Kenya Kwanza Government for the countrywide electrification plan. This is very important to Members because we have challenges with electricity connectivity in our constituencies. Currently, technology has improved and everyone requires electricity. Therefore, it is very important that we power the whole country. So, we welcome the plan.

I would like to caution that funds should be used in the right way. Where possible, we should also talk about the plans in place to ensure that the pending bills are paid. We also need clear guidelines on how the money will be used for the intended purposes. That will help reduce the taxes that Kenyans pay and ensure that the money is used in the right way.

Hon. Speaker, with those remarks, I support the Motion. Thank you.

Hon. Speaker: Thank you, Hon. Edith. Hon. Njeri Maina.

Hon. Njeri Maina (Kirinyaga County, UDA): Thank you, Hon. Speaker. I rise to support the Chairman of the Budget and Appropriations Committee. I also congratulate him for a well-detailed report elaboration on the Floor of the august House.

As a member of the Departmental Committee on Justice and Legal Affairs, I urge this House, as we undertake the budget-making process, to ensure that we cater for and increase the allocation to the Judiciary. Article 48 of the Constitution of Kenya, 2010, stipulates that the State must facilitate equal and expeditious access to justice in Kenya. It is quite unfortunate that due to funding constraints, there is a backlog of cases in the Judiciary. We keep going back

and forth on this matter. We do not have enough magistrates, support staff and Court of Appeal judges. The entire justice sector needs adequate funding so that it can fully implement the spirit of the Constitution of Kenya, 2010.

It is also quite unfortunate to note that the County Women Representatives have no increase whatsoever and yet, I have seen an increment for single member constituencies. County Women Representatives work with a budget of Ksh9 million per constituency. It includes administration and emergency funds for the Board. We are also supposed to undertake programmes that cater for women, persons with disabilities and a large section of our youth. Honestly speaking, it is very unfortunate. This House must collectively support County Women Representatives, so that they can execute their mandate as per the Constitution, 2010. I know we have many *HeForShe* here because the male Members of this House support County Women Representatives. They supported us when we were angling for sanitary towels for our girls. I kindly and humbly request them to also support us, when it comes to budget allocation. This will help us execute our mandate and represent the women, people living with disabilities and the youth.

(Applause)

As I wind up, I note that it is very important to ensure that our fiscal policy mirrors our financial constraints. We must also ensure that the increased allocation to counties is felt in all the devolved functions - healthcare, agriculture and county roads. As we focus on entrenching the ward fund in the budget, we must have this discussion. I have said, time and again, that Kenyans do not have an issue with paying taxes. They want to feel and see their taxes working for them. They want working healthcare services, infrastructure in terms of roads, schools and an efficient justice system. We need to ensure that we cater for our people in all the other aspects of Government.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Njeri. Hon. Andrew Okuome.

Hon. Adipo Okuome (Karachuonyo, ODM): Thank you, Hon. Speaker, for giving me this opportunity to contribute. I support the BPS, as I wait for the final budget that will be read in future. One thing I appreciate in the proposal is the increment in the National Government Constituencies Development Fund (NG-CDF). It has demonstrated that it works. Its product is clearly seen by everybody. When I tell my constituents that we have increased the allocation of NG-CDF, they will be happy with me because they know they will benefit.

I also want the allocation to counties to be increased because they are also doing a good job. I do not support this BPS 100 per cent because of the deficit of about Ksh703 billion. That is where the devil lies. In order to raise that deficit, I am sure we will borrow some funds. Our borrowing level is already so high. We will borrow funds that will not be paid during our term in *Bunge*. They will spread over many years to come. The future generations will face a burden that they will not know its source. We equally face very heavy taxation because of old debts that we do not know their source.

I also know that our Budget will increase from approximately Ksh3.9 trillion in the Financial Year 2023/2024 to Ksh4.188 trillion in the Financial Year 2024/2025. Ksh2.9 trillion will come from taxation. Even before we approve the Budget of the Financial Year 2024/2025, taxation is so high that it makes the cost of living almost impossible for our people. If we increase the Budget by that big margin, it means that we will tax Kenyans more. We know that this is a real concern not only for us, but also practically by all Kenyans. We should find a way of reducing it.

Our food security is also a concern. I do not think that we have increased the budget allocation to the agriculture sector to encourage farmers to do more in this sector. We need to

look into this, so that our food security can be enhanced. We need to be a nation that feeds itself. A hungry nation is a sick nation.

With those remarks, I support the Motion, but I have just stated my concerns in the BPS. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Okuome. Hon. Murumba Chikati.

Hon. John Chikati (Tongaren, FORD-K): Thank you, Hon. Speaker. I rise to support the BPS; reason being that, we have a major problem with youth unemployment. So, there is need to look at it critically. I fully support the aspect of creating something for the interns to keep them busy.

Hon. Speaker, another area we need to look into is our schools. For example, Tongaren Constituency where I come from has 52 schools with a population of 28,000 students, and a shortfall of around 50 per cent of teachers. This is a critical area, if we are to improve education in our constituencies. So, we need to enhance funding for employment of teachers in our schools.

Tongaren also faces a lot of electricity infrastructural problems. Therefore, I applaud the Committee for allocating funds for electricity connectivity in our constituencies. I also support the fact that we need to look into agriculture especially, extension services, because they will boost agricultural production in our areas.

Hon. Speaker. I beg to support. Thank you so much.

Hon. Speaker: Thank you. Hon. Mark Mwenje. Please give him the microphone. There you go.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Speaker. Let me start by congratulating the Budget and Appropriations Committee for this ambitious BPS. One thing I have noted is that, for the first time, our Government has accepted that borrowing is certainly not bad, as long as funds are put in the right place and used effectively.

Hon. Speaker, the BPS is encouraging and promising. In agriculture, I have seen that the coffee sector has been given about Ksh2 billion and there is money for sugar farmers and subsidised fertiliser. I trust that the Departmental Committee on Agriculture and Livestock will ensure a lot is done using the funds allocated.

Regarding Small Medium Enterprises (SMEs), they have only mentioned the Hustler Fund. I want to remind them that there is Uwezo Fund which also makes a difference. Building of markets is a good thing and I have seen markets will be built in Central, I believe in Ol Kalou. In Nairobi, markets were built but there are no traders. This is because SMEs are poorly funded. We need to fund them to ensure that they stay in business.

I want to thank the Chairperson for his passionate delivery on the issue of Rural Electrification and Renewable Energy Corporation (REREC). As a Member from Nairobi County, I want to inform him - and I hope he is listening to me! Nairobi does not get its fair share from REREC. Let us be honest! One transformer in upcountry serves 20 people but in Nairobi, it serves 10,000 people. It is only fair that we get our share because we pay more. We are not taking money from anybody but we want our fair share. We are 17 Members of Parliament from Nairobi County and we will ensure that we get our fair share. I know this is touching some nerves. Our money is taken away from us but this time round, Nairobi must get its fair share.

Hon. Speaker, on the issue of National Government Constituencies Development Fund (NG-CDF), I want to thank the Chairperson for the increment. We all know what NG-CDF does out there. I also want to request the Chairperson, Hon. Musa Sirma, to ensure that the funds are equitably shared because some of us have issues. I have four wards and their population is no. 15 in the entire country. So, we need a fair distribution of the funds given.

Regarding Kenya Rural Roads Authority (KeRRA), I want to tell the Chairperson of the Budget and Appropriations Committee that KeRRA roads in Nairobi must be tarmacked

because our contribution is the highest. Our Gross Domestic Product (GDP) in Nairobi is 60 per cent. It is only fair that we get additional funds so we can tarmac the roads that are used by Members of Parliament in Nairobi.

As I finalise, the BPS is ambitious and so, we need to innovate ways of collecting revenue to avoid hurting Kenyans. This is possible and we do not need to increase taxes. There are other ways we can use to fund this BPS and ensure it is achieved. On the downside, in the event we are unable to fund it, in the Supplementary Budget, please, let us not take money from Parliament or development. Let it be taken from the Executive or somewhere else. Let us ensure that Parliament does not lose its money like we did in last year's Supplementary Budget.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker. I rise to support the BPS that has been issued by our Chairperson. For the first time, I have seen a budget programmed in such a way that it matches the manifesto of the ruling Government. The Kenya Kwanza Government went to the people and told them that it will come up with a reasonable budget.

I want to appreciate the money that has been given to the housing sector. As we said, housing is one of the key pillars of the Kenya Kwanza Government. It will create employment, training opportunities, technological development and ensure everyone has a good shelter. A sum of Ksh64 billion has been put in the Budget through the BPS as Appropriations-in-Aid (A-in-A) to enhance this programme.

I have noticed that health is one area the BPS has emphasised on, especially the Universal Health Care (UHC) plan by the Kenya Kwanza Government. For the first time, we have seen a tailor made budget that is meant to improve the health care standards in this country.

We have food security and manufacturing. I want to congratulate the Chairperson because, for the first time, he has aligned what the Government believes in with what Kenyans expect and what Members of Parliament have been saying throughout. So, every constituency will benefit this time around.

In the past, we have seen a lot of discrimination against some constituencies. In as much as we are also saying that every constituency will benefit, let us be careful, noting that some do not have 100 per cent electricity connectivity. I beg to differ with my friend from Nairobi who has said that one transformer in rural constituencies serves 20 people. This is an insult to them. Even if it serves 20 people, they deserve to have electricity like all other Kenyans. The budget increment for electricity will bring equality and equity. For the first time, we have seen development money being reduced in the recurrent expenditure.

I thank the Chairman for finding it necessary to curtail wanton usage of money through recurrent expenditure and siphoning that money into development expenditure. I hope the Chairman is listening to this. ICT is one concept that has not been given a lot of emphasis. It cuts across all the sectors of this country; including, health, agriculture, education, employment and others. The budget should be geared towards the improvement of technology. When it comes to the actual budget-making, we should allocate more money towards technology so that the country can benefit. Kenya has grown to know where to get the money and how to spend it. I congratulate the Committee. This is the direction to take. The Kenya Kwanza Government is focused despite the criticism and is going to deliver to Kenyans.

Thank you, Hon. Speaker.

Hon. Speaker: Next is Hon. Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker. I take this early opportunity to support the BPS document that has been presented to us by the Chairperson of the Budget and Appropriations Committee. I applaud him especially for taking into

consideration the rural electrification for the 290 constituencies, but I also have a couple of reservations that I think the Committee needs to take cognisance of. The Hon. Member who has just spoken before me has alluded that the ICT State Department has not been properly funded. The digital superhighway is as important as the road infrastructure in this country. If you are not funding that particular space sufficiently, we are not taking into consideration the fact that Kenya is currently in the Fourth Industrial Revolution while other countries are in the Fifth Industrial Revolution. If we do not take cognisance and ensure that we are at the same pace as other countries, we will suffer.

In the social protection space, the fight against Gender-Based Violence (GBV) is highly funded by donors. This is something that should worry our country because if we are not protecting our women and children adequately through funding this space, we do not have our priorities in the right space. In the gender department, there is poor coordination in the distribution of sanitary pads to the 47 counties. This is an area of concern.

In the labour space, we currently do not have enough funding for the Public Service Internship Program. Kenya is blessed to have 78 per cent of our population being youth. If we do not allocate enough money to ensure the youth are properly prepared for the job market, we are doing them a disservice.

In the Sports Department, we are set to host the African Nations Championships (CHAN) in 2024 and the Africa Cup of Nations (AFCON) in 2027. Recently, I saw the President groundbreaking a stadium that is meant to host AFCON in 2027, but I take particular concern when I note that the Committee has indicated to us that they are yet to receive any comprehensive resource requirement from that State Department. What are we prioritising?

Another matter that concerns me is that, as of 23rd February, 800,000, many Kenyans applied for passports and paid fees amounting to up to Ksh2 billion and yet, we are told that the reason why they have not received their passports is due to lack of booklets. If that particular State Department is raising so much revenue from passport applications, why is there a delay in receiving them? That does not make sense at all.

I also want to raise my concerns regarding the timelines that given to State departments to balance out the requirements by June of this year. I will be very interested that time to see whether that has happened.

As I conclude, I feel that our State departments are acting like cost centres. We are not getting a sense of how they are being innovative in raising their own source revenue. Our State departments are increasingly becoming cost centres because they depend on budget allocations. What are we doing as a country? What are the sources of own source revenue that we should look at?

Finally, I applaud the additional budget allocated for our drivers and bodyguards because this usually comes back as an expense to us. As a future Women Representative, I ask the Chairperson to ensure that...

Hon. Speaker: Your time is up. Next is Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Speaker. I rise to support the BPS which has been ably presented by the Chairperson of the Budget and Appropriations Committee. I thank his Committee profusely for the work well done. Such a policy is going to form the backbone of the budget estimates that will be brought to this House in April for consideration in May and June. This will spur the growth of our country both economically, socially and in other aspects. It is important to note the highlights he has presented to us which we are excited about. We have made pleas on behalf of our constituencies that the trainee teachers are crying that they have been trainees for too long. We are happy to hear that in the 2024/2025 budget, those trainees will be absorbed as permanent and pensionable teachers. For that, we give accolades to the Chairperson and his Committee.

We have also heard of the NG-CDF increment. The NG-CDF has enabled visible development in rural areas. With audits running 12 months a year, it is vital to channel money through NG-CDF because it is best utilised and ensures that the money is applied to what it has been budgeted for. Thank you for the increase. Members of Parliament have no role to play in NG-CDF, but we promise that the committees will take care of the money and ensure there is development.

The Rural Electrification and Renewable Energy Corporation (REREC) is important. Electricity is required everywhere in the country, not just in the urban areas. The proposal to share Ksh15 billion equally may not be equitable. Today, some constituencies are lagging behind in grid connectivity. My constituency, Tharaka Constituency, has grid connectivity of not more than 25 per cent. In 2017, it was at 9.5 and now it is at 25 percent. We are not doing well. If that is compared to Kiambu constituencies which are currently at almost 100 per cent across, it is not fair. We will be making representations to the House regarding the equitable distribution of the money that is allocated to REREC. Not equal but equitable. This will ensure those who have been left behind get more than those who are enjoying almost 100 per cent connectivity. We need electricity to grow rural constituencies. Without it, we cannot speak of rural development.

Hon. Speaker, whatever strategy we use, we cannot develop without electricity and, more so, for rural constituencies. We must be talking about water and roads. When that time comes, we shall be looking. I will particularly be quite keen to see what Tharaka will be getting from this budget to uplift its electricity, roads, water and whatever other level of development we require.

As we speak, this House has made several motions and debates in Acts on the need of a group of people in national Government administration known as area managers. Those people should now be considered in this budget because every time we pass a motion or a law, we are told there are no funds available to remunerate them. I will be calling upon the Chairperson of the Budget and Appropriations Committee to have a line for the area managers and much more in the budget estimates.

With those, Hon. Speaker, I beg to support.

Hon. Speaker: Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. I also rise to support and thank the Chairman knowing very well that, pursuant to Section 25 of the Public Financial Management (PFM) Act, we always have to receive the Budget Policy Statement (BPS). It also sets strategic priorities. When I look at it, I realise the Government has set five core pillars in agriculture inclusive of growth, Micro, Small and Medium Enterprises Development, digital superhighway, creative industry, housing and health care. When I look at how the votes have been put through, I realise that we also had the Hustler Fund and that it is benefiting the youth. But it is important for the Government to do an assessment so that we can understand whether, indeed, it is now impacting the lives, especially of people in the informal sectors.

When we talk of pending bills, which I would have wished we did... This is because the Chairman has done what he can based on what the Executive has brought in. But then, when you are trying to implement policies that can mitigate the negatives that we have, one of the negatives that we must talk about is how to deal with pending bills which, right now, many of our contractors and suppliers are even wondering about. So, as much as we want to move forward, we shall always have that animal biting us. It is within this House that we must come up with a solution that will help the Executive understand that it is time to pay Kenyans who took loans to supply to the Government. Right now, some of them are just collapsing because their properties and many other things are being taken. Yet, when we give the monies to county governments, they do not and will not pay them. So, we must come up with a framework. When

I look at the votes, I realise we have now taken health as I said. It is important for us to ensure that we increase what is needed for health, instead of decreasing it. We have also said we would want to see education enhanced. We have indeed enhanced it, but you will realise defence is taking more than education. So, it is something we have to look into.

The most important thing is the votes. We now want to see the appropriation. I thank my Chairperson for ensuring that the National Government Constituencies Development Fund (NG-CDF) has been enhanced. At the same time, we have to be very wary so that we are not blamed by Kenyans as they look at this budget and think that it is the budget of the National Assembly Members. We must create awareness that it is going to enhance Kenyans and the citizens, and not Members of the National Assembly. There is one thing I want us all to agree on, as much as we are doing this. We also need to go back and ask ourselves: ‘Yes, I know we will come and discuss, but is it important for us to rethink to remove taxes and increase Value Added Tax (VAT) for us to see Kenyans having a breather?’ We were given this opportunity by Kenyans to deal with budgets and finances. It is us to come up with a solution. Right now, as much as we are doing all these things, let us remember the excise duties that we have put in. Even in our own offices, the staff are crying because of what they are supposed to pay for the National Health Insurance Fund (NHIF), Kenya Revenue Authority (KRA) and other funds that we have increased and it is something we have to look into. As I support, it is important that we look into all the excise duties we have imposed on Kenyans, so that when we go out there, we are not hit again.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Thank you, Hon. Speaker. I hear Hon. Kangogo asking how many minutes I have. I think I only have five minutes.

Hon. Speaker: Five like everybody else.

Hon. Kimani Ichung’wah (Kikuyu, UDA): You would allow me to save my time. Let me first thank the Chairperson and Members of the Budget and Appropriations Committee and all Chairpersons and Members of the departmental committees for the amount of time they have put into the consideration of this BPS. As we all know, once we approve this BPS, it will now form the basis upon which the National Treasury or the Government will prepare the annual estimates that are to come to the House by the end of April this year, immediately after the diarized short recess. This being the basis of our budget estimates, allow me to take this opportunity to urge the National Treasury to ensure that it adheres to the recommendations of the Budget and Appropriations Committee and of this House. This is because, in the past, it became customary for the National Treasury to ignore what the House approved in terms of the BPS. Therefore, I want to urge them that this year must be different and they must check that they are there for what the House has recommended in terms of the broad policy, macro-economic policies and also financial recommendations.

We may allow the National Treasury to deviate slightly on the financial recommendations. I have heard Members speak to some of the financial recommendations, many of which I agree with, especially the increment of NG-CDF from Ksh53 billion to almost Ksh63 billion. This is money that will go directly to development projects in our constituencies and for the benefit of our people. One of the other issues I have heard many people contribute to is the question of Rural Electrification and Renewable Energy Corporation (REREC) or electrification in our areas. I had an occasion to visit Narok North Constituency two Sundays ago. When I compare the reach of electricity in Narok North to that of Dagoretti South Constituency where my friend, Hon. K.J. who seconded this Motion comes from, or even my constituency Kikuyu, we must be fair to each other in the allocation of national resources. The reach of electricity in Narok North cannot be compared to that in Kikuyu, Dagoretti or Kamukunji constituencies.

We, therefore, must not just pass this resolution, that this money be shared equitably and equally among the 290 constituencies. It should and must be shared based on the needs of each constituency. If I only need another two transformers to reach 90 or 100 per cent of my constituents... I was in Khwisero the other day where the President was commissioning the opening of Khwisero Technical Vocational Education and Training Institute (TVET). That TVET got its first transformer the day before the President appeared there. My TVET in Kikuyu had a transformer 10 years ago. In budget-making, we must be fair and ensure that development is shared equitably across the country. That does not mean that we must all get an equal amount. Money that I may not need in my constituency for certain endeavours, I probably will need more money for water to reach the people in Ndeiya but less for electricity, and allow the people of Khwisero or those of Narok North or Emgwen for that matter, as the Member of Emgwen has said.

When we come to the actual Budget Estimates, I want to beg the Chairman of the Budget and Appropriations Committee and the Members to ensure that this money is shared in a way that creates equity across the country. This is to ensure that those who have no access to electricity will get it first before we decide to share this money equitably.

Lastly, we will soon receive the Finance Bill for the Financial Year 2024/2025. The budget estimates in terms of expenditure projections that are contained in this Budget Policy Statement must be financed. The Committee has noted that this will be financed...

Hon. Speaker: Your time is up. I will add you one minute to finish.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I was saying that the money that will be raised will come from our own revenues; locally collected from taxes. I am saying this because we are fond of passing things without looking at the other end of the stick. What will feed the budget estimates in terms of expenditure? It is the revenues we raise and loans. Yesterday, we debated and passed the report on debt management. We have now limited our deficit to 3.9 per cent of our Gross Domestic Product (GDP). However, for us to achieve that, we must ensure that we support the Finance Estimates with the same vigour and determination that we support this Budget Policy Statement. Otherwise, we will be happy that we are getting Ksh12 billion for electrification, but we are not asking ourselves how it will be financed. We need to understand that it will be financed by people contributing money.

Lastly, regarding the slum upgrading of Ksh1 billion, I disagree with this particular provision by the Budget and Appropriations Committee. We will have the Housing Levy Fund once the Senate finalises that law. We indicated that among the agencies to implement the housing project is the Slum Upgrading Agency which will get money from the Housing Fund Levy, and not from budgetary allocations. When we get to the annual estimates, we should probably rectify some of these small things.

I support.

Hon. Speaker: Nabii.

Hon. Nabii Nabwera (Lugari, UDA): Thank you, Hon. Speaker. I rise to support the Budget Policy Statement as presented by the Chairman of the Budget and Appropriations Committee. I must point out that the Budget Policy Statement is very progressive because it has ventured into areas that will uplift the standards of living of our people. It has also ventured into areas that will ensure equity in development.

(Hon. Hon. Kimani Ichung'wah consulted with several Members)

Hon. Speaker, the Leader of the Majority Party is out of order to convene another sitting.

Hon. Speaker: Order, Leader of the Majority Party and your team! Let us hear the Member as he contributes.

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Speaker. I was saying that the Budget Policy Statement has ventured into areas that ensure equity in development and resource allocation. I am just wondering why there is a need to increase money for the National Security Intelligence in this Budget Policy Statement. Why do we have a shortfall in capitation for primary education and free secondary education and yet, we are allocating an extra Ksh12 billion to the National Security Intelligence? That money should have been allocated to capitation for education.

Hon. Speaker, there is a major gap that has not been addressed by this Budget Policy Statement. Whereas we have provided enough money for capitation for higher education and universities, loans for universities and Technical and Vocational Education and Training Institutions (TVETs), we have not provided any money for quality assurance in TVETs. We are establishing so many TVETs in every constituency; we have over 200 TVETs, but there is no provision for quality assurance. We could be spending money that we will not get value for. I want to request the Chairman of the Budget and Appropriations Committee to ensure that, as we move forward, they should consider providing money for quality assurance in TVETs.

Whereas we applaud the Budget Policy Statement for equity, I would like to request them to consider the Roads Maintenance Levy; and money for the Kenya Rural Roads Authority (KeRRA). In the past, money to KeRRA has been skewed, especially for special roads. I would have wished to see the Budget Policy Statement come up with a proposal similar to the one on Rural Electrification and Renewable Energy Corporation (REREC), that will ensure equity in the distribution of money for special roads.

I am proposing to the Committee to implement the last mile in the water sector, just as they have done with REREC. We must come up with a fund with an approximate budget of Ksh14 billion where each constituency gets about Ksh50 million for the last mile water project. Consequently, the cost of health care will be reduced as families will have access to safe and clean water.

Thank you, Hon. Speaker. I beg to support.

Hon. Speaker: Hon Karauri.

Hon. (Capt.) Ronald Karauri (Kasarani, Independent): Thank you, Hon. Speaker. As I rise to support the Report on the Budget Policy Statement, let me commend the Chairman. The Committee has done an amazing job. They have taken their time to ensure that they stick to the timelines and I must admit that this House is happy with the budget-making process.

The extra National Government Constituencies Development Fund (NG-CDF) allocation is welcomed. I want to support some of the Members of Parliament from Nairobi that, based on our workload in terms of the population that we deal with, we must increase the NG-CDF allocation so that we can reach everyone in our constituencies.

Hon. Speaker, the issue of REREC has also been mentioned. There is also the issue of bad roads in Nairobi, especially in my constituency. I wish the Chairman of the Budget and Appropriations Committee would visit Kasarani. There is a difference between a city and the rural areas and that is why you expect to get a tarmac road once you walk out of Parliament. For Nairobi to remain a city, and we are proud that it is one of the best cities in Africa, we must ensure that the roads in Nairobi are well taken care of. In terms of the budget-making process, I want to request that we allocate money to tarmac the remaining areas of Nairobi that do not have tarmac roads. This will ensure that we have tarmac all over the great City of Nairobi.

The focus of the budget in terms of production, agricultural sectors, housing and health care is welcome because that is what will propel us to where we want to go as a nation. As I support, I would like to propose that we look at the Equalisation Fund differently. We have many slums in Nairobi where the quality of life is worse than that of the people who are living in the rural areas. We need to look at how we are going to allocate more funds so that we can uplift the lives of the people who are living in the slums.

I like what the Leader of the Majority Party mentioned; that this Budget Policy Statement comes with a context because we have a debt. I am happy to see that the budget deficit will be approximately Ksh703 billion. This is a big reduction and it is commendable. In the Medium-Term Debt Management Strategy, a lot of policies were mentioned, that if followed, we will definitely move to the next level. This Budget Policy Statement also comes with another context – revenue collection measures to be undertaken. I feel like we are working backwards. We are happy that money has been appropriated to all those projects. We will be happier to tell our constituents that we have money for roads, electricity and development. However, the painful reality is where this money is going to come from.

I beg to depart from the Leader of the Majority Party's views on what has been the practice. The Kenya Revenue Authority (KRA) has always had shortfalls in terms of revenue collection. They always fall short of the target every year. As we speak, they have a shortfall of close to Ksh200 billion from last year's Finance Bill. If we keep having those shortfalls, everything shifts because we are going to have problems funding this Budget. I ask the Chairperson of the Budget and Appropriation Committee to factor in the amount of money that KRA does not manage to raise so that we can be more conservative in our budget-making.

With those few remarks, I support.

Hon. Speaker: Let us have the Chairperson of the Departmental Committee on Education.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker. I rise to support the Budget Policy Statement as proposed by the Chairperson of the Budget and Appropriation Committee. I laud this Report because it looks at the issues underpinning the Estimates. At the same time, the Report provides clear programmes and policies that the Estimates will be pegged on.

In the education sector, the free primary and free day secondary school programmes are important and dear to this Government and, more specifically, to Kenyans. However, we have shortages in the Junior Secondary School programme (JSS) and university funding, especially with the new funding formula. There is also a shortage in the free day secondary education programme. The cumulative shortage in all those programmes amounts to Ksh50 billion. I thank the Chairperson because they added Ksh10 billion to those programmes. This is a testament that the Budget and Appropriation Committee is seized of the matter. The Government is pumping a lot of money into education. Therefore, I ask the Committee to put more money into monitoring and evaluation of those monies that we appropriate to infrastructure and capitation to TVET institutions and universities so that we get value for our money.

The Committee has also done well by appropriating money for electricity connectivity. The Leader of the Majority Party has shown us that this Budget is for the equity of all Kenyans. It will ensure that the rural areas and other parts of the country are connected to power. One of the Kenya Kwanza Coalition Manifesto pledges was to be a Government for all Kenyans. They have demonstrated this by appropriating Ksh50 million to every constituency for electricity connectivity. The Chairperson of the Budget and Appropriation Committee should listen to this. As we try to give money to every constituency through the NG-CDF, let us also budget money for water. If this is done, resources will reach every home in the country.

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

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

Hon. Deputy Speaker, Information, Communication and Technology (ICT) is the in-thing. Many youths earn a living through the use of digital technologies. We need to emphasise

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the use of digital technologies in agriculture, trade, energy, education, security and all the other aspects of our society. This means that we need to invest a lot in digital technology so that even the digital jobs we talk about can be realised.

This BPS is important. Therefore, I ask the Chairperson and the Committee to ensure that State Departments come up with policies and programmes on the Budget. They should have performance indicators. They should not only come with estimates because the estimates will be based on the BPS. Every time the State Departments come before committees, they always emphasise the monetary aspect. We need to emphasise the policies, programmes and key performance indicators of the many State departments.

With those remarks, I support this BPS.

Thank you.

Hon. Deputy Speaker: Next is the Member for Taita Taveta, Hon. Haika Mizighi. Is she present? If not, let us have the Member for Kipipiri.

Hon. Haika Mizighi (Taita Taveta County, UDA): Niko hapa.

The Deputy Speaker: Are you ready to contribute? You may proceed.

Hon. Haika Mizighi (Taita Taveta County, UDA): Ndio, Bi. Naibu Spika. Ulikuwa umenipa fursa ya kuzungumza.

Ahsante sana kwa kunipatia fursa hii. Naunga mkono Ripoti hii. Pia naipongeza Kamati ya Bajeti na Uidhinishaji wa Matumizi kwa kuiandaa na kuingalia kwa ufasaha. Kuna mengi ya kusifia katika Ripoti hii lakini, kwa sababu mengi yamesemwa, ningependa kuangazia pesa zilizotengewa uwakilishi wa akina mama. Pesa za NG-CDF zimeongezeka lakini zile za NGAAF hazijaongezeka na bado ni kidogo sana. Hata kama tunaunga Ripoti hii mkono, tunaomba Kamati hii itilie maanani maswala ya akina mama. Sisi pia ni Wabunge na tunastahili kuongezwa fedha kwa sababu tunashughulikia makundi mengi miongoni mwao wakiwa wazee, vijana na watu walio na mahitaji mbali mbali. Saa hivi, Wawakilishi wa Wanawake Bungeni wanapata Ksh9 milioni peke yake katika kila kaunti. Unapolinganisha fedha hizi na NGCD, inakuwa ni mzaha tu.

Kwa hivyo, tunapounga mkono Ripoti hii, tungependa waangazie ufadhili wa NGAAF. Tunaomba fedha hizi ziongezwe ili nasi pia tuweze kufanya kazi yetu kwa ufasaha.

Ahsante, Bi. Naibu Spika.

Hon. Deputy Speaker: Hon. Wanjiku Muhia.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Deputy Speaker. Just like the other Members, I am excited to contribute to this Report. First, I want to thank His Excellency the President of Kenya for having a worthy conversation with the Chairperson, Hon. Ndindi, on several matters and, in particular, on electricity connectivity.

Hon. Speaker, the devil is effective in the darkness and, therefore, connecting our constituencies is putting them to light and connecting them to the world on matters of development, among others. The issues raised are what our constituents would be excited about because education, roads and electricity are real development initiatives. If Kenyans got those services and are later on asked to pay taxes, I am sure they would not complain. We call upon the statesmanship of this country to see that the taxes contributed are channelled in the right way by reducing corruption, so that the two issues can rhyme and marry. This is by giving the services and, particularly, on education, roads and electricity. Thereafter, Kenyans will contribute taxes very well.

I cannot miss to point out the State Department of Immigration and Citizen Services because, as the Chairperson of the Committee on Regional Integration, we are the custodians of the protocol on free movement of people within the East African Community. Of late, our people have not been travelling because of challenges of getting passports. They have been given close to Ksh7 billion. I urge the Principal Secretary and the State Department of Immigration and Citizen Services to do whatever it takes, be it adding another machine or a

night shift, so that Kenyans can move to different destinations without suffering on matters of passports.

As the Chairperson of the Committee on Regional Integration, I would not miss to speak about the Ministry of East African Community, ASALs and Regional Development, which has been allocated Ksh643 million. If my memory serves me right; previously, it was allocated around Ksh800 million and, therefore, it has gone down. I am assuming that the National Treasury and the Ministry of East African Community, ASALs and Regional Development are watching this debate. I am sure that the Chairperson is listening. I want to call this House to this conversation. A whole Ministry sits under the Ministry of Defence. How? They have their own budget. Therefore, the Ministry of East African Community, ASALs and Regional Development is like a subsidiary. The Ministry of Defence has many departments, including the National Intelligence Service (NIS). They take what matters to them as a priority while the East African Community agenda is not given priority.

For the East African Community to be like the European Union (EU), we must make a deliberate move on matters integration. We cannot make it without investing on matters integration. I, therefore, call upon the National Treasury to rethink and find avenues to make this Ministry fully independent with its own budget. Should it remain in the Ministry of Defence, it should be given the money that it deserves.

I come from a county which is agricultural, and I am excited that farm equipment, fertilisers and other avenues of agriculture have been considered. However, on matters of roads, Nyandarua County feeds Nairobi County in particular and its environs. However, we suffer on how to bring the food produce to those cities because of the poor roads. The Ministry of Transport has been allocated Ksh220 billion. In my view, this is little money. I call upon the Cabinet Secretary, Hon. Murkomen, to consider and prioritise the road projects that are incomplete. In Kipipiri Constituency, we have a road which can feed almost half of Nairobi - the Gita-Ndunyu-Njeru Road – whose construction has stalled for many years. The contractor comes for a week, we go to *Inooro TV*, take photos and congratulate him or her and when we wake up the following morning, the contractor has left. We also have the Gilgil-Machinery Road. They are the only two roads in Nyandarua County which are tarmacked. I, therefore, urge the Cabinet Secretary to consider prioritising the incomplete road projects.

I also urge the Ministry of Education to consider the Technical and Vocational Education and Training (TVETs) by equipping the workshops. The National Government Constituency Development Fund (NG-CDF) may build the workshops, but equipping them is still a challenge and our students only do practicals during...

Hon. Deputy Speaker: Member for Busia County, Hon. Catherine Omanyu.

Hon. Catherine Omanyu (Busia County, ODM): Thank you, Hon. Deputy Speaker.

I applaud the Budget and Appropriations Committee and, more so, the Chairperson; for coming up with a prioritised budget this time. One side of the spectrum on the Budget is really commendable, but there are other nitty-gritties that I have noticed that need our attention. There are things in this world you can never postpone. When he mentioned the gender issues, where the Ministry of Education did not collaborate in good time with the State Department for Gender and Affirmative Action, I asked myself if menstruation could be postponed. When we are coming up with budgets, we should have the presence of mind when handling some of those things. As a Woman Representative for Busia County, I have many needy young girls who miss school at least every month, three to four days. This is because of the shaming that happens especially because during that time, it is somehow uncomfortable. Menstruation should not be an embarrassment, but one of the stages in life that any woman should celebrate.

We have so many other good allocations that I have listened to, and have made me smile - like the one meant to handle emergencies. I hope this time round, all the dimes or every shilling will go to real emergencies. Towards the end of last year, my people in a village called

Kakurikit experienced El-Nino and lost their homes, animals and were unsettled. As I speak, nothing from the national level has reached them because the allocation for emergencies takes a lot of time to reach there. Sometimes, it goes to someone who is well-known to that department. All Kenyans deserve to be reached when such situations happen.

If we were to tarmac all roads in Kenya, we would save a lot more than digging those roads in the villages or Nairobi. We keep digging and covering them with soil so that when the rains come again, we uncover and cover them. Can we not just think? Kenyans are no longer children. The countries that are growing in East and Central Africa are looking up to us. We should not be digging those "dirt roads" as I call them because *hizo njia ziko na uchafu*. We should tarmac such roads even if it means starting with a few, so that Kenya can reach a place where we are among the developed nations.

We also have teachers who are suffering, especially in Budalang'i, Busia County. They have been getting hardship allowance but it has somehow been stopped. Anybody being thrown to Marsabit, Marakwet or Budalang'i faces challenges beyond measure. If the hardship allowance has been stopped, it makes such people suffer double. How can a teacher like that invest in a child by giving their best to teach and prepare those young leaders and yet, they are stressed? This Budget is good but on the other side of the spectrum, we need to implement and use that money properly.

Thank you.

I forgot the Sugar Bill. I can see that I still have a minute. This is mainly for the people who come from the western region who mainly grow sugar-cane. The money that the Budget and Appropriations Committee has allocated to the sugar industry is not enough. Next time, kindly, double it.

Thank you.

Hon. Deputy Speaker: Hon. Musa Sirma.

Hon. Musa Sirma (Eldama Ravine, UDA): Thank you, Hon. Deputy Speaker. First and foremost, I would like to congratulate the Chairman and members of the Budget and Appropriations Committee for the good BPS. The amount of money given to constituencies for financing rural projects through the NG-CDF is a good blessing to Kenyans. This is the only money which is seen in the rural areas. When you consider the billions of shillings that are given to county governments, you do not see any projects on the ground. Therefore, I urge the constituency committees to ensure that the money is properly utilised.

The money allocated to education, and especially for confirmation of teachers in Junior Secondary Schools (JSS), is a welcome move. However, some of our constituencies do not provide free education. We still fund the payment of teachers. In my constituency, there is a school which has three teachers that are employed by TSC, with a population of over 500 students. Parents pay for the other 10 teachers. So, why are we talking about free education when we do not have enough teachers? The TSC is very unfair. It is unjust to some constituencies, especially mine.

I echo what Hon. Murugara and the Leader of the Majority Party have said on rural electrification. We cannot talk about equal distribution of that money if we do not talk about equity. Equitable distribution is giving constituencies that have 30 per cent connectivity, like my constituency, and those that have 90 per cent connectivity different amounts of money. We want that to happen so that it is equitable. Baringo County was left out in the distribution of donor funds for electrification in this country. I do not know why and yet; we are the first county in alphabetical order. How can it be missed?

In my constituency, the last good road was built by Jomo Kenyatta. Up to now, we do not have another tarmacked road. All other roads were convenience roads for some people or leaders at that time. The only road that was purposed to serve us was built by Jomo Kenyatta, who died many years ago. Even our children did not see him. When the Budget and

Appropriation Committee will be talking to the Inspector-General of Police, we want him to give us a budget line to deal with banditry. We must have a vote for dealing with bandits in our constituencies because it has become a destroyer of lives and the future of our children. Children have been recruited into banditry. The Ministry of Interior and National Administration should have that in mind so that we can have a budget line to deal with bandits.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Hon. Members, there is sufficient time. Since everyone is speaking for five minutes, nearly everyone will get an opportunity. So, let us not get worried.

Next is Hon. Bensuda.

Hon. Atieno Bensuda (Homa Bay County, ODM): Thank you, Hon. Deputy Speaker, for giving me this opportunity to make my contribution towards the BPS. First and foremost, I appreciate the work that has been done by the team. However, I have areas that I want to make some recommendations or proposals. Even though they have tirelessly worked to come up with a roadmap on what would inform our budget for the next financial year, I would like them to come out clearly on where we are going to generate those funds from. That is quite critical because tabulating on theory and practical implementation are two different things. We know very well the tax burden Kenyans have at the moment. The BPS looks quite lucrative. If sufficient funding and resources are provided, Kenyans will smile for having a budget that will solve most of their problems. I, therefore, propose that, other than providing this House sufficient information on how we are going to raise the finances towards meeting our projections, we also need to be provided with what kind of grants we are projecting to receive. There are grants which we receive either from donor funding or whichever source. This must be clear so that when we are talking to Kenyans on issues of increased revenue, then it does not seem or appear to be a tax burden on them.

Besides that recommendation, I would like to speak as the County Member of Parliament for Homa Bay. When issues are stipulated in the Budget Policy Statement, they are very clear, precise and factual. I would strongly propose that the same way or manner in which NG-CDF was quite clear is the same way we expect NGAAF to be clear. There is a lot of vulnerability in all sectors. I specifically talk as a teacher, and connect it with people with disabilities. In Homa Bay County, there are schools for people with disabilities. We have Nyaburi in Karachuonyo, Nyangweso in Homa Bay Town, Lambwe in Suba North and many others that I may not be able to mention. People with disabilities in those institutions need to be fully represented in terms of schools' infrastructural facilities, food and security. When you visit the children, you realise that they are suffering. They are in a vulnerable state. When we talk about NGAAF funding, we are representing vulnerable communities. I consulted with the Chairman on this and he has advised me. We do not want it to be a story or an engagement with the President. We want facts on the paper in the BPS.

My second contribution is on health. What has been allocated for health is inadequate. Although there is some progress, on most occasions, we have seen nurses on the streets. Health facilities infrastructure are inadequate. This BPS should provide us with the actual status of our health institutions, infrastructure and human resources, so that we do not put ourselves or governors in problems, where we are expected to deliver services that they are not stipulated and projections not given. Health is a critical...

Hon. Deputy Speaker: Let her finish her sentence.

Hon. Atieno Bensuda (Homa Bay County, ODM): Thank you, Hon. Deputy Speaker, for the one minute that you have given me.

I want to advocate on behalf of teachers. The allocated funds for education are very little. There are retired teachers who are waiting for their pensions and yet, the National Treasury is misbehaving. I want this to go on record. They must not put teachers through the

trouble of walking to the offices of the National Treasury for years. Some of them die without getting their benefits.

At the same time, we need the statistics of those who were contracted under JSS. We should not just be given a general figure. The Government should not just say that it contracted 20,000 teachers, and another 20,000. We want actual figures and timelines for recruitment so that our children can get quality education.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Deputy Speaker. I had to cede that one minute to my dear sister, otherwise, there may be grave consequences when we go back to Homa Bay County.

(Laughter)

I will try and summarise my points because of the great interest in this particular agenda item.

I rise to support the Budget Policy Statement (BPS). However, I would like to make some observations that will probably enrich future budget policy statements from the National Treasury, and also the work of the Budget and Appropriations Committee. I have looked at page eight of the Report which talks about the stability of the macro-economic situation. This Report is heavy on allocation of resources and revenue-raising measures. That is not how you run an economy. A budget policy statement should clearly provide specific interventions or measures to deal with the challenges that the economy is facing. Both the document from the National Treasury as well as this Report are short on those details. In particular, I would have wanted to see more macro-economic targets and interventions, and time frames for their implementation.

We are running a very huge budget deficit based on historical factors. However, I do not see specific measures for expenditure rationalization, or strong measures for spending cuts in this Report. We have experienced a spike in interest rates, which are currently standing at about 26 per cent, which is too heavy for the private sector. This is especially so when we think of creating jobs, the political risks, as well as the commercial risks that are normally factored into our transactions. The 26 per cent interest rate is too high and yet, I did not see in this Report and what was presented from the National Treasury a glide path as to how we intend to lower our interest rates.

We have experienced very serious exchange rate instability over the last few months and yet, I also do not see macro-economic interventions in this Report that will stabilize the exchange rate and create a balance between importers and exporters' interests. The same applies to the inflation rate. I only saw two casual mentions of the growth rate on page eight of the Report and some aspects of inflation, but not the totality of it. I think we need to do more.

We have a serious case of debt management in this country. I took the time to look at the Statement of Actuals issued by the National Treasury for December. About 93 per cent of the revenue raised was used to service external and domestic debt. The Government is currently paying a 19 per cent interest rate on domestic debt, which translates to over Ksh1 trillion in redemption costs, and another Ksh1 trillion in interest payments. However, there are no specific measures as to how we will deal with this particular problem in the document. What will we do about our debt? I do not see that here.

I do not see the measures that we will put in place to encourage budget discipline. One of our biggest problems as a country is that we do not stick to the budgets that we make. That is why we have excess pending bills. However, I do not see in this BPS the measures that will

encourage compliance, either by the National Treasury, as alluded to by the Leader of the Majority Party, or by the sectoral implementers of various aspects of the budget.

Finally, I need to call out the National Treasury. Companies are fleeing the country. Procter & Gamble left. GlaxoSmithKline (GSK) left. British American Tobacco invested Ksh3 billion in a new factory and they have not managed to commence commercial operations, employ people and raise revenue for us. Those are the sorts of things that we need to deal with in this BPS.

With those few remarks, I support the Report.

Hon. Deputy Speaker: Hon. Tongoyo.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Deputy Speaker. I rise to support the BPS, 2024, as tabled by the Chairperson of the Budget and Appropriations Committee.

First of all, I commend the Chairperson and his Committee for a job well done, and for working round the clock to ensure that the Report is tabled on time before this House.

Looking at the BPS, one can appreciate that the Kenya Kwanza Government has lived up to its manifesto. The BPS is actually Wanjiku-centered. It is structured as a value chain, which aims to grow the economy from the bottom up. We commend them for that.

I also appreciate all Committees and their Chairpersons for spending a lot of time looking through and engaging the State Departments under their purview to ensure that the BPS, as presented by the National Treasury, meets the timelines.

I appreciate that there is a lot of focus that has been put on very critical sectors in the BPS. Those sectors include agriculture, health, transport, energy and other very critical sectors of the economy. When the Kenya Kwanza Government came into power, they changed the policy such that they moved from subsidizing consumption to subsidizing production. We appreciated a huge bumper harvest when the farmers of this country got fertilizer subsidies. I could see from the BPS that the Ministry is still geared towards following the same. We commend them for that.

I appreciate that there is money allocated to kick-start the issue of equalization in the BPS. We all know the history of equalization, especially the majority of us who come from pastoralist and marginalized communities. We have not received this money in the last four or so years. There is Ksh7.8 billion that has been allocated for the same in the BPS. That is very commendable.

More importantly, the BPS has focused on the critical area of security. We all know how critical security is to our country. There will be no meaningful development if the issue of security is not addressed. I commend the meaningful attention and focus that has been given to security, especially the modernization program, which is aimed at equipping our police and security officers with the tools to enable them to address the security challenges that are facing this country. I have heard a majority of Members, especially those from the North Rift, talking about the same. I can see *Mheshimiwa* Makilap emphasizing on our security operations in the North Rift.

We have not recruited police officers in the last two or so years. There is a proposal in the BPS to recruit 5,000 police officers. This will go a long way in helping this country to tackle insecurity.

With the same consideration and looking into the ceilings given by the National Treasury, I want to pinpoint a few gaps. There are critical areas that we, as a Committee, thought they needed to be given more critical consideration. To mention a few, despite a not-bad allocation, the Government Printer is a very critical institution. It will collapse if it is not considered more. Even the Bills we are using in this House, logbooks and title deeds come from there. This is where those things are printed. Let me talk about passports. A majority of Members in this House have raised the same issue. We all know there is a critical problem with

passports. As we talk, 800,000 Kenyans are on the waiting list. They applied for passports but they have not received them.

The big problem is money. We, as a Committee, proposed that, that State Department should be given an A-in-A of around Ksh5 billion so that they can recoup the money that they collect from selling this very important document and then buy the equipment. Kenyans cannot wait for such critical documents for too long.

Hon. Deputy Speaker (Hon. Gladys Boss): Hon. Members, I had said this was going to go on until 9.00 p.m. I have just realised that we passed a resolution to limit the time to two and a half hours. Therefore, the Mover should reply about now. The Mover can donate some of his time. It is 5.14 p.m. It is supposed to end at 5.24 p.m. Mover, I ask you to donate your time.

(Loud consultation)

Hon. Ndindi Nyoro (Kiharu, UDA): I want to take very little time before I donate a few minutes to my colleagues. Hon. Members, please, understand that I have 10 minutes and I am human. I will donate what I can. Hon. Reuben Kiborek and Hon. Geoffrey Ruku are here. The Chairman, Hon. David Kangogo, is here. The Chairman, Hon. John Mutunga, is here. *Mheshimiwa* Eric Muchangi is here. Hon. Danson Mwashako and Hon. Julius Taitumu are also here. I am left with three minutes to reply.

(Loud consultation)

Hon. Deputy Speaker (Hon. Gladys Boss): Order, Hon. Members. We are losing time. Proceed.

Hon. Ruku GK (Mbeere North, DP) I thank the Chairman for donating this time to me. I thank the Chairman of the Budget and Appropriations Committee for the commendable job that they have done.

Mine is to echo the issue of the Junior Secondary Schools (JSS). Our youth, the teachers who have been sacrificing their time and energy to teach through hardship, are going through challenges as interns. I want to say that they should be absorbed this time. They should be put on permanent and pensionable terms for them to serve as teachers who are equally paid to enjoy the privileges of other teachers. We also ask for the employment of more teachers to reduce the teacher-student ratio given that our JSS and CBC are still having some challenges. We need to echo that more should be employed to serve our students and pupils.

We thank the Budget and Appropriations Committee for considering the Rural Electrification and Renewable Energy Corporation (REREC) and rural electricity. We appreciate that our constituents have been suffering from lack of electricity. We commend them and ask them to put more money into rural electricity.

Hon. Deputy Speaker (Hon. Gladys Boss): Hon. Danson Mwashako.

Hon. Danson Mwashako (Wundanyi, WDM): Asante kwa nafasi hii. Kwanza, nachukua nafasi hii kumpongeza Mwenyekiti wa Kamati ya Bajeti kwa mambo makubwa ambayo amefanya. Amefanya kazi nzuri ndani ya wiki mbili na tuko na Ripoti tunayozungumzia. Nataka kuongea juu ya mambo matatu kwa haraka, kwa sababu ya saa.

La kwanza ni kuunga mkono Ripoti hii kwa sababu imeangazia maswala muhimu katika nchi yetu ya Kenya. Zote ambao tunaishi ndani ya Kenya tuna haki kupata mafanikio ya maendeleo katika kila sehemu ya Kenya. Katika nchi hii yetu, kuna maeneo mengi ambayo yamefaidika zaidi kutokana na mfumo wa Serikali uliokuwepo kutoka wakati wa uhuru mpaka sasa.

Naongea jambo ambalo limenitia moyo sana katika Ripoti hii. Ni maswala kuhusu pesa ya stima. Kule tunakotoka, ni watu wachache walio na stima. Ukienda maeneo ya Taita/Taveta leo hii - ukianza Taveta uje Voi, ufike Mwatate na Wundanyi—utapata ni sehemu chache sana zina stima. Ripoti imesema tuweke milioni hamsini kwa kila eneo bunge ili kila Mkenya aunganishwe na stima. Nina uhakika kwamba swala hili ni la muhimu.

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

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

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Members. Hon. Kangogo, followed by Hon. Muchangi. Proceed.

Hon. Kangogo Bowen (Marakwet East, UDA): I commend the Budget and Appropriations Committee because of the job well done.

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

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

Hon. Millie Odhiambo-Mabona (Suba North, ODM): My Budget and Appropriations Committee Chairman's donation of time to Members is very unconstitutional. He has given ten men a chance to contribute to his donated ten. I want to request that you use Standing Order 1 and your discretion to award one female Member a chance. That Member should be me, as the senior one.

Thank you.

(Laughter)

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

Hon. Kangogo Bowen (Marakwet East, UDA): I hope I am not going to lose my minutes. I appreciate the Committee for the good job they have done, especially on allocation to critical areas.

I want to start with the allocation to REREC, to ensure the last mile connectivity in our constituencies or across the country is done. Because electricity is very important across the country, I would also want the Hon. Chairman and the Committee, together with this House, to allocate money to water in every constituency in this country. I also want to thank the Hon. Chairperson and the Committee Members because of what they have given to the Ministry of Health to roll out the Universal Health Coverage. In addition, I thank them for giving the Ministry of Education a good amount of money for scholarships for our young university men and women.

On the issue of insecurity, although there is an enhancement in the Budget for security...

The Temporary Speaker (Hon. Farah Maalim): The donations were one minute for each Member. The Temporary Speaker would hesitate to get involved in this. Let us have Hon. Muchangi and then Hon. Mutunga. Proceed.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Temporary Speaker. I wish to commend the Budget and Appropriations for a job very well done.

Injecting more money for rural electrification is a very welcome idea. In my constituency, I have many villages, and I know it is the same thing in very many other constituencies, where people need electricity projects so that we can improve our economy.

I also wish to commend the Committee for appropriating more resources to the employment of teachers on permanent and pensionable basis. We have very many teachers in

the internship programme, and some have even become senior interns, who have really been longing for a time when they will be employed. The fact that there is now...

The Temporary Speaker (Hon. Farah Maalim): The one minute is over. You are followed by the Hon. Mutunga. The Temporary Speaker is going to use a certain discretion.

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Order. The Constitution of this country is very express. We must have some element of gender balance. So, as soon as Hon. Mutunga is done, Hon. Millie Odhiambo will have one minute.

Hon. (Dr) John K Mutunga (Tigania West, UDA): Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Members. That is called the Speaker's overreach. Proceed.

Hon. (Dr) John K Mutunga (Tigania West, UDA): Hon. Temporary Speaker, the Report is good. I just want to highlight a few issues. It is good sometime to speak about absolute figures.

After a lot of suppression, instead of agriculture getting Ksh410 billion, it has been allocated a paltry Ksh63,200,000,000. This sector is the most impactful in terms of poverty reduction by one and a half times proven against any other. It is the most versatile in job creation. It basically will do import substitution and it will stimulate industrialisation. I will give a specific example. The leather sector needs Ksh980 million, but it has been given only Ksh200 million. We need to focus on agriculture in order to grow. If we do not do that, it will take us a lot of time and we cannot put everything for free, not fund agriculture and believe we shall grow as a country.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): The Temporary Speaker is in total agreement. Member of Parliament for Dadaab, for now, I do not have that opportunity. If I had it, I would have also agreed with you. The Hon. Millie Odhiambo, proceed.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker for exercising that discretion and respecting the Constitution.

I agree with the Committee on the issue of passports, identity cards and birth certificates. Kenyans are suffering and this issue must be addressed.

Secondly, I agree with the Committee on the issue of gender responsiveness, but it should be situated in departments, not with the Cabinet Secretary of the National Treasury.

Thirdly, on the issue of compensating victims of wildlife-human conflict, it should be prioritised, especially in Suba North, where many people have been killed by hippopotamus.

Finally, under the matter of devolved functions of the Government, we must empower our counties and give them money and the freedom they need. It should be reflected in the laws and in the policies. We need to plan in a better manner.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Hon. Ruku will be last person. Proceed.

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Temporary Speaker. I want to start by thanking the Chairman of the Budget and Appropriation for doing a very good job. It is one of the many other processes in the budgeting making-process.

If this job has been done well, it is important to stress that other processes which are coming up have to be done in the most appropriate way. The National Treasury has to do a good job. The Departmental Committee on Finance has also to do its job in the most appropriate way in order for us to finance this Budget.

The Opposition are here supporting the budget proposals now but, in a couple of months from now, we will see them opposing the Finance Bill which proposes how to finance the Budget. That is ridiculous.

The Temporary Speaker (Hon. Farah Maalim): This is the moment for the Mover to reply.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Temporary Speaker for giving me the chance to reply. I want to thank all the contributors starting with the first one, Hon. Makilap. He is a very intelligent Member of Parliament for Baringo North, just like all the other Members. I also thank all the Committee Members and the Departmental Committee Chairpersons and also our staff from the Parliamentary Budget Office. I can see Mr. Dan Kachumbo, Julie and Dr. Abel are here. They have been very instrumental in this process up to its completion.

As I end, just for clarity's sake, as the Budget and Appropriations Committee, and of course, with the consultation especially with the President, we are very happy that we have Ksh12 billion more for electrification. We thought that it is not in our domain as a Committee to know how it will be shared. Therefore, it is now upon Members to decide. Ours was just a proposal that we equally divide a portion of it. However, there is another budget of Ksh6.5 billion over and above the one that is equally distributed that will go into balancing areas that have got low electrification.

Another important issue is that, we have added Ksh3.2 billion into immigration department because we have a lot of opportunities outside the country and we need Kenyans, especially those who are taking advantage of those opportunities, to get their passports in a timely manner and more efficiently.

I have heard issues around pension. We have allocated Ksh184 billion for pensions. In our recommendations, we have tasked the National Treasury to make the Department of Pensions more efficient. We do not want to see teachers and other civil servants queuing for long hours to get what they actually rightfully contributed for their pensions.

I am very grateful to everyone. There is a lot more that we were able to do and I highlighted it when I moved the Motion. On the amount that I highlighted and that is proposed to be allocated to the Rural Electrification and Renewable Energy Corporation (REREC), if you divide the Ksh14.5 billion that will go to specific constituencies, every constituency represented here will get Ksh50 million more for electricity. The Member of Parliament will submit a list of priority areas and oversee the projects. That is a thumbs-up from the President that this House is made up of men and women who have gone out of our way to make sure our villages are developed.

Something else that we have learnt along the process is about equal distribution of resources. Kenya is one and for it to develop as a whole, every part of Kenya has to develop. That is why in the Budget and Appropriations Committee, we neither look at voting patterns nor people's second names. All Kenyans are the same, equal and pay taxes. That is why on REREC, we propose that the money to be allocated every village in Kenya because Kenya is for all of us and we cannot segregate any part of it on any one basis.

Thank you very much. I thank all the Hon. Members. We keep benefiting from their wisdom. Our offices are always open. Even when we just talk, we learn and after learning, we make a better Budget. A better Budget helps all of us and especially the people of Kenya. Thank you very much.

Hon. Temporary Speaker, I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. The Temporary Speaker is not going to put the Question. The Question will be put in the next Sitting.

(Putting of the Question deferred)

Next Order.

THE NATURAL RESOURCES (BENEFIT SHARING) BILL
(Senate Bill No. 6 of 2022)

(Hon. Gikaria on 5.3.2024)

(Resumption of Debated interrupted on 5.3.2024)

The Temporary Speaker (Hon. Farah Maalim): Hon. Millie Odhiambo, I have been told that you still have eight more minutes. Proceed.

Hon. Millie Odhiambo–Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute again. I reiterate that I could not say what I wanted to say within one minute. I was grateful that you recognised there were women in this House. I know men do not notice us sometimes. I thank you for giving me this opportunity.

I had commenced my discussion on this Bill. I wanted to give specific recommendations for amendments in the Bill. However, from what I heard in the Committee's submissions, I will refrain from making them. I will instead talk broadly on it. As I had indicated yesterday, if you look at the long title and content of the Bill, they do not match. This is the Natural Resources (Benefit Sharing) Bill, (Senate Bill No. 6 of 2022). It seeks to discuss the benefit sharing of natural resources between the national Government and the county governments. It forgets the international framework in terms of sharing benefits at the international level. When you talk about natural resources and benefit sharing, it will be a fallacy for us not to consider what the international legal framework provides.

I had indicated this earlier and I just want to reiterate. Article 2(5) and (6) of the Constitution provides that any treaty that is ratified by Kenya becomes part of the laws of this country. We have ratified several treaties on natural resources. I want to give an example of the Convention on Biological Diversity that has been ratified by Kenya, and that talks largely on benefit sharing, but mainly on genetic resources. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation to the Convention on Biological Diversity also speaks to genetic resources. This Bill talks not only on genetic resources, but also broadly on benefit sharing of natural resources. It has discussed broadly issues such as sunshine, lakes and oceans. We must develop a legislative framework that protects our resources from exploitation and predicates the transfer of royalties, technologies and other things.

I am not too sure whether the person who sponsored this Bill is aware of that framework. My concern is that if we reduce benefit sharing of natural resources to county governments and national Government issue, then we will miss the point. The Committee raised constitutional and other issues. If this Bill is passed at the Second Reading stage, then I will bring comprehensive amendments on international legal framework. Perhaps, at that point, the Committee will raise another issue that my amendments will be too many that they will require coming up with a new Bill.

I want to speak on one of our natural resources. From what I see in this Bill, it only focuses on when you are dealing with one county to another; where one resource is in one county and the benefits transcend to another one. I want to give the example of Lake Victoria. My constituency has a very big portion of it. Many of us thought in the past that the water is an infinite resource. However, over the years, it has become evident that even water is not endless. Because of that, there is increasing conflict within Lake Victoria based on the fact that

we have very many people right from northern Kenya to other counties who fish within Suba North.

Hon. Temporary Speaker, I welcome you there. You will be surprised to find people from your own constituency who own the largest number of boats in my constituency. We welcome them. We do not oppose it. When you have a situation like that, people start fighting over where they will park their boats. People fight over fishing areas. I called a meeting to resolve a conflict among the *omema* fishers, Nile perch fishers and fishers of other kinds of fish. There are people who fish at night and others during the day. The people who fish during the day come and put their nets during daytime. *Omena* fishers come at night and they discover that there is no more space to put their nets. They cut loose the nets of the people who put theirs during the day. When they come back, all their fish has either been stolen or escaped. This leads to conflicts where people arm themselves.

There is also another issue that has arisen. When you have land as a resource, you can be given a title deed. However, when you have water, you are not given a title deed. So, people come from all over and crowd Suba North. The artisanal fishers no longer have space to fish. What then happens? I am the one who promoted *ex situ* and *in situ* fishing. For *in situ* fishing, I encourage the use of cage fishing. The challenge now is that we have many people, as far as from China. When they come to fish, which we welcome because it provides job opportunities for our local people, the challenge is for artisanal fishers. There is no longer space in the lake to fish. I have been raising this issue. I will bring an amendment to the Fisheries Management and Development Act to raise issues on this. I have even raised it with our county government that there is need for urgent regulation. Otherwise, people will kill themselves over this. There are already some people who are being killed or hurt because of the fighting over those natural resources.

This Bill does not address those pertinent issues. I want us to look at it, in terms of how it addresses a situation where international agencies or bodies are exploiting our resources, as a country. For instance, I gave an example in the past of Endod, which is an Ethiopian plant that enhances the chances of young children surviving leukaemia and yet, you find that people from outside Ethiopia use it for their own purposes. Sorry, it is not Endod plant which is used for a different purpose. Ethiopia gives intellectual property rights to those agencies.

Hon. Temporary Speaker, I can see my time is up. As I have said, if this Bill will be passed at the Second Reading stage, I will bring amendments because it has left quite a lot outside the framework that it should actually have. That is why I told the Committee that I agree and disagree with them. We need a legislative framework on benefit sharing of natural resources.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Hon. Timothy Toroitich.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this very important piece of legislation; the Natural Resources (Benefit Sharing) Bill, (Senate Bill No. 6 of 2022).

I listened to the Chair of the Departmental Committee on Environment, Forestry and Mining. The Committee's recommendation is to reject this Bill. I shall not agree with the position of the Committee for the following reasons. One of the issues that has been raised by the Committee for rejecting this Bill is that a money Bill cannot originate from the Senate. I have read Article 109(5) of the Constitution. It provides that:

“A Bill may be introduced by any member or committee of the relevant House of Parliament, but a money Bill may be introduced only in the National Assembly in accordance with Article 114.”

Having read that provision of the Constitution and several court decisions on that matter, the Constitution uses the word “may” and not “shall.” That means it is not mandatory.

Under certain exceptional circumstances, the Senate may originate a money Bill depending on the circumstances. For the first time, we have a Bill that is bringing harmony to the various Acts of Parliament on natural resources that exist. I come from a county that is very rich in natural resources. We have water resources in our county and certain minerals like fluorspar. Over time, my county has never benefited from the resources that it has. For example, we have Chebara dam in my constituency, which supplies water to Eldoret Town. However, because of lack of a proper legal and institutional framework to manage that resource, my county has never benefited from it in any way. We have fluorspar in my county, but the County Government of Elgeyo Marakwet has never benefited from fluorspar mining. What has been happening is that investors have been mining and leaving the mining sites without rehabilitating them, which has made our people to end up suffering.

I have read the proposed Bill. It is a comprehensive piece of legislation. For example, Section 26 proposes that the revenue sharing formula shall be as follows: 60 per cent shall go to the national Government and 40 per cent shall go to the county government. If you look at the various legislations that exist, they do not provide that percentage.

In Section 26(c) of the Bill, out of the money allocated by the county government, 60 per cent shall be used to implement local community projects. We have never seen an existing legislation that recognises local communities. Under this Bill, it is clear that, out of the money allocated to the county governments, 60 per cent shall be used to implement local projects. We have investors who go to county governments to exploit natural resources, but the local communities do not benefit. This law is proposing a specific percentage that the local community shall benefit. The Bill goes further to propose that 40 per cent shall benefit the entire county. That means that if a resource is mined from a specific area, there is a specific benefit that will accrue to the area community.

There is an issue of cross-border resources between two counties. The question is: How will that be resolved? The Committee misadvised the House that there is no provision in the Bill on how cross-border resources can be shared. I have read the Bill. In Section 26(c), the Bill provides that for a natural resource that bestrides two or more counties, the resource benefit authority shall determine a ratio of sharing it. Someone quoted an example in Geothermal where, for example, if a natural gas comes from one county and it is harvested in another county, how will that resource be shared? I have read the Bill and it provides very clearly that the authority that will be formed under the Act shall sit down to determine how the two counties shall share that cross-border resource.

I am aware that there are certain legislations that exist, and that provide for how certain resources will be shared, for example, the Petroleum Act and the Mining Act. However, those legislations are implemented by various agencies. This Bill is bringing is harmony. It will establish an authority. Section 24(c) of the proposed Bill provides clearly that where a written law prescribes the royalty fees or payment in a particular natural resource sector, the relevant written law shall apply with respect to that sector. So, it has saved sectors that have specific legislations. However, it also says that the authority shall ensure compliance with the written law for the implementation of any benefit sharing agreement that is entered into, pursuant to this particular law. What happens if, for example, a particular law provides that a certain community is to benefit and it does not benefit? Who will oversight the realisation of that particular provision? This law has brought harmony. We should pass it as a House because it acts as a regulatory authority to other existing pieces of legislation. Counties that have natural resources have suffered. They have never realised any benefit from the resources that are in their counties. I support the Bill.

The Temporary Speaker (Hon. Farah Maalim): We shall have Hon. Mishi Mboko then followed by Hon. Beatrice Elachi.

Hon. Mishi Mboko (Likoni, ODM): Ahsante sana, Mhe. Naibu Spika wa Muda. Mswada huu ni wa maana sana. Tumeusubiri kwa miaka mingi. Ijapokuwa Mswada huu una mapengo kiasi, tusikose mwana na maji ya mtoto. Kwa hivyo, tuzungumze kuhusu Mswada huu, tuupige msasa na tupendekeze marekebisho wakati ufaao. Nasema hivyo kwa sababu, wakati Kamati ya mambo ya mazingira ilipozungumzia Mswada huu, ilisema ya kwamba tuukatae na tusiupitisha kama Bunge kwa sababu ya changamoto nyingi ambazo zilipatikana ndani ya Mswada huu. Chochote kizuri hakikosi ila. Sisi kama Bunge, tuna nafasi ya kuzitungumzia ila zilizoko katika Mswada huu na kuzirekebisha.

Taifa letu la Kenya limebarikiwa sana. Lina mali asili tofauti tofauti kama maji, maziwa, mito, misitu, wanyama pori na bahari. Wakati mwingi, jamii ambazo mali asili hupatikana kwao hukosa mapato au kile ambacho hupatikana kutokana na mali asili. Vilevile, Serikali na kaunti zetu hukosa mapato. Mswada huu unazungumzia njia ambayo itatumika kufanya ugavi wa mapato hayo katika Serikali kuu, serikali za kaunti na jamii ambazo mali asili hupatikana sehemu zao. Ugavi huo utakuwa wa asilimia 60 kwa 40. Asilimia 40 itaenda kwa kaunti. Jee, hizi kaunti zitagawanya vipi asilimia hii? Kwa mfano, ikiwa jamii ya mali asili inatoka katika kaunti ya Mombasa na mali yake asili inatoka katika *constituency* ya Likoni, tukisema asilimia 40 itaenda kwa kaunti, itagawanywa aje? Kaunti inaweza kufanya miradi kutokana na asilimia hiyo katika sehemu zingine na isahau kufanya mradi katika ile sehemu ambayo mali asili ilipatikana.

Katika kutengeza Kamati ambayo itaangalia ugavi huo utafanyika kwa njia gani, mwakilishi wa Mbunge hakuwekwa. Waliweka mwakilishi kutoka katika Baraza la Magavana pamoja na wawakilishi wengine. Inafaa tujue ya kwamba ugatuzi unaanzia eneo bunge. Kwa mfano, Kwale, kulikuwa na madini yanayoitwa: “Base Titanium.” Katika kuhakikisha kwamba jamii inafaidika, palitengezwa kamati ambayo ilikuwa na wawakilishi wa kutoka kwa kaunti, Serikali, Bunge na kwa wajumbe wa wadi zetu. Hivyo basi, sauti za wananchi wa chini ziliskika katika swala hili la mapato ya madini.

Vilevile, wakati ugavi wa mapato unafanyika, lazima ujulikane. Kwa mfano, *Base Titanium* kule Kwale imepata mapato makubwa sana. Lakini je, yale waliorejesha kwa Serikali kuu, kaunti na jamii ni sawa na mapato yale? Mapato ambayo Serikali kuu, kaunti na jamii walipata ni duni sana. Mswada huu ungeangalia usawa wa mapato yanayopatikana katika biashara ya mali asili ili yafaidi Serikali kuu, kaunti na jamii.

Vilevile, nataka nizungumzie swala la mazingira. Wakati mali asili imepatikana katika sehemu fulani na biashara inaendelea, kuna athari kwa mazingira. Je, Mswada huu umezungumzia athari hizo kinaga ubaga? Je, aina gani ya fidia itapatikana ili kuhakikisha kwamba mazingira yanaregeshwa katika hali yaliokuwa na yaendeleo kuzalisha?

Base Titanium wanaondoka kule Kwale, lakini ardhi ile ya ekari nyingi itabaki ikiwa haiwezi kutumika katika ukulima na ufugaji. Je, hasara kama ile itaenda kwa nani? Kwa Mkenya na Serikali kuu ya Kenya? Lazima tuangalie mambo haya. *Commission on Revenue Allocation* (CRA) ama Tume ya ugavi wa fedha itasimamia mikataba ya wale wanaotaka kutumia mali asili. Serikali kuu, wakaazi na kaunti wamepewa majukumu mengi sana kama kusikiliza malalamiko na kuhakikisha malipo yanafika kwa njia inayotakikana. Lakini hatujaonyeshwa kabisa mfumo maalum ambao utakuwa unafuatiliwa kuhakikisha kwamba mambo na majukumu hayo yamefanyika pasipo watu kutumia rushwa na njia ambazo zitawaathiri wale wanaohitaji kupata mapato yale.

Pia, swala la mali asili kuweza kusaidia, tungependa kujua asilimia inayoenda kwa jamii. Je, fedha hizo zitatumika kwa njia gani? Je, kutakuwa na *public participation* ili watu waweze kuelewa haraka. Kitengo hicho hakijawekwa kuonyesha kama watu watakuwa na usemi katika miradi itakayofanyika kupitia mapato ya asilimia 40. Pengine kaunti inaweza kuamua kutumia ile asilimia 40 kufanya kitu bila kuhusisha walengwa.

Hizo ndio changamoto tumeona katika Mswada huu, ambao tumeupenda sana. Hii ni kwa sababu tunajua unaweza kujenga ajira na kuboresha uchumi katika Taifa letu. Lazima tuweze kuangalia yale mapato yanaopatikana kutoka kwa mali asili yetu.

Zile fedha ambazo tunazungumzia za Serikali - ile asilimia 60 - tumeambiwa zitatengenezewa hazina fulani ya kuzisimamia. Kuzungumza kinaga ubaga, hazina hizo zitasimamiwa na akina nani? Watakaosimamia watakuwa watu wa tajriba gani? Zitakaa kwa muda gani? Kitengo gani kitaangalia mambo ya mazingira? Kitengo gani kitaangalia mambo ya jamii na kusaidia miradi ya kitaifa? Hatutaki kupitisha jambo bila kulipiga msasa. Huko mbele iwe fedha ziko pale, lakini pengine watu wachache wanazitumia kiholela au kutumia rushwa na kufanya pesa zile zisiweze kumsaidia Mkenya, ama yule haswa atakaye athirika.

Ikiwa kaunti zimepakana, hatukuelezwa jinsi jopo litachaguliwa ili kusimamia na kuangalia hesabu ya mapato. Je, ni watu wangapi watakuwa katika jopo lile? Limesema tu ni kaunti, na kama ni kaunti tatu, je watachagua watu wangapi? Hesabu ile itageuka ama itakuwa vipi? Kuna mapengo kadhaa katika Mswada huu. Lakini huu ni wakati mwafaka. Kule Mombasa Pwani, mambo mengi yanafanyika pale bandarini. Je, wakaazi ama jamii watapata nini? Ingawaje hii haizungumzii madini.

Lakini kule Taita Taveta kuna madini, Turkana kuna mafuta. Kuna mambo ya jua ambayo yanapatikana hata kule Lamu, ambako kulikuwa kufanyike mradi wa jua, lakini kukawa na changamoto. Hii ni kwa sababu, hatukuwa na sheria inayoweza kufuatilia mambo kama hayo. Sheria hii ikipigwa msasa, lazima ifwatiliwe kisawa ili isiweze kupingana na sheria zilizoko. Sasa hivi, tuna sheria inayoitwa *Mining Act* kwa lugha ya Kingereza na pia kuna sheria nyingi zinazozungumzia mali asili. Lazima pia tuweke ya kwamba hawatakuwa...

The Temporary Speaker (Hon. Farah Maalim): Hon. Beatrice Elachi, followed by Hon. Rasso and Hon. John Waluke.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I rise to support the Natural Resources (Benefit Sharing) Bill from the Senate. If you look at our country, Kenya, the key natural resources we have are iron, gold, titanium, gemstones, fishing, wildlife, and many others. The Senate has proposed this Bill even though we have the Mining Act. As you will realise, many years ago, smart Kenyans went to different communities and bought those lands with natural resources so that they can own them.

This Bill wants to ensure that everyone benefits. However, you find a person is owning that land and having a title deed. So, communities are unable to access it and get their rightful share. As we talk about promoting local initiatives and exploration, first, we should go back to the Mining Act and ensure that the Ministry of Mining can speak to the land owners of all the land that was taken from the communities many years ago. For example, we have many natural resources in Kwale, Mombasa and Malindi and yet, some people own those lands. How can we deal with this so that communities and counties can work together with the people who were given title deeds many years ago?

The second thing the Ministry should do is to avoid conflict. For example, we have gold in Kakamega County, and many people are in the gold business. When this law is passed, there will be a Board, and it has to work. Nowadays, when you go to the Ministry of Mining to request to own a mine, there is a window of rights, and you can get any mine. When you discover what they are doing in the Ministry with the team, you will feel very sad, especially for the communities. The people who know all those things are the ones who have been in this business and understand it.

So, first, we have to revisit those rights and ask ourselves: Does the current portal allow the community to apply for a mining license before individuals from other counties can apply and be granted the mining rights?

Hon. Temporary Speaker, on the collection of royalties, they are saying that the Commission shall, in consultation with the Council of Governors and relevant national

government entities, determine and review the amount of royalties and fees payable. You will find the same Clause in the Mining Act of 2016. And that is what has been happening. Even for communities that have those minerals, we need to agree. We passed a Mining Act 2016 in this country. Is it possible to see whether the implementation of that Mining Act has been taking place? Is it working for the people, or is it working for the owners of the different mining companies that we have?

When you now come to a benefit-sharing agreement, this is where we need to agree. The benefit-sharing agreement in Part IV states that every affected entity shall enter into a benefit-sharing agreement with the relevant county government, before exploiting a natural resource in the affected county. It means that in the Mining Act of 2016, someone is already handling this.

So, for you to come within that agreement as a community and with the relevant county government, and before you even do that exploitation, you must sit down. So, as we pass this Bill, we have to look at the overlaps of the law within the Mining Act, 2016, and this Benefit Sharing Bill, so that we do not find ourselves in conflict every time. When we sit down, we realise the Regulations in the Mining Act, 2016 are already guiding us, just as this law is about to guide us.

It also says that the benefit-sharing agreement shall include non-monetary benefits that may accrue to the county and the contribution of the affected entity in realizing the same. Is the affected entity the community, or is it the national Government? It has to be very clear. I know we have very many communities. Look at the Njemps in Baringo. With all the rubies they have there, they have never benefited. Today, they are in a war. They are in banditry and yet, under the ground, they have a natural resource that can transform the whole of Baringo. That is why the Government has to be clear and willing to commit itself to working for the communities that own those lands.

Hon. Temporary Speaker, we are told that each county with a natural resource to which this Act applies shall establish a county benefit-sharing committee. However, I know there is also a committee in the Mining Act of 2016. How will they work? I want to tell the Senate that it is important to look at both. If you want Kenyans to benefit from this, it is important to look at all these Acts so that the law does not become a barrier to the intended beneficiaries after doing all the good work that we are doing. You will be surprised that some of the functions here are the same as others. It says: "In consultation with the respective local community and upon conducting public participation, negotiate the terms of a benefit-sharing agreement." The law is there to help and to facilitate, not to bring back people again to start negotiating. We have to help and facilitate them. In the Mining Act of 2016, there are percentages that have been put. There is 40 per cent and 60 per cent, as Hon. Mishi was saying. But then, in the end, if we are sitting down in a joint benefit-sharing agreement, yet we thought the law was to cure that so that we do not find ourselves in a cycle of back and forth, the communities will still run to court to express disagreement.

Now, the courts will again be the ones assisting them in unlocking and interpreting the law, which I know is their work. However, as Parliament, it is important that when we make a law, it is explicit and clear so that any layman can read and benefit from it.

Lastly, Hon. Temporary Speaker, as much as we are giving the counties all the powers that we would wish, let us agree to assist counties by looking at what the Mining Act, 2016 has. It is clear that the national Government has a lot of power. Therefore, if we are saying land is with the counties, then let the counties be more involved in this than even the national Government. With those few remarks, I beg to support, but we should ensure that we have clear amendments and no overlapping on the two laws.

The Temporary Speaker (Hon. Farah Maalim): The Hon. Dido Rasso followed by the Hon. Waluke.

Hon. Ali Rasso (Saku, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity. Reading this Bill and having listened to the Chairman yesterday, we should not, as a House, legislate in vain. To say, on the one hand, that this Bill appears not constitutional in terms of the myriad of issues it introduces, and on the other side, we come out to say that this Bill has some good things; from my understanding as a legislator, there is no point of bringing laws to the Floor of this House when they are not properly cooked or ripe enough for us to make sense out of them.

The worldview of the originators of this Bill is the counties because that is where those resources are found and managed. Individuals at the counties will be asked in the end how those resources will be applied.

Hon. Temporary Speaker, this Bill brings me to Article 204(2) and (4) on the Equalization Fund. The reason we have so many problems in terms of the application of the Equalization Fund is that, on the one hand, you say it should address the issues of marginalized areas and groups so that they are brought to the same level as those other relatively more developed areas. However, at the same time, Sub-article (4) says that the Commission on Revenue Allocation (CRA) will decide. That is why the people in Nairobi say that they are marginalized today. Who marginalized them when everything in Kenya is in Nairobi? The originators of this Bill are so much consumed by creating an authority and a board that will manage this.

Hon. Temporary Speaker, on the issue of benefit sharing, we have the problem of Lake Turkana Wind Power in Marsabit, where I come from. The county government then allowed a company to start that project. It is a major world standard project, but with very little consultation from the resident community. That matter is still in court and yet, the company is transmitting almost 360 megawatts to the national grid. Whereas this Bill is important, it should not conflict with existing statutes and Acts of Parliament. We say that we have a Petroleum Act, which is among the oldest acts in this country, particularly in the energy sector. Are we going to shelve it and come up with some new laws? We have the Water Act. God forbid! What will happen if the residents of Murang'a wake up one morning and say water from Ndakaini should not come to Nairobi? It is important to make laws, but we must make good laws that do not conflict with the existing laws.

For those of us who come from the Arid and Semi-Arid Lands (ASALs), those are the frontiers of Kenya's future development where we will likely get minerals, wind power, solar, and all kinds of things, including groundwater. We have benefited from the rest of Kenya since Independence but, suddenly, something new has been discovered in our region and so, we say it is ours and not for the rest. Which Kenya are we living in?

Hon. Temporary Speaker, currently in Dabel, Moyale Constituency, some locals have discovered gold. They are mining it on a small scale. One of the issues that disturb the resident community is land degradation and pollution. Many people move to an area that can only support so much of the population in terms of water and basic amenities. The locals are asking who must take the responsibility. The County Government of Marsabit says that is none of their business. The Ministry of Mining, Blue Economy and Maritime Affairs is not taking appropriate measures to ensure those people are safe, doing the right thing, and the environment is not unfairly degraded. Things must be applied to benefit both the exploiters of those minerals and the local community.

Hon. Temporary Speaker, when a Bill or an element of a Bill is suggested, that is why we have the Omnibus so that it tweaks or suggests an amendment to an existing law. When that law does not exist in its entirety, we can come up with a new Bill that becomes a new law. From where I sit, I appreciate the Chairman. As he moved this Bill yesterday, he strained to say they have rejected it. Many are sympathetic to this particular law. He said we let the House decide. Therefore, as somebody from the ASALs, where most of those resources will likely be

discovered and exploited, I want a good Bill. I am restrained, and I am not likely to be able to support it under this circumstance.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Hon. Waluke. Is Hon. Lochakapong here, or has he just registered his name? He is not in here. Continue, Hon. Waluke. You will be followed by Hon. Kihungi, Hon. Mutunga and then Hon. Ruku.

Hon. John Koyi (Sirisia, JP): Thank you, Hon. Temporary Speaker, for allowing me to contribute to this Bill. I want to sympathise with the Committee and especially the Chairman. When he was moving the Bill yesterday, he was not himself. However, it was his duty as the Chairman to move.

In the first place, this Bill mostly touches on the county governments. Kenya, as a country, has a lot of natural resources, but they are not properly utilised. We need to put proper measures, regulations, and acts in place to help this country and our people. The owners of that land in the new Constitution are the county governments. The landowners in those various counties are people with title deeds. The land is for the people of Kenya. When the Government embarks on mining, those people are not considered properly when it is doing valuations. They are not paid as they are supposed to be. It is important that we go slow on this Bill.

Hon. Temporary Speaker, Kenya has many minerals, such as oil. Since 1987, when the late President Moi announced the oil presence in this country, it just went under, and Kenyans do not know why. Three years ago, the retired President Uhuru mentioned about oil in Turkana. We are crying about the prices of everything, including food, because of oil prices and yet, oil is in Turkana. It is rumoured to have been transported to a particular country, and we seem to have been misled.

Hon. Temporary Speaker, you have been in this Parliament for long. It was alleged that the oil had been taken to a particular country for refining, but it was not clear which country it was. However, up to date, we are still suffering as Kenyans. Our President has travelled all over the world looking for money and trying to revive the economy of this country, and I appreciate him. However, we have oil. What are we doing with it? Some people in this country may be sitting on it and negotiating with other countries. We do not know.

I do not support this Bill. I cannot support something that affects Kenyans. We have sources of energy, oil, gold and copper in this country. The Chinese have been carrying our copper to China for several years, but have not seen the benefits. Do they carry it for free, or do they pay for it? If they pay, where is the money? Why has the Government not announced how many billions or trillions of shillings the country has received from copper and other natural resources?

I oppose this Bill.

The Temporary Speaker (Hon. Farah Maalim): Member for Kangema, Hon. Kihungi.

(Hon. Ruku GK spoke off the record)

You will follow the Member for Kangema.

Hon. Peter Kihungi (Kangema, UDA): Thank you, Hon. Temporary Speaker. I am also in between about supporting or opposing the Bill. The Bill has many inconsistencies, mostly on issues that Members have raised, such as those related to appointments. An appointment to a parastatal or a Semi-Autonomous Government Agency (SAGA) does not need to come to Parliament. The President just appoints his preferred choice. However, those issues can be amended if the spirit of the Bill is good.

As I listened to the Mover yesterday, I felt I would oppose the Bill in totality. However, I will go the Hon. Millie Odhiambo route, whereby if the Bill manages to go beyond the Second Reading Stage, I will propose amendments to it. The Bill might conflict with other Acts, such

as Mining and Energy. There are existing Acts that could cure some of the issues that have been raised by the Mover of the Bill.

The Mover defined natural resources as sunlight, surface and groundwater, forests and biodiversity. As residents of Murang'a, we have suffered for a long time. Our only natural resource is water, but the residents of Murang'a do not benefit from it. If we keep on hiding this fact, it will one day explode, and we will be unable to manage it. It is better that we legislate on how we can also share the benefits of water with the residents. We cannot continue to be at the mercy of the Government.

I never knew that there was a mining legislation that provides that 70 per cent of all mining profits should go to the national Government, 20 per cent to the county government, and 10 per cent to the community. We should treat all natural resources equally. If it goes beyond Second Reading, we can take the opportunity to legislate on issues of sharing water resources. This is so that the Government does not come begging us whenever it is working or planning to do a water activity in Murang'a, for example. The Government should know it has authority because the residents will have been legislated and benefit from the resource.

I know that there are inconsistencies. Some mistakes are in division and legislation. I wish we could amend some issues that have been done against the law and those that contradict the existing laws. We who have natural resources without legislation on sharing benefits can be enjoined so that we do not find ourselves where people are fighting government projects because there are no clear structures or legislation that advise or give direction on how the owners of those resources will benefit.

The legislation has many inconsistencies and mistakes. If it goes beyond the Second Reading, I will be one of the Members who will bring amendments to the Bill so that we close on the other natural resources like water that have not been legislated upon.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Next is Hon. Mutunga, followed by Hon. Ruku.

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you, Hon. Temporary Speaker. I join my colleagues in looking at this Bill once more. I wish the Committee considered provisions within the Mining Act, the Petroleum Act, the Constitution, and many others. The definition of a natural resource is key. There is the risk that we might get ourselves into regarding the sharable resources. One of the things we need to be careful about is what the immediate former contributor to this Bill has said. He has been alluding to resources like water that comes from his county.

If you look at water or follow this resource and look at what happens to it, it will flow from a spring or source to where it will either be completely consumed or get into the ocean or any other water body. Who becomes the owner of those resources? If you ask the people in Murang'a to contain water there, they will have a bigger problem than allowing it to flow. If you look at the River Nile and the kind of agreement we have with countries along the Nile, any containment of the water upstream causes some jitters across. That natural resource is not shared just within Kenya but internationally. We have to allow it to go.

This Bill needs to be better thought through. We need to decide what we are looking at regarding natural resources. The Bill aims to establish a fair benefit-sharing formula for natural resources and their exploitation. If we look at the benefits, we must define natural resources to a finite level. Otherwise, we may not be able to clearly get what it is.

I have seen the formula that the Senate or the drafter of the Bill has proposed. I have also seen the contribution made by the National Assembly. I want to refer us to this formula. The Natural Resources (Benefit Sharing) Bill (Senate Bill No. 6 of 2022) proposes a benefit-sharing ratio of 60 and 40 per cent for the national and county governments, respectively.

The county government's share is divided into two where 24 per cent goes to the affected community and 16 per cent to the entire county. The National Assembly voted for the initial Bill and incorporated several amendments, among them being that 20 per cent of the benefits go to the Kenya National Sovereign Wealth Fund (KNSWF), which is provided for in our statutes and Constitution. 48 cent goes to the national Government, 32 per cent goes to the county governments, and the proportion for county governments is divided into two again, where 19.5 per cent goes to the entire county and 12.5 per cent goes to the affected communities.

When we look at this formula and the logic therein, it creates a bit of jitters because it might bring in what we probably may not want to go into, like I mentioned. We should look at the Mining Act and amend it to include others, if we want perfection. We need to be very specific on those resources. We cannot generalise on natural resources because there are many, and some of them traverse through boundaries, and thus cannot be localised.

There are a few issues that we need to note and one of them is equity. When do we create fairness? When we say fair revenue sharing among the national and county governments, at what point will we say what is fair and what is not?

On the issue of transparency and openness in agreements and fund management, if a fund is created, what formula will we use to ensure that?

The other issue is that our Constitution is very rich in terms of accountability and transparency. Should we say that we must devise another small formula to deal with this particular issue? Was transparency and accountability in resource management sufficiently captured or is it in the context of sharing?

Regarding Community participation, Article 118 of the Constitution is very clear on it, or anything we want to propose. Are we bringing in the involvement of decision-makers? Who are they in this respect? When people share scarce resources globally, they will put their interests first, which might bring problems.

On environmental conservation, we know that the environment is universal. Hon. Temporary Speaker, we cannot say we have an environment where we can create boundaries. Climate change affects us because it is universal. Whatever happens in Europe and America affects us here in Kenya. Whatever we do in Africa also affects South America.

(Applause)

That being the case, some of these issues need a little more exploring before we can draw serious conclusions.

On the impact on growth and development, I know it is possible for individuals and communities to imagine that they have not been considered. But we have laws that basically guide what should go to a community and what should be taken away.

Hon. Temporary Speaker, looking through this particular legislation, I propose that we enhance the law on mining more by way of amendment. We also need to be very specific on what resources we are talking about. I thank you, Hon. Temporary Speaker.

I oppose.

The Temporary Speaker (Hon. Farah Maalim): Hon. Ruku.

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Temporary Speaker. I rise to point out several issues that make me uncomfortable supporting the Natural Resources (Benefit Sharing) Bill.

Clause 9 of the Bill on the qualifications for appointment states that:

“A person is qualified for appointment as the chairperson or a member of the Board under Section 7(1)(f),(g) and (h) if that person—

(a) holds a degree from a university recognised in Kenya;

- and,
- (b) has knowledge and, at least, seven years' experience in—
- (i) law;
 - (ii) environmental management;
 - (iii) economics;
 - (iv) public finance;
 - (v) mining;
 - (vi) community development; or,
 - (vii) any other related field.”

This proposed law says that to be appointed as the chairperson, you must have all these qualifications. I do not know a person who went to school and studied for degrees in about six or seven areas. The wording in this Clause has a problem. Whoever drafted this Bill wanted to say that the chairperson should have knowledge in one of these areas, but not all of them. Therefore, it is not crafted seriously. When we do our Doctor of Philosophy (Ph.D.) or Master's degree studies, it is very easy to identify a dissertation or thesis that someone has taken the time to look at. People invest time and seriousness in arranging flowing paragraphs that can be easily read. The abstracts or literature reviews are also well-written. When we see such mistakes in a serious Bill, it shows that there are probably many others. This discourages Members from supporting it.

The same mistake is repeated in Clause 16(1) and 2 of the Bill on Director-General. It says that:

“(1) There shall be a director-general of the authority who shall be competitively recruited and appointed by the board on such terms and conditions as the board shall determine.

(2) A person qualifies for appointment as director-general under subsection (1) if such person—

(a) holds a degree from a university recognised in Kenya;

And,

(b) has knowledge and at least 10 years' experience in—

- (i) law;
- (ii) environmental management;
- (iii) economics;
- (iv) public finance;
- (v) mining;
- (vi) community development; or,
- (vii) any other related field.

Whoever drafted this Bill did not take enough time to read these clauses seriously. They did not use a fine-tooth comb or take time to analyse every clause in the Bill.

QUORUM

Hon. Joseph Chererot (Kipkelion East, UDA): On a point of order, Hon. Temporary Speaker.

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

Hon. Joseph Chererot (Kipkelion East, UDA): Hon. Temporary Speaker, I have just realised that we do not have quorum in the House.

The Temporary Speaker (Hon. Farah Maalim): That is fair enough. Hon. Chererot, you are right. Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

ADJOURNMENT

Hon. Temporary Speaker (Hon. Farah Maalim): Order, Hon. Members. There being no quorum, and the time being 6.54 p.m., the House stands adjourned until tomorrow, Thursday, 7th March 2024 at 2.30 p.m.

The House rose at 6.54 p.m.

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