



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

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## THE HANSARD

Wednesday, 29<sup>th</sup> November 2023

The House met at 9.30 a.m.

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

### PRAYERS

**Hon. Deputy Speaker:** Hon. Members, we are now ready to start. We may proceed.

### PAPERS

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

1. Reports of the Auditor-General and Financial Statements in respect of the following constituencies for the year ended 30<sup>th</sup> June 2022 and certificates therein:
  - (a) Kisumu Central; and,
  - (b) Kisumu East.
2. Annual Report and Financial Statements of the Power of Mercy Advisory Committee (POMAC) for the Financial Year 2022/2023 from the Office of the Attorney-General.
3. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June 2023 and certificates therein in respect of:
  - (a) Eastern Electricity Highway Project (IDA Credit No. 5148 – KE; AFD Loan No.CKE 1030 01B and ADF Loan No.2100150027845) – Kenya Electricity Transmission Company Limited;
  - (b) Bogoria Silali Geothermal Project (Loan No.2013.66.103) – Geothermal Development Company;
  - (c) Kenya Electricity Modernisation Project (KEMP) (IDA CR. NO. 5587 KE) – Ministry of Energy;
  - (d) Last Mile Connectivity Project I Loan No.2100150032195 - Kenya Power and Lighting Company PLC;
  - (e) Mombasa Special Economic Zone Development Project (I) - Kenya National Highways Authority;
  - (f) Mombasa-Mariakani Highway Project (A109) Road LOT I – Mombasa – Kwa Jomvu) – Kenya National Highways Authority;
  - (g) Horn of Africa Gateway Development Project Loan No.6768-KE – Kenya National Highways Authority;
  - (h) Kenya Urban Support Program (IDA No.61340 KE) – State Department for Housing and Urban Development;
  - (i) National Police Service Commission; and,
  - (j) National Police Service Commission Staff Car Loan and Mortgage Scheme Fund.

**Hon. Deputy Speaker:** Chairperson of the Departmental Committee on Justice and Legal Affairs.

**Hon. George Murugara** (Tharaka, UDA): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

Addendum to the Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Conflict of Interest Bill (National Assembly Bill No.12 of 2023) tabled on 3<sup>rd</sup> October 2023.

Hon. Deputy Speaker, allow me to draw the attention of Members to the Addendum Report, which I have just tabled, on the Conflict of Interest Bill, which is coming up for Committee of the whole House this afternoon.

Many Members of Parliament had issues with the Bill. The Committee has looked at the Bill, clause by clause. There are proposals to amend almost every clause so that it is in consonance with our Constitution and aspirations of Members of Parliament and Kenyans. Get a copy of the Report, read it, and sit through the Committee of the whole House. We do not want to pass laws without the participation of some Members and then we later hear them criticising the same laws. This is a very important law on public servants and we have also taken care of Members of Parliament.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is your point of order, Hon. Makali?

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Hon. Deputy Speaker, I am following up on what the Chairperson of the Departmental Committee on Justice and Legal Affairs has said that almost every clause in the Bill is being amended. Would it be in order to suggest that they re-publish the Bill? Amending every clause is a clear signal that something is not right.

**Hon. Deputy Speaker:** Hon. Murugara, do you want to respond to that?

**Hon. George Murugara** (Tharaka, UDA): Hon. Deputy Speaker, the mere fact that almost every clause is being amended does not mean that we are losing the substance of the Bill. We are instead making the Bill a better law. There is absolutely nothing stopping us from doing that.

We are not deleting clauses to do away with the Bill in its entirety. We are only amending clauses that need slight, minor, or major amendments. That is allowed by our Standing Orders and the law-making process. We are not losing the gist and substance of the Bill, rather, we are making it a better law so that it complies with our Constitution and the aspirations of Members of Parliament and Kenyans at large.

**Hon. Deputy Speaker:** Hon. Murugara, Hon. Makali is asking that we be furnished with a full draft of the Bill in its current form for ease of reading. Give us access to the complete draft of the Bill so that we do not have to look at two documents, that is, the original Bill and the proposed amendments. Members only need one document for ease of reference and debate.

**Hon. Ali Raso** (Saku, UDA): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Just before you respond to that, Hon. Raso has a point of order. You can respond to both.

**Hon. Ali Raso** (Saku, UDA): Thank you very much, Hon. Deputy Speaker. A precedent has been set. Hon. Pukose recently tabled a Bill, which the House was unable to prosecute in the Committee of the whole House. The Speaker recalled it until we had a fresh one. With tremendous respect to my brother, Hon. Murugara, who also sat through the consideration of Hon. Pukose's Bill, we should not repeat that scenario.

**Hon. Justice Kemei** (Sigowet/Soin, UDA): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Justice Kemei.

**Hon. Justice Kemei** (Sigowet/Soin, UDA): Thank you, Hon. Deputy Speaker. In addition to what my colleagues have said, this is a critical Bill. It touches on matters corruption and public servants. I was of the opinion that instead of comparing two documents, we should have just one document, which we will use to make a decision.

**Hon. Deputy Speaker:** Hon. Murugara, there is nothing wrong with providing material to Members.

**Hon. George Murugara (Tharaka, UDA):** Thank you, Hon. Deputy Speaker. Unfortunately, it is not possible to provide one document. Remember that we debated the original Bill in the House. Hold the original Bill in one hand and hold the Committee Report with the proposed amendments in the other hand. The two documents will only become one if the amendments sail through and the Bill becomes an Act of Parliament. That is the only time that we can incorporate the amendments into the Bill and come up with one document. We currently have the original Bill by the Leader of the Majority Party and the Committee Report.

As regards the proposal that we shelve the Bill at this moment in time, we first have to see the proposed amendments. The Speaker will also have to look at the proposals that will be on the Order Paper then we will make a decision on whether we should re-do a new Bill. That can only be done by the Leader of the Majority Party and not by the Committee because this is not a Committee Bill. It was a Bill sponsored by the Leader of the Majority Party. The work of the Committee was purely to examine it clause by clause as the responsible Committee. So, we cannot put the cart before the horse. We have to deal with it this afternoon. Members, please, get a copy of the Report. Do not rely on what you are told. It may not be true. Members should get a copy of the Report. It has the clauses to be amended. They should also get the original Bill.

**Hon. Deputy Speaker:** Hon. Murugara, Members are not asking that you change the Standing Orders or you publish a new Bill. What they are asking is if they can have access to a working document. That is something that can be done by the Clerk's Office. You are a lawyer and you know what happens when there are proposed amendments to a Bill. They simply publish the entire document then cross out what needs to be crossed out and write in a different colour what is being introduced. I think Members are looking for a document like that for ease of reading and not a new publication because that will be contravening the Standing Orders. That is possible. If you liaise with the clerk of the Committee and the Clerk's Office, they can produce one and circulate to Members.

Hon. Makali and Hon. Justice Kimei, does that make you happy? In case I have said the wrong thing, just flag it out.

**Hon. (Dr) Makali Mulu (Kitui Central, WDM):** Hon. Deputy Speaker, what you have said is very correct. The Chairman of the Departmental Committee on Justice and Legal Affairs has said that the substance of the Bill has not changed. However, if, for example, you have 20 clauses in that Bill and 18 of them have been amended at the Committee of the whole House level, it will automatically mean that the main body of the Bill... I will agree with what Hon. Raso said. If you may remember, in the other Bill that we discussed, the Speaker directed that we harmonise it and then publish another Bill that will capture all the amendments. Comparing the original Bill with the new one during the Third Reading will be very tricky. Every process has been amended and for sure, it will be very difficult for Members to follow in terms of text, content and the objective of the Bill. However, it seems that where we are, we may not be able to go back. Let us deal with it the way it is. What you have said makes a lot of sense. It will help Members. They can easily compare the original with what is changing.

**Hon. Deputy Speaker:** Hon. Raso, you cannot say that we are going to use the precedent that was established because the Bills are different and the circumstances may be different. That Bill is not yet before us. We are speculating what might be there. Hon. Murugara has said that we read it.

Hon. Murugara, let Members have access to a working document for ease of reference and not a new publication. When the Bill will be before this House, they can see whether the objects and purpose of the Bill have changed or not. For now, we will take your word for it until the time Members will make that decision when the Bill will be properly before this

House. Please, give Members a working document so that they can give an informed input to the Bill. That is a better middle ground.

**Hon. George Murugara** (Tharaka, UDA): Absolutely, Hon. Deputy Speaker. That is a better approach. Members should get a copy of the Report. It has the schedule of amendments just as we do it in the House. They should also get the original Bill. Remember, the Bill has gone through the Second Reading and passed. So, the only stage left is the Committee of the whole House. That is where we can deal with it. Justification is also given in that Report. It is not anything we are creating. Every proposal to amend a comma, a word, or a phrase has been given a justification.

**Hon. Deputy Speaker:** Hon. Members, that settles it. Let us proceed to the next Order.

## QUESTIONS AND STATEMENTS

**Hon. Deputy Speaker:** There is a statement by the Member for Samburu North, Hon. Eli Letipila. Is he here?

### REQUEST FOR STATEMENT

#### REVENGE KILLINGS AND INSECURITY IN SAMBURU NORTH

**Hon. Letipila Eli** (Samburu North, UDA): Thank you, Hon. Deputy Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs regarding the reported revenge killings and rising insecurity cases in Samburu North Constituency. Bandit attacks and cattle rustling have continued to wreak havoc in the north rift regions over the years. Hundreds of lives have been lost and thousands of livestock stolen in a vice that has left communities living in El-Barta, Nachola, Nyiro, and Angata Nayoike wards in a desperate state despite the Government gazetted these areas as disturbed zones.

In the recent past, three lives have been lost in Samburu North Constituency following revenge killings by unknown assailants in a span of two weeks. Mr James Loiborkerra, ID No. 24760971 was attacked and shot dead on 9<sup>th</sup> November, 2023 while grazing goats. Mr Lmika Lereete of ID No.21514758 was killed while at home on 20<sup>th</sup> November, 2023, and a teacher, Mr Agostine Egelan of ID No.23810913 was gunned down on 23<sup>rd</sup> November, 2023 while walking home within Baragoi Town.

On October 2022 at Baragoi Stadium in Samburu North Constituency, his Excellency the President gave a directive to end the rising insecurity cases and cattle rustling that has led to loss of lives, displacement of residents, and loss of thousands of livestock in the northern region of the country. Consequently, following a spike of violent activities by pastoralist militia, the Government launched an operation dubbed “Operation Maliza Uhalifu North Rift.” However, its long-term impact is uncertain due to multiple security challenges in the North Rift and the risk of overstressing Government security forces.

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

1. The status of peace operations in Samburu North Constituency particularly in El-Barta, Nyiro and Ang’ata Nanyokie wards.
2. The reasons for pulling out of the Special Operation Group of the Administration Police from Baragoi, in Samburu North despite their efficient role in reducing lawlessness and bringing normalcy in Samburu North and the plans to reinstated the group to continue with security operations in the area.

3. Measures put in place by the Government to arrest the rising cases of revenge killings within Baragoi area and bring the culprits to book.
4. The number of people arrested and arraigned in court over the recent attacks.

**Hon. Deputy Speaker:** The Chairperson Departmental Committee on Administration and Internal Affairs.

**Hon. Ali Raso** (Saku, UDA): Hon. Deputy Speaker, I am standing in for the Chair of the Departmental Committee on Administration and Internal Affairs. Last week, the Committee was in Samburu West, Turkana East, and Turkana West. The Committee will next week visit Marakwet and West Pokot. We are fully aware of what is happening in Samburu, Laikipia, Baringo, Turkana, and West Pokot. For that reason, we will respond to the request for a Statement by Hon. Eli Letipila in two weeks time. We will also call all our colleagues from those disturbed areas.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Yes, Hon. Kangogo Bowen.

**Hon. Kangogo Bowen** (Marakwet East, UDA): The stories we have been hearing for many years about how insecurity in Kerio Valley is going to be addressed from Chairpersons of Committees in this House and even in the Office of the President under the Cabinet Secretary, Ministry of Interior and National Administration have always been the same. Nothing comes out of them. I ask Hon. Raso, a colleague who is in that position courtesy of all of us especially from pastoral region, not to be taken in rounds again by the Cabinet Secretary and the security apparatus in this country. He has been told the same stories that they are going to establish police stations in particular areas. Let us go for practical solutions. As leaders from that region, we have given practical solutions. Armed National Police Reservists (NPRs) should be deployed in every community because they know the entry and exit routes of the criminals.

The reason there is insecurity in Kerio Valley and parts of Samburu is because there is no infrastructure. These are places which have completely been neglected. There is no Government in place; there are no water points; there are no roads; there are no schools and churches. There is nothing in that area. Those people live on their own. We, Members of Parliament, from that region have raised Statements in this House, but we get the same story. Can we get something different? When the Cabinet Secretary comes to the House, he always tells us that he will deploy police officers: the same story.

**Hon. Deputy Speaker:** Allow him to finish his sentence.

**Hon. Kangogo Bowen** (Marakwet East, UDA): I am done.

**Hon. Deputy Speaker:** Who is that Member seated next to Hon. Bowen? I do not see him well because of my eyesight. Give him the microphone.

**Hon. Benjamin Lang'at** (Ainamoi, UDA): Hon. Deputy Speaker, I thank the Member for Samburu for raising this issue. It is very unfortunate that at this particular time in Kenya, we still hear of Kenyans dying because of cattle rustling and other related issues. We need to have a full report and an action plan that shows how the Kenyan police act on this matter. The Member for Marakwet East has said that there is no Government in that place, but when you go around this country, you get some police officers collecting bribes on roads. We need to rationalise the police because we have some of them collecting bribes on the roads, committing petty crimes, and harassing women and children in some places. It is high time we rationalised the police and took them to where their support is needed.

I support our colleague from Samburu. I ask leaders in the security team and the police where they are when all these things happen. Where are the issues? Do they not have motor vehicles? In this era of technology, it is very unfortunate to hear that people using arrows without motor vehicles can ambush a village and get away as far as 100 kilometres without the Government arresting them.

**Hon. Deputy Speaker:** I need help to have my screen on so that I can recognise the Members of Parliament speaking. They are far and I cannot see them. Hon. Ruku.

**Hon. GK Ruku** (Mbeere North, UDA): Thank you, Hon. Deputy Speaker.

On the issue of insecurity in the mentioned parts of the country, we need to tackle it by addressing culture because some of these insecurities occur because of the culture of the people of that area. That is the truth of the matter. Raiding other communities' homes and driving away huge herds of cattle is considered heroism in those parts of the country. Leaders from those parts of the country also need to address the issue of culture so that that kind of insecurity can be settled. We will continue blaming police officers and the Government when it is us who perpetuate this kind of culture. It is important for leaders in this House to consider having a deliberate discussion with the elders and young people from the affected communities to see how to change that kind of culture. It is not heroism to drive a huge herd of cattle using guns.

**Hon. Deputy Speaker:** I will give a chance to one more Hon. Member. Let us have the Member for Turkana. My screen is not working so I cannot see your face clearly. Proceed, you have five minutes and then we can close this. I have indulged the Member.

**Hon. Joseph Emathe** (Tukana Central, UDA): Hon. Deputy Speaker, I thank you for giving me this opportunity. It looks like this corner is disadvantaged. Maybe you will need another lense to see us.

**Hon. Deputy Speaker:** Usually my screen works, and so your face appears, but today it is not working.

**Hon. Joseph Emathe** (Tukana Central, UDA): Thank you, I am guided. We are discussing the issue of insecurity in northern Kenya. It is an issue that has been raised by Hon. Eli Letipila and it is very pertinent to this country.

*(Hon. Julius Melly and a few Members walked out of the chamber)*

**Hon. Deputy Speaker:** Hon. Melly and team kindly we need you in the room.

**Hon. Joseph Emathe** (Tukana Central, UDA): Hon. Deputy Speaker, the issue at hand is very pertinent and I thank Hon. Eli Letipila for bringing it up.

As Hon. Bowen said, we are repeating the same story. Soon, we will become cry babies. I would like to hear the Cabinet Secretary, Hon. Kindiki brief us on the progress that has been made in northern Kenya especially on the approved ongoing operation. What has been reported to be happening in Samburu North is very unfortunate at this time.

We have lost three lives in two weeks of the month of November. The bandits are coming back to town. They are urbanising their banditry tactics. Thus, we who stay in the urban areas are also at risk. Those who have lost their lives were killed, but not even mentioned. That calls for a speech. We will request the Cabinet Secretary, Prof. Kindiki, to give us an update of what has just happened. A life lost is important to us in the north and to Kenya.

It is important to get a review of what Kindiki is doing so that we can walk together with him and avoid being told something is happening while nothing is actually happening. Lives are being lost and we are being told there is an operation and people are still losing their livelihoods now and then.

I would beseech that we get to understand what is happening, once and for all. Otherwise, we may soon request to secede since we are being killed, day in, day out.

**Hon. Deputy Speaker:** Next Order.

## PROCEDURAL MOTION

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

EXEMPTION OF CERTAIN BUSINESS FROM  
STANDING ORDER 40(3)

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, this House resolves to exempt the business appearing as Order No.12 in today's Order Paper from the provisions of Standing Order 40(3), being a Wednesday Morning, a day allocated for business not sponsored by the Majority or Minority Party or business sponsored by a Committee.

Hon. Deputy Speaker, we have this very important Bill, the National Lottery Bill, appearing on the Order Paper as No.12, which was debated yesterday. Members expressed themselves adequately and the only business we have today, is that we reply to this Motion, and at reply, we expect to put the Question in the afternoon.

Therefore, we request that we be exempted from the normal procedure, that being a Wednesday morning, which is specifically done for Members' business, we allow this Motion to be put on the Order Paper, we reply and have an opportunity to put the Question in the afternoon. This will enable us finish this particular piece of legislation within this Session so that it does not have to go to the next.

I request Hon. Ruku, the gentleman from Meru...

*(Hon. Ruku spoke off the record)*

From Mbeere, sorry. Mbeeres' are tall, Merus are short. Kindly second this Motion.

**Hon. Ruku G.K** (Mbeere North, DP): Thank you, Hon. Deputy Speaker. We have giants in Mbeere and I am one of them. The other giant was Hon. Justin Muturi, the former Speaker of this House.

I rise to second this Motion because it is important that we debate the National Lottery Bill. It is very timely since it will establish the National Lottery Board and the National Lottery Fund in this country.

This is an important Bill and it needs to be allocated time this morning so that we can expedite the implementation process.

I second.

*(Question proposed)*

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

**Hon. Deputy Speaker:** It is the mood of the House that I put the Question.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Next Order.

## BILLS

### *Second Readings*

THE CANCER PREVENTION AND CONTROL (AMENDMENT) (NO.2) BILL  
(National Assembly Bill No.45 of 2022)

*(Moved by Hon. Rahim Dawood on 8.11.2023)*



*(Debate concluded on 23.11.2023 - Morning Sitting)*

*(Question put and agreed to)*

*(The Bill was read a Second Time and  
Committed to Committee of the whole House)*

**Hon. Deputy Speaker:** Next Order.

THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL  
(National Assembly Bill No.3 of 2023)

*(Moved by Hon. Ruweida Mohamed on 22.11.2023)*

*(Debate concluded on 22.11.2023 - Afternoon Sitting)*

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Next Order.

*(The Bill was read a Second Time and  
Committed to Committee of the whole House)*

**Hon. Deputy Speaker:** Hon. Members, I seek your indulgence that for efficiency of the House, I re-order the Order Paper so that we go immediately to Order No.12 and then we will come back to Order No.11, which is Committee of the whole House.

Order No.12.

THE NATIONAL LOTTERY (AMENDMENT) BILL  
(National Assembly Bill No.69 of 2023)

*(Moved by Hon. Kimani Ichung'wah on 28.11.2023)*

*(Resumption of debate interrupted on 28.11.2023)*

**Hon. Ruku G.K** (Mbeere North, DP): On point of order.

**Hon. Deputy Speaker:** What is your point of order, Hon. Ruku?

**Hon. Ruku G.K** (Mbeere North, DP): Hon. Deputy Speaker, I rise on Standing Order 95(1). This Bill was discussed by many Members and I think it is the mood of the House that we call upon the Mover to reply.

**Hon. Deputy Speaker:** Is that the mood of the House, Deputy Leader of the Majority Party? Proceed. You may reply.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Deputy Speaker, the National Lottery (Amendment) Bill, was canvassed here yesterday and Members expressed themselves adequately.

Many issues were raised, that we will handle at the Committee stage, including several amendments. This is an important Bill because this country has had the Kenya Charity Sweepstake before. The Kenya Charity Sweepstake did a lot of charity work because of the money that was accumulated through lottery.

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A lot of lotteries are happening in this country, although they come in the form of gambling, and we must come up with a law. I am aware there is the Gambling Control Bill, 2023 that is before this House, but the National Lottery Bill is important to help us build reserve and capital for the development of this country.

Therefore, I beg to reply so that we can have an opportunity to put the Question. Hon. Deputy Speaker, I request that I donate one minute to Hon. Mutunga so that he can express a few items as we wind up.

**Hon. Deputy Speaker:** Hon. Mutunga, proceed.

**Hon. (Dr) John K. Mutunga** (Tigania West, UDA): Thank you, Hon. Deputy Speaker. I also thank you, Deputy Leader of the Majority Party, for donating one minute. We have decided to put this law in place so as to regulate the sector better. Therefore, we need to come up with a good law. There are a few omissions that I would like to note. The first item is that one of the functions of the board is to qualify who gets registered as a National Lottery Agency. However, the board does not have that function. Clause 24 clearly provides for the same, but it is missing in the functions. It is introduced again as a function of the board.

The other issue is that monitoring the performance, fees, and levies that might come by is important. There is need to raise money to sustain the sub-sector even as we look at sustainability. We may need to consider a levy for any money that is accruable so that it can be used to run the sub-sector. I will introduce some of those issues as amendments in the Committee of the whole House.

Thank you very much, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** I will now put the Question.

*(Question put and agreed to)*

*(The Bill was read a Second Time and committed to a Committee of the whole House)*

**Hon. Deputy Speaker:** Next Order.

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

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

### IN THE COMMITTEE

*[The Temporary Chairman  
(Hon. David Ochieng') in the Chair]*

#### THE NATIONAL YOUTH COUNCIL (AMENDMENT) BILL (National Assembly Bill No.1 of 2023)

**The Temporary Chairman** (Hon. David Ochieng'): Take your seats. Good morning to you, Hon. Members. Order No.11 is on the Committee of the whole House. It is a very short session that may take us about 10 minutes. We will then go back to the other business on the Order Paper.

*Clause 3*

**The Temporary Chairman** (Hon. David Ochieng’): Mover, Hon. Alice Ng’ang’a.

**Hon. Alice Ng’ang’a** (Thika Town, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 3 of the Bill be amended by deleting paragraph (b).

Clause 3(b) seeks to remove the power of the youth to elect their own to the National Youth Council. It confers upon the Cabinet Secretary the responsibility on matters relating to the youth and the power to nominate nine youth to be in the Council. This does not foster the dictates of Article 55(b) of the Constitution which provides that the State should take measures to ensure that the youth have an opportunity to be presented and participate in political, social, economic and other spheres of life.

Further, Clause 3(b) of the Bill dictates the right of the youth to choose and elect their own leaders to champion the youth agenda. Noting the need to retain the spirit of youth participation through a democratic process in the Council, I move to delete the Clause 3(b).

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Clause 3 as amended agreed to)*

*Clause 4*

**The Temporary Chairman** (Hon. David Ochieng’): Mover.

**Hon. Alice Ng’ang’a** (Thika Town, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 4 of the Bill be amended by deleting the words “paragraph (g)” and substituting therefor the words “paragraph (f)”.

The proposed amendment seeks to correct typographical error and make reference to the correct paragraph.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 4 as amended agreed to)*

*(Clause 2 agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

**The Temporary Chairman** (Hon. David Ochieng’): Mover, move for reporting. Hon. Kandie.

**Hon. Joshua Kandie** (Baringo Central, UDA): Thank you, Hon. Temporary Chairman. I beg to move that the Committee do report to the House its consideration of the National Youth Council (Amendment) Bill (National Assembly Bill No.1 of 2023) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

IN THE HOUSE

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

### MOTION

#### CONSIDERATION OF REPORT ON THE NATIONAL YOUTH COUNCIL (AMENDMENT) BILL

**Hon. David Ochieng'** (Ugenya, MDG): Hon. Deputy Speaker, I beg to report that the Committee of the whole House has considered the National Youth Council (Amendment) Bill (National Assembly Bill No.1 of 2023) and approved the same with amendments.

**Hon. Deputy Speaker:** Mover of the Bill.

**Hon. Joshua Kandie** (Baringo Central, UDA): Hon. Deputy Speaker, I beg to move that the House do agree with the Committee in the said report.

I call upon Hon. Benjamin to second.

**Hon. Benjamin Lang'at** (Ainamoi, UDA): Hon. Deputy Speaker, I second.

*(Question proposed)*

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

**Hon. Deputy Speaker:** We will defer putting of the Question to a later time.

*(Putting of the Question deferred)*

Next Order.

### BILL

#### THE GERIATRIC BILL (National Assembly Bill No.50 of 2022)

#### *Second Reading*

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Hon. Deputy Speaker, I beg to move that the Geriatric Bill (National Assembly Bill No.50 of 2022) be read a Second Time.

Hon. Deputy Speaker, geriatric medicine is focused on providing care for the unique health needs of older persons. The term “geriatrics” originates from the Greek word “geras” meaning old man and “tricks” meaning healer.

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The Geriatric Bill 2022 seeks to effect Article 57 of the Constitution of Kenya to ensure provision of proper care and maintenance of the well-being of the elderly people of Kenya. The Geriatric Bill 2022 was committed to the Departmental Committee on Labour and Social Protection for consideration, pre-publication scrutiny and making of appropriate recommendations pursuant to Standing Order 106 (6). The Bill seeks to effect Article 57 of the Constitution to establish a National Council for the Elderly to provide for their care, empowerment, protection, maintenance of their well-being, safety and security.

The world over, a society is measured by how it takes care of its elderly citizens. Therefore, as a country, we need to prioritise the needs of the elderly persons of this country and provide budgetary allocations to deliver such services. It is against this backdrop that the Geriatric Bill 2022 was developed with a primary objective of operationalising Article 57 of the Constitution, through the establishment of the National Council for the Elderly.

Hon. Deputy Speaker, we are all going to be subjects and victims of age. Therefore, it is important that we handle this issue with a lot of concern because we are either elderly, becoming elderly or we have relatives who are elderly. Those are people who require their issues to be taken care of through this House.

The objectives and purpose of this Bill are to establish a National Council for the Elderly Persons of Kenya and provide a legal framework that promotes the rights of the elderly as enshrined in Article 57 of the Constitution of Kenya. It is to promote and protect the dignity, well-being, safety and security of the older persons of Kenya. The Bill will provide a framework for the registration of elderly persons in Kenya and the establishment and management of residential facilities for the elderly— what we call care centres in Kenya. It prohibits the abuse of elderly persons in Kenya.

The provisions of this Bill shall apply to all entities providing services to elderly persons in Kenya and shall bind both natural and juristic persons. The Bill seeks to improve the living conditions of the older members of our society by providing for their rights to dignity, safety, security, education, health, equality and non-discrimination. To realise the objectives and the purpose of this Bill, Government entities and other institutions providing services to the elderly shall be guided by specific principles with common intent to fulfil the basic human rights and principles of respect, protection, promotion and fulfillment of the rights of elderly persons as enshrined in Article 57 of the Constitution. These are the principles of fair and equitable treatment of elderly persons in Kenya.

Hon. Deputy Speaker, the Bill guarantees accountability of duty bearers and transparency in the implementation of this Act. Pursuant to the provision of Article 27 of the Constitution, it will ensure the protection of elderly persons from discrimination on any grounds including age, health, status and disability. That includes targeted empowerment of elderly persons, preservation of freedoms and dignity of elderly persons, and establishment and monitoring of evaluation mechanisms on how to ensure transparency in the management of facilities for the care of the elderly.

The Bill delegates registration power but is not limited to fundamental rights and freedoms. The Bill seeks to provide the will and forms the basis for enhanced service delivery to the elderly in the country. It will fortify the legislative architecture with regard to social issues concerning the elderly people of Kenya. It is in this regard that the Bill seeks to solve the discrimination that has been happening around the delivery of services to elderly persons in Kenya. The Bill also seeks to formulate and provide a legal framework for the coordination of activities for people who seek to provide services to elderly people in Kenya.

The Bill prescribes the eligibility of Clause 24 in state intervention on matters of pension and other related benefits accruing to older persons in the society. Other rights include legal representation, family and community care.

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

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

Hon. Temporary Speaker, as I move this Bill, I am quick to note that elderly persons in Kenya have suffered a lot of discrimination for a long time. Look at what happens when elderly persons are involved in legal matters where they require representation in courts or wherever they need those services. Most of these people are not able to access legal services. The Government has not made any provision for elderly persons in Kenya to get free legal services and Government support. That is partly where this Bill comes in.

Elderly persons in Kenya have been registered in various Government platforms where they are supposed to be provided for through monthly stipends. However, the registration process has been discriminative because the people entrusted with that responsibility are not guided by any legal framework. They do not even have a formal way of keeping their database. It is in this regard that we propose the establishment of a national body to be called National Council for the Elderly People of Kenya. The Bill seeks to provide a legal framework within which the council will carry out registration of elderly people and ensure that there is accountability and transparency when it comes to dissemination of information and training of elderly people. When it comes to dissemination of information, it is important to undertake training of elderly people by informing them on Government programmes to ensure that accountability of Government resources has been taken care of.

Hon. Temporary Speaker, the youth of Kenya have a council. So, do people living with disabilities. We have councils for specific categories of people. We, however, do not have a council for the elderly. We need an advisory and management council that can prepare budgets so that we know the amount of money that is required for elderly persons living with diabetes and hypertension, and even old parents who require other personal care needs.

It is in this regard that I decided to come up with this Bill. I am forever grateful to this House, and more so, to the Departmental Committee on Labour and Social Protection headed by Hon. Alice Wambui Ng'ang'a for the immense support that I received as I struggled to develop this Bill. I am keen to note that we all require this Bill because we are all potential subjects and victims of old age.

With those remarks, I beg to move.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Do you have a Seconder?

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): I would like to request Hon. Naomi Waqo to second.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Naomi Waqo, proceed to second.

**Hon. Naomi Waqo** (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. I congratulate Hon. Wamuchomba for coming up with this very important Bill that will take care of our elderly persons. As she has rightly said, the elderly in our society have suffered because of negligence. Sometimes even their own children do not take care of them.

Hon. Temporary Speaker, Africans used to take care of the elderly because they believed in the blessings that they received from their fathers, grandparents and great grandparents, but that is no longer the case today. Today, many elderly people have been exposed to a lot of danger, especially elderly persons who own some land and have no one to take care of them. People only eye their property. They do not want to take care of them. They have been exposed. I am here to second her and urge other Members to support this Bill so that our elderly can lead dignified lives as they age gracefully.

I second.

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

*(Question proposed)*

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Alice Ng'ang'a.

**Hon Alice Ng'ang'a** (Thika Town, UDA): Thank you, Hon. Temporary Speaker. I support the Geriatric Bill. This Bill talks about the vulnerable in the society. First, I want to congratulate and thank Hon. Gathoni Wamuchomba for thinking about our elderly persons.

Hon. Temporary Speaker, it is true that we have various councils for different categories of people, but not for the elderly. This Bill is very timely. Those elderly members of our society were once very vibrant like us. In some years to come, we are also going to join them in that category of the elderly. We have to think about them, especially when they reach 70 years. The Government gives them a monthly stipend of Ksh2000.

In September, we recruited more people because the last time we did registration was in 2017. Therefore, it was right for the Kenya Kwanza Government to do so. In September 2023, we did a mass registration across the country. The elderly came out in large numbers. We registered 700,000. I also want to thank Members of the National Assembly who went back to the grassroots to help register the elderly. That explains why we had 700,000 persons registering. I want to inform the House that from March, they will also be included in the monthly stipend payment so that they may also enjoy that benefit like those who were registered in 2017.

It is important to have a council to oversee how the elderly are doing and how they are treated. We live in society. Their family members always know when these elderly people have not been paid. Right now, they are, at least, paid at the end of every month. Before the Kenya Kwanza administration came in, they would wait for seven months without being paid. Once their family members realised that they were going to receive Ksh14,000, they ensured that they were around to take the money from them.

I want to thank the Government because they now receive their stipend at the end of every month. At that age, almost all the money goes to help them pay for their medication. It is important that disbursement is timely. The proposed council will represent their needs. They will be able to know those who are sick and those who are not. The council will also be in a position to know those who are abused. It is a good thing. We should look forward to having this council in place because it will help to represent these people back at home. I will be here during the Third Reading so that I can move my amendments. When we went through the Report, we noted a few areas that needed to be amended. This Bill is very timely and it is needed by our society. I, once, again want to thank Hon. Wamuchomba for thinking about the elderly in our society.

Thank you, Hon. Temporary Speaker. I support.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Next is Hon. Julius Ole Sunkuli, Member for Kilgoris.

**Hon. Julius Sunkuli** (Kilgoris, JP): Hon. Temporary Speaker, I wish to support this Bill. I want to thank the Member for Githunguri for coming up with this Bill, and thinking about our elderly people. Article 57 of the Constitution of Kenya, 2010 provides that the State shall take measures to ensure that the rights of older people are safeguarded. This is with respect to the fact that older people are vulnerable in many ways. The law should protect them so that they are able to live in dignity and respect. They should live free of abuse. These are the principles that this Bill has emphasised on. The Constitution of Kenya has built upon the National Social Protection Policy of May 2012. The Government of Kenya has been urged several times, including by Parliament, to ensure that the protection of older people is a matter of law and discipline.

Hon. Temporary Speaker, it is unfortunate that nowadays this particular matter is no longer a community issue. Some time back, it was the responsibility of the family and the community to protect their elderly persons. Now that our community is looked after by the Government, it is good that this Bill is bringing some responsibility to the Government to ensure that older people are also looked after. I am happy that the issue of legal representation of elderly people is emphasised in this Bill. I have a 90-year-old man in Kilgoris who is being bothered by his family – there are many other elderly people in similar situation – because he owns a lot of land. He lives in poverty because he has been taken to court and he cannot be represented by anybody.

This law emphasises the fact that elderly people must be provided with lawyers to ensure that they are protected so that their relatives do not pray that they die quickly in order for them to inherit their land. A person must be able to enjoy his property even if it is for 10 or 15 years.

The law must guarantee this. This Bill has a very interesting concept, which is welcome to elderly men. It provides that older people have a right to remarry so that when an older person loses his spouse, his children or other relatives should not say, ‘No, you are too old to marry.’ If remarrying will make one happy as a man or a woman, it is the responsibility of the laws of Kenya...

*(Loud consultations)*

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

**Hon. Julius Sunkuli** (Kilgoris, JP): I think they are just happy about this point.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): You are just excited about the elderly having a right to marry?

**Hon. Members:** Yes!

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Proceed with your contribution, Member for Kilgoris.

**Hon. Julius Sunkuli** (Kilgoris, JP): As I keep on saying, I am grateful to Hon. Wamuchomba for saying so in this Bill; that, this right be entrenched in law. When King David was very old, his caretakers looked for every cure for him and found remarriage the only option. He was then given a young bride to look after him. That should be a right and it should not be seen as something that the family can dictate to someone.

Hon. Temporary Speaker, I missed the discussion on the population policy in Kenya. It is now clear that in this country, we are still advantaged that our younger people are more than the older people. When it gets to a situation where the older people are more, like in Europe, it will complicate our situation. Because we still have that advantage, it is good to entrench it in our laws; that society, even beyond Government, has a responsibility to protect its older people. Young people must look after the older people. There must be a way to compel sons and daughters who do not want to look after their old people to suffer the same consequences under the law, as the people who neglect their children – so that if you neglect your elders, you receive the same punishment as someone who neglected their children.

This law is very good for our social protection. It is a recognition that if all of us are praying for many years on earth, that one day we shall all get old and benefit from this law. I commend it to the House. It is a good law. Let us support it.

With those remarks, I support.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much. Next is Hon. Timothy Toroitich, Member for Marakwet West Constituency.

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



At the outset, I thank Hon. Wamuchomba, Member for Githunguri Constituency, for such a progressive piece of legislation. There was a time I spoke here on a Cancer Fund Motion I sponsored and Hon. Wamuchomba spoke very good things about me. I also thank the people of Githunguri for choosing such a progressive Member of Parliament.

For the first time in the history of this country, the elderly will be recognised. Article 57 of the Constitution provides very clearly for the rights of the elderly. In this country, we have a progressive Constitution that recognises three marginalised people, namely; the youth, Persons with Disabilities (PWDs) and the elderly. We have the Persons with Disabilities Act, which caters for the interests of PWDs. We have the National Youth Council Act, which caters for the interests of the youth. For the first time, we are going to have a law that caters for the interests of elderly people in this country. The only thing I challenge Hon. Wamuchomba on is the name of the Bill. She has called it the Geriatric Bill. I call upon the Committee to relook at the title of this Bill with a view to changing it to ‘The National Council for Elderly Bill.’ This is to avoid the complicated title of the Bill and make it clear that this is a Bill that deals with issues of elderly people in Kenya, and it seeks to create a council for that purpose.

Hon. Temporary Speaker, if you look...

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Timothy Toroitich, just give me a minute. I would like to give an opportunity to the Chairlady, Hon. Alice Ng’ang’a.

**Hon. Alice Ng’ang’a** (Thika Town, UDA): Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Is it a point of information?

**Hon. Alice Ng’ang’a** (Thika Town, UDA): Yes, it is a point of information.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Would you like to be informed by the Chairlady?

**Hon. Timothy Kipchumba** (Marakwet West, Independent): Yes.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Proceed, Chairlady.

**Hon. Alice Ng’ang’a** (Thika Town, UDA): Thank you. As I have said, the Committee went through the Bill and we have those amendments. When we get to the Third Reading, we will address all the areas that need to be amended, including the title.

Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Chairlady. You may proceed, Hon. Timothy.

**Hon. Timothy Kipchumba** (Marakwet West, Independent): That is in order so that we can have the Council for Elderly Bill instead of the Geriatric Bill.

For the avoidance of doubt, if you read Article 57 of the Constitution, which as I said is very progressive, you will see that it provides very clearly that the State shall take measures to ensure the rights of older persons to fully participate in the affairs of society, to pursue their personal development, to live in dignity and respect and be free from abuse, and to receive reasonable care and assistance from their families and the State. These are constitutional provisions. The elderly are not in this country on invitation but by right.

In Clause 2 of this Bill on interpretation, for the first time, ‘elderly person’ has been defined to mean a person who has attained the age of 60 years. For the first time, an elderly person has not been defined in the Constitution but this Bill defines who an elderly person is. This ensures that if someone retires from active service, there is a law in place with specific provisions on the definition of the elderly.

Elderly persons in this country have suffered in terms of pension. Look at the provision in Clause 7(b). It provides that the Council shall handle matters to do with pensions. I have had issues from my constituents. There are teachers who retired at the age of 60 but they cannot get their pension until the age of 70 because of serious irregularities involving their employer. If we have the proposed council in place, it can pursue the interests of elderly persons who cannot access their retirement benefits even after retiring from public service.

I have also seen a very interesting clause that provides for elderly care. The proposed council will set up and run elderly homes. Elderly persons in this country have suffered. When most of them retire, they go to their respective villages. Their grownup children abandon them and they end up leading miserable lives. Once we have the proposed council in place, it can solicit for support. If the family cannot take care of their elderly persons for one reason or another, the elderly will still have a home where they can retire as they await to exit from planet earth.

I support this Bill and thank the Hon. Member for this very progressive piece of legislation.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much. Next is Hon. Stephen Mogaka, Member for West Mugirango Constituency. He seems to have stepped out. Hon. Ruth Odinga, Member for Kisumu County, you may have the Floor.

**Hon. Ruth Odinga** (Kisumu County, ODM): Thank you, Hon. Temporary Speaker. First of all, I thank my Chairlady, Hon. Wamuchomba for bringing this very important Bill. It is high time we did it. As Ruth, I suffer from this very much. I have my auntie, the only sister to Mzee Jaramogi, who is 105 years old. She suffered a stroke and five days later, the doctor told me to take her home to wait for her death. We did not take her home. I put her under my care. She is still with me and is now 106 years old.

We, as the family, have to foot all the bills to make sure that she is alive. She has fully recovered and still going strong. She is one of heroines of Kenya because she was there during the Mau Mau rebellion. She is one of the people who were given monies owed to them because of the period they were there.

Times are changing. Let us be realistic. We have pandemics. In the Nyanza region, we have a very high prevalence of Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome (HIV/AIDS) that take away a lot of our young people. Most homesteads have remained with old people who do not have anybody to look after them. In some cases, you find only elderly people and young children of parents who passed away through HIV/AIDS or COVID-19 in the villages. Most of the young people sell the family homes and the land left behind by their parents to a point that the elderly persons stay in homesteads where there is nothing to support them. They are neglected. We do not have homes for the elderly like in Europe where we can take them to stay.

This Bill is very timely for us to see how we can support the elderly. It is on the dignity of old people. We go to places where we have public spaces. When they go to public hospitals or any place to look for services, in most cases, they are kept waiting like any other ordinary person. We need to see how we can give them space to continue having their dignity in the public places. There is also an issue of the facilities that we need. For example, when you want to get them support like walking frames, crutches and all the aids that they need, they are not cheap. In most cases, they do not get them for free like they should.

When you are elderly, it does not necessarily mean that you are sick and should be treated as a sick person. However, you can be disabled in the sense that you cannot do the things you used to do. You may need some aid yet you do not have the money to buy it. I believe this Bill will bring a big change. We must also say that we have more elderly people in the society. That means we need to look for ways of supporting them.

I support this Bill, which is very necessary.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Member for Ainamoi, Hon. (Amb.) Benjamin Lang'at.

**Hon. Benjamin Lang'at** (Ainamoi, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this Bill.

Let me thank the Mover for the research that she has done and for tabling the Bill in this House. The Bill is operationalising Article 57 of the Constitution. I remember one Member

saying that there are four categories of people that the Constitution has given special mention. They are children, persons with disabilities, the youth and minority groups, and marginalised groups, whom we have taken care of. Older members of the society are the only ones who have not been taken care of by way of legislation or organisation.

I support this Bill. Older persons are members of our community. They have contributed to our society, economy and culture. Kenya is where it is today because of the elderly. Somebody has said that we are also headed in that direction. At that age, there are those who are lucky because they still have children to take care of them. Many of our communities obligate the children of elderly people to take care of their parents. However, the society we are in today is changing drastically. When our children grow up, they pursue their careers. Some of them relocate to other countries, leaving behind their parents. Even though you might find parents who are well off with land and money, they are incapacitated at that age. Therefore, we must have a framework that provides that the State can take care of them.

I like the idea of establishing a council that will pursue the rights of these members of our society. Even as we establish the council, we must make sure that we put structures in place all the way to the lower level where we can identify the elderly and vulnerable members of our society.

I thank the Member who brought this Bill. I support it. This House has continued to provide money to support the elderly. This is the time we need to reconsider the amounts and criteria. I hope that, once it is in place, the proposed council will develop criteria that really define who an elderly person is, specifying the age. What we have been using in the past has been very discriminatory. You can find people of the same age with some of them enjoying the benefits of being elderly and others not benefiting at all. It is high time we harmonised this situation so that all people of a certain category are given the same support. I support the Bill. I hope the Committee will re-look at it with a view to amending the title and strengthening the structures that will be formed.

When the time for voting for the funds to support the elderly comes, I will be the first one to do it. They are our senior members. Those of us who are Christians are called upon to respect and take care of our parents, so that our days can be increased. I totally support the Bill and look forward to taking care of the elderly.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Next is Hon. Amb. Hilary Kosgei, Member for Kipkelion West.

**Hon. Hilary Kosgei** (Kipkelion West, UDA): Thank you, Hon. Temporary Speaker. I join my colleagues in congratulating the Member for Githunguri, Hon. Wamuchomba, for coming up with this timely and progressive Bill.

At Independence, the crafters and founders of this Republic were so concerned about building the new nation that they put a lot of energy in the youth, white-collar jobs and other sectors of the economy. However, they forgot that they were the ones to get old in due course. You saw recently that the people who fought for Independence in this country through the Mau Mau freedom movement died in deplorable states because of lack of progressive Bills to take care of them in their old age. This is not only a call to the country but also Hon. Gathoni Wamuchomba is responding to a biblical scripture in the Book of Psalms 71:9, which says, 'Cast me not in the time of my old age. Forsake me not when my strength fails.' This is the age of the founders of the Republic of Kenya, who put in a lot of energy to build this nation. This Bill looks forward to taking care of those who are aging. We will be able to address the issues raised by Members, including the stipend that the elderly get, once the Bill is passed. The stipend was first passed based on a United Nations (UN) Convention that did not allow anybody to live on less than a dollar a day. The dollar exchange rate at that time was Ksh70, and that is why when you multiply Ksh70 by 30, you get Ksh2,100. The current USD exchange rate is over Ksh150. The amount of Ksh2,100 is now less than a dollar a day, which is not enough for

somebody to live on. When the council is established, it will always remind the Government, legislators and the people of the Republic of Kenya that nobody should live on less than a US dollar a day.

In the West, elderly people are not bothered about their children because they enacted laws while they were still young to take care of them in their old age. When one grows old in the United States of America (USA), they have money and a stipend. They can even admit themselves into elderly people's homes, live good lives and wait for their Maker to recall them.

Many of the concerns raised by Members will be taken care of during the Committee of the whole House, when we will amend the title of the Bill to give it a name that is more easily understood by Kenyans instead of its current scientific name – “Geriatric Bill”.

By and large, I support this progressive and timely Bill. It will create a happier and more prosperous Kenya, especially for the aged.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Mary Emaase, Member for Teso South.

**Hon. Mary Emaase** (Teso South, UDA): Thank you, Hon. Temporary Speaker. First, I want to appreciate Hon. Wamuchomba. I applaud her for bringing this very good Bill to the House, which seeks to establish a National Council for Elderly Persons.

Even in the absence of Article 57, the Constitution prohibits discrimination on the basis of age or otherwise. The State has an obligation to not only protect the elderly but to also promote and encourage initiatives, including financing programmes that address the welfare of the elderly.

Establishing a council is the right thing to do. As Hon. Wamuchomba rightly put it, the youth and persons with disabilities have councils. When there is a corporate body dedicated to addressing the issues of a special group, the members of that group are bound to get maximum attention, and we see results. Therefore, I believe that the proposed council will ensure that elderly people in this country are appropriately represented in all spheres of life, especially in areas that affect them. The proposed council will adequately represent the elderly when decisions are made by boards and the government agencies in areas that affect them such as health, physical planning and social welfare issues, among others.

I appeal to the owner of the Bill to make it more comprehensive, workable and acceptable. Most of the elderly in our communities have been abandoned. Their children have migrated to cities to look for opportunities and there is nobody to take care of them. The Bill should probably also accommodate the aspect of the proposed council developing a structure with incentives for families to provide necessary support for the elderly.

Elderly people aged 60 years old and above are still very strong, energetic and with vast knowledge and experience because they were employed and had businesses. The Bill should provide for how the Government can leverage their knowledge and experience. That will enable them to remain active, and to participate in activities that will promote their social well-being instead of just abandoning them and forgetting them as soon as they get out of active employment yet they can still be very useful to society.

I believe that the proposed council will develop proper structures for social welfare funds and stipends to be disbursed to the elderly. We have had challenges where some elderly persons have had arrears of up to four months. For others, the Ksh8,000 is taken away from them even before they get to their homesteads. There have been challenges with agents who have been given the responsibility of disbursing these funds on behalf of the Government. I have dealt with those challenges in my Teso South Constituency, where I had to take it upon myself to go to the banks and threaten to report the agents to the police. They gave excuses like fingerprints were not working and promised that they would pay them. They eventually paid the money. The proposed council will put in place proper audit structures that will promote accountability in the disbursement of the funds.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Next is Hon. Dick Maungu, Member for Luanda.

**Hon. Dick Oyugi** (Luanda, DAP-K): Thank you, Hon. Temporary Speaker, for allowing me to share my ideas. Allow me to appreciate the author of the Bill for a timely and well-thought-out idea. It will fill an existing gap within our legislation.

It is always said that old is gold but in Kenya, we do not treat our elderly like gold as a result of a gap in our legislation. Article 57 of the Constitution is very clear about the rights of the elderly. As captured by earlier speakers, we have been unable to come up with legislation that can give life to Article 57 of our Constitution, where elderly people are treated with respect and dignity. Elderly people in Kenya have been neglected many times by their grownup children, relatives and the state. In some instances, they have even been taunted as witches and tortured. This piece of legislation will go a long way in trying to address that gap. Many times, they are left to fend for themselves after their productive years yet their bones and muscles are tired and weak. The Bill addresses a number of issues that elderly people are exposed to.

Kenya's population is about 50 million as per the figures captured in the 2019 Census. People aged 60 years and above make up 2.9 per cent or 3 per cent of our population. They have been neglected; no one cares about them. Our youth are busy chasing after money, which is so rare nowadays. They live in towns and forget their elderly parents back in the villages. This Bill is addressing that gap with a view to ensure that the rights of elderly people are respected. Recently, we were trying to register for the token given to the elderly and we saw masses of people who had come to be registered. The Ksh2,000 they get per month may be little, but it is better than nothing. Some of those people have huge medical bills that they need to take care of, while some live in very deplorable conditions - like houses with leaking roofs. Others have no food, access to medical attention or warm clothing. Their rights are trampled upon. But this Bill will address the big gap that currently exists. I, therefore, support.

Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very. Hon Joseph Munyoro, Member for Kigumo.

**Hon. Joseph Munyoro** (Kigumo, UDA): Thank you, Hon. Temporary Speaker. First, I would like to congratulate my elder sister, Hon. Gathoni Wamuchomba, for coming up with this Bill. I rise to support because our elderly persons are normally a reflection of what we become when we grow old. This Government and the family members of the elderly should ensure that they are cared for. This Bill has come at the right time to help us deal with our elderly persons. I have noticed that it is proposing priority services for our elderly, like in the Huduma Centres, airports and hospitals. It is also proposing special wards for the elderly similar to paediatric and maternity wards which will ensure that their specialized medical needs are met.

It is very important to deal with our elderly citizens with dignity. I know many of them are suffering. Most of the times, children like to fight their parents for inheritance, thus leaving them to lead very miserable lives. One could have a lot of money and property, but in old age, they suffer because there is no way of ensuring this Government or your family takes care of you. Article 57 is very clear and yet, we have never actualised it. As we take care of children and the disabled, we must ensure that our parents are equally taken care of. I thank Hon. Wamuchomba for coming up with this very progressive Bill and I am sure that, when it comes to the Floor of the House for the Third Reading, we will be there to support it. I support.

Thank you, Hon. Temporary Speaker.

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

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

**The Temporary Speaker** (Hon. Farah Maalim): Next is Hon. Jayne Kihara, followed by Hon. Rashid Bedzimba.

**Hon. Jayne Kihara** (Naivasha, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to add my voice and to congratulate Hon. Wamuchomba for coming up with this Bill. We have seen children leaving their parents destitute. The elderly are part of the development of this country but, when they age, there is no one to take care of them. We know that other countries have a social service funding for the elderly. This is where we are. As we age and possibly end up in a retirement home, may there be a home that is catered for by the Government. This will ensure our elderly do not become destitute. I know of a lady in Nyeri who is known as ‘Wanjiku of the elderly’ because she runs around. She came up with an NGO after realising that the elderly people who live at home, especially the women, are very vulnerable. Their caregivers sometimes rape them. We need a structure where the elderly are safe and stable because they are catered for in the Constitution. How do we implement this Constitution if we do not have a Bill that tasks the Government with the responsibility of caring for the elderly?

In concluding, we must know that we will all get old and we do not want to be destitute. Their medical expenses also have to be catered for because every time there is an elderly person who needs help, Members of Parliament take that responsibility.

I support.

**The Temporary Speaker** (Hon. Farah Maalim): Thank you. If many of us were to be subjected to the retirement age of civil servants, we would have retired by now. We are already old. Proceed, Hon. Bedzimba.

**Hon. Rashid Bedzimba** (Kisauni, ODM): Ningependa pia kuchukua nafasi...

**The Temporary Speaker** (Hon. Farah Maalim): Move to the next microphone.

**Hon. Rashid Bedzimba** (Kisauni, ODM): Ahsante sana, Mhe. Spika wa Muda. Pia mimi ningependa kuchukua fursa hii kumpongeza aliyeleta Hoja hii. Ni muhimu sana kubuni kamati ya kitaifa itakayo washughulikia wazee, ambao ni chombo muhimu sana. Katika uzeeni, kuna matatizo mengi sana. Wazee wanahitaji chombo ambacho kitawalinda kwa sababu wametumikia taifa katika ujana wao. Kuna wengine waliokuwa katika jeshi la usalama na jeshi la kulinda taifa la ndani na nje, ambao wameathirika katika shughuli hizo. Kwa mfano, wengi wanapofika umri wa uzee, wanafuatwa na maradhi mengi sana. Wakati askari anapokuwa katika gwaride, anatumia nguvu na kutembea sehemu nyingi, akipanda na kushuka milima. Baadaye, yale maradhi, yanayohitaji kuangaliwa kwa umakini na yaliyo na gharama kubwa ya matibabu, yanaanza kuibuka. Kubuniwa kwa kamati kunaweza kumchunga na kumsaidia ili aweze kuendelea na maisha yake.

Wazee wengi, baada ya kustaafu, wanafariki kwa sababu ya hali ngumu. Wengi wao pia wanachinjwa kwa sababu ni wazee na wanasingiziwa kuwa ni wachawi, ilhali ni familia zao zimeshindwa kuwalea na kuwaacha na matatizo. Wakati mwingine, wana ardhi ambazo watoto, ndugu na marafiki wanataka kugawanya. Kamati hii itaweza kuwasaidia wazee kusudi wasiwe na hofu ya kufika uzeeni. Serikali ingebuni sehemu ambayo wazee watakaa kwa pamoja na waweze kuendelea na maisha yao. Wawe na walezi na wapewe majukumu madogo madogo na kazi za hapa na pale ili wasiwe wanangoja tu kufa. Kifo si kwa sababu ya umri. Wadogo pia wanakufa. Lakini, wawekwe katika sehemu ambayo watakuwa na moyo na waweze kukutana na kukumbushana mambo ya zamani na kupata mapato madogo. Bado tunahitaji ushauri wa wazee na kuepuka laana kwa taifa. Mambo mengi yanatufuata kwa sababu tunakosea wazee wetu ambao wanahitaji msaada wetu. Ninaunga mkono kubuniwa kwa kamati ya kitaifa ambayo itawashughulikia wazee. Shilingi elfu mbili ambazo wanapewa haziwatoshi. Wanahitaji usimamizi upande wa matibabu. Mbio unazoweza ukiwa kijana, hupungua ukifika miaka sitini. Kuna watu wengi ambao wametumikia taifa hili na yale maradhi yamewarudia na hakuna mtu anawashughulikia. Ninajua kuwa Kamati hii ikiundwa watakuwa

na taratibu nyingi za kuwatetea wazee hao. Katika upande wa matibabu, wakifika umri wa 65 hadi 70, wawe wanatibiwa bure. Hii ni kwa sababu wenye bima, ukiwa na umri wa 60, wanakukataa kwa sababu wanajua umefikia wakati ambao maradhi yanaongezeka. Lakini maradhi hayo yanatokana na jukumu waliofanya kutetea taifa hili. Hao wanajeshi wazee wastaafu walikuwa wakilinda nchi kabla yao. Wako katika jeshi la polisi. Katika makampuni yaliyo katika taifa, wazee walizitetea zikastawi na ndio maana wale vijana wapo pale mpaka leo. Kwa hivyo, ninaomba tuwalinde wazee wetu ili maisha yao ya mbele yawe sawa. Nchi za ulaya zimetenga sehemu. Huwezi kupata mzee anaenda msikitini ama kanisani kuomba. Anayetewa. Huwezi sikia kijana amempiga mzee wake kwa sababu anaona anamhitaji. Mzee anasimamiwa kila kitu maisha yake yote.

Nimesimama kuunga Hoja hii kwamba tukitaka baraka na radhi za wazee wetu, waangaliwe vizuri ili taifa letu pia Mungu awe na imani nalo lisonge mbele. Kwa haya machache, ninashukuru Mhe. Spika wa muda. Ahsante.

**The Temporary Speaker** (Hon. Farah Maalim): Let us have lady Hon. Rachael Nyamai followed by lady Hon. Naomi Waqo.

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to add my voice on this very important Bill that has been moved by the Member for Githunguri, Hon. Gathoni Wamuchomba.

As Hon. Gathoni was moving this Bill, I listened to her and the Secunder very keenly. I took time to look at it and realised that this is a very important Bill that seeks to put into effect Article 57 of the Constitution.

Our country has been very keen on ensuring that matters of the youth, people with disability, people living with cancer and people with HIV and AIDS are taken care of through various ministries and state agencies. But we realise that the matter of the elderly has not been looked into very well. This Bill seeks to establish a council for the elderly in our country, which is very important. It is also going to give an opportunity to the elderly to age gracefully. All of us are aware that, as one attains 50 years and above, they experience various kinds of diseases. Some of those people do not have anyone to take care of them. It is important for the country to get concerned so that the elderly people can have longer and happier lives.

I realised that the Committee has looked at the Bill very well. While Hon. Alice Ng'ang'a was debating this Motion, she indicated how deeply the Committee engaged on it and even looked at the title of the Bill which is quite scientific, so that they can make it simpler and easier for people to appreciate.

This Bill is also going to ensure that people can be provided with healthcare. This calls upon both the national Government and county governments through the Ministry of Health to ensure that it is properly planned by having the proper statistics of the number of people who are past the age of 60 or 70 as it will be agreed by the House, and give dignity to them. The Government of His Excellency William Samoei Ruto has done very well by ensuring that the elderly get Ksh2000 monthly. It would be a very welcome move to have a situation where an elderly person who is over 70 years knows that they can walk to Kenyatta National Hospital for treatment and not pay bills. Health is expensive and important and so; this must be very well planned.

I do not want to finish my contribution to this without talking about what other people are doing in other parts of the world. As we talk about people over 70 years who are sickly, not able to take care of themselves and who may not have family members who can take care of them, we should not forget what is happening in other countries where people are working towards longevity of life by ensuring that even those who are 80 are strong enough to live their lives in a more comfortable way. This is a big research. I would like to quote Dr Sinclair who I have been following. He says that: 'Age is a disease.' There is a possibility of living beyond 130 years if people are given proper nutrition that the elderly had before we were introduced

to rice and so much meat without looking at green leafy vegetables, millet, sorghum and other foods that we used to eat. There is one called *kinaa* in my area, which is extremely important for keeping people stronger and young looking.

As we focus on making sure that the elderly are happy, we also need to put money in research to ensure that we prolong life and have people who are 90 or 100 years who can still run and doctors who are 100 years and who can still walk into a clinic and treat people. This can only happen if we have the council for the elderly which can provide and ensure that the elderly are given exercises to do through the Ministry of Labour and Social Protection. The officials can plan for regular activities where the elderly can run and walk so that they have better health. I would like to call upon the House to put money into research on longevity of life because this is the next biggest industry and it is possible. Other doctors in the world like Dr Sinclair in the United States of America and those in the United Kingdom (UK) are putting money in it to ensure that people live a longer time to be more productive before they get to a situation where they cannot run or walk.

As I support this Bill, I would like to thank the Government for ensuring that the money for the elderly is disbursed in a regular manner. I would also like to call for increment of that money because Ksh2,000 with the current economic situation cannot really buy much. The money should be enhanced so that they are able to buy something and, more so, their medication. It will be a move in the right direction. Congratulations, Hon. Gathoni Wamuchomba.

Thank you, Hon. Temporary Speaker for giving me a chance to put my voice in this Bill.

**The Temporary Speaker** (Hon. Farah Maalim): I am made to understand that Naomi Waqo who appears on the screen had already seconded this Motion. So, we will have to go to Hon. Beatrice Kemei.

**Hon. Beatrice Kemei** (Kericho County, UDA): Thank you, Hon. Temporary Speaker, for giving me this chance to contribute to this very important Bill. However, when I looked at its title, I was not able to get exactly what it was talking about. But having looked at it critically and realised it was about the establishment of the National Council for Elderly Persons, I started to appreciate it more. #

Let me start by thanking Hon. Wamuchomba for bringing this Bill. I believe it will go through. Elderly people are very important people in our society. They are our fathers, mothers and great grandparents. Those are the carriers of wisdom. Those are the people who bless the young ones. Those are the people who even give names to our children. Those are the people who educate us on matters culture. Those are the people who even foresee what will come. For this, I want to say that it is very important to establish the council. We already have the youth council. We have a council for people living with disability and many others. But when it comes to the elderly, we do not have a council. So, today, I am very happy and I thank *Mheshimiwa* for bringing this Bill on board.

The elderly people have been discriminated against in many occasions. At the moment, our generation does not remember and does not know the values that we knew when we were young and even now. That should you see an elderly person coming forth and you are seated, you move aside and stand so that he or she can sit. But for our people, that is not the case. I would want to say that this Bill will not discriminate them. When it comes to matters of health, when you go to a hospital, a 17-year-old is in the same ward with a 65 or 70-year-old... That is not the best thing, and I believe this Bill will take care of that.

Elderly people at the moment receive a stipend, and I thank the Government for making it possible for the elderly people to get their stipend every month. However, the Ksh2,000 is still very low. I plead that, as things improve, this amount needs to be increased and to make sure that all the elderly persons are registered and supported. This will also ease the dependency



ratio of our people. Many in the working age have a burden to take care of the children and elderly. This one will ease their issue when the elderly are taken care of.

The elderly people need their basic needs; that is, food, clothing, shelter and security. I am a very happy person to note that in this Bill, there is prohibition of abuse of elderly people, be it physical or even sexual. I am aware of many elderly women who have been abused sexually and that one pains a lot. This Bill will take care of that. Some of the elderly people are very strong and are very useful in our societies. They can still do many of the chores in the homes. They can still get a source of income and, therefore, they need to be supported and encouraged.

If you look at this Bill, the priority areas need to be taken care of. This is where the budget comes in; and more budget for the same. For example, legal representation so that if they have issues to do with land or any of their property - knowing that each and every person in this country is free to own property anywhere... The elderly should have in mind that they own property. Sometimes their property is taken away. At least, when we have the legal representation for the same, it will be very easy for the elderly people.

I support this one and pray that the title can be made in a way that it is very easy for people to understand. Otherwise, it is qualifying Article 57 of the Constitution.

Once more, I thank Hon. Wamuchomba for bringing this Bill. *Ahsante sana.*

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Ruweida followed by Hon. Maina Mathenge.

**Hon. Ruweida Mohamed** (Lamu East, JP): *Ahsante Bw. Spika wa Muda kwa kunipatia nafasi hii ili nichangie hili Baraza la Kitaifa la Wazee. Wazee ni baraka. Tunaelewa vizuri kwamba wazee wamefanya kazi na kustaafu. Lakini wao wamestaafu kwa sababu ya miaka tu, lakini tumbo halijastaafu. Tumbo lataka kuangaliwa vile vile kila siku. Kuna haja kubwa ya wazee kuangaliwa na kupangiwa mipango mizuri ili wawe baraka kwetu; isiwe ni usumbufu kwetu.*

Wazee ni watu ambao wamefanya kazi na wamepoteza nguvu zao. Wanafaa kuangaliwa vizuri. Yaweza kuwa watoto wana muda wa kuangalia wazee, na yaweza kuwa watoto wakorofi au wale ambao hawakupata mafunzo vizuri au wakashikana na mambo mengine wasiangalie wazazi wao. Itakuwa jukumu la Serikali kuangalia hao Wazee. Isiwe wamewekwa kwenye vipembe ama wamefungiwa kwenye manyumba. Wazee wakati huo ndio tunaona wengine wanatembea. Ukienda Masaai Mara, na nimefanya kazi Masaai Mara kwa miaka 13, wageni wengi ni wazee. Wakati huo ndipo wamekuja kutembea. Pengine wamekuja na wajukuu wao au wamekuja wenyewe vizere viwili kutembea. Huku kwetu mambo kama hayo huyapati. Unapata vizere hivyo ni vigonjwa, viko nyumbani na vinafanya kazi ngumu.

Kama kule kwetu Lamu Mashariki, wazee wetu walifanya kazi ngumu sana. Maanake kazi za kule ni kwenda baharini. Uende baharini ukavute juya. Kuvuta juya ni unavuta kamba mpaka mikono inashika ngudi. Wazee wale wanahitaji matibabu mengi tofauti tofauti. Lakini wazee wetu kusema kweli walifanya kazi nzito na wanafaa kupata matibabu. Hasa wale watu wangu wa Lamu Mashariki hawapati matibabu kwa sababu hospitali ya rufaa ambayo iko karibu kwetu ni Hospitali ya Kenyatta. Utoke mzee wa Kiunga, Ishakani, Mkokoni, Ndahau, Kiwayu na Chandani, hiyo nimesema ni wadi moja. Watoke kule mwisho waje hospitali ya rufaa inaitwa *Level 6* na ni hapa Kenyatta. Tunafaa kuangalia zaidi. Mimi ninaunga mkono sana kwa sababu ninajua wale wazee wangu wanaumia zaidi. Kama kuna wengine wanaumia, basi wangu wanaumia zaidi.

Kuna desturi za watu wengine au utamaduni ambapo wazee wanaonekana kama washamaliza kazi yao na hawafai tena. Hizo ni laana na Serikali inafaa iangalie jambo hilo kwa karibu. Kuna wale watoto ambao hawaangalii wazazi wao. Hayo mambo ya kusema mzee ni mchawi inastahili hatua na adhabu kali. Mambo hayo yanatokea sehemu zingine. Mtu amekuzaa, amekulea, amekufanyia mambo yote, kisha waja kusema ni mchawi kwa sababu

pengine wataka ardhi yake, ama pengine watoto wake wamekushinda. Tunataka Serikali iweke mikakati ya kusaidia hao wazee.

Mtu akiyafanya mambo kama hayo, liwe funzo kwa wengine wasiweze kuyafanya tena. Inasikitisha. Pale kwetu, sisi tunafundishwa kuheshimu wazee wa wengine na majirani zaidi hata kushinda wako. Kisha upate mtu anamuita mzee mchawi. Yeye ndiye mchawi. Itabidi baraza hili liangalie mbinu, bali na mambo ya matibabu. Itabidi baraza hili litumike kama *Federation of Women Lawyers – Kenya (FIDA Kenya)* kwa wanawake. Washtaki na wafuatilie kesi moja ili iwe funzo kwa wengine na wazee wetu wapate heshima na kuishi vyema.

Bwana Spika wa Muda, wakati mmoja nilienda Singapore, na wazee huko hutunzwa vizuri. Madereva wa taxi wote walikuwa ni wazee. Si vyema kumwambia mzee wa miaka 60 ambaye amestaafu kukaa katika nyumba za wazee na kungoja kutunzwa. Kwa nini tusiwape moyo wazee hawa kwa kuwawezesha kufanya mambo mengine mengi baada ya kustaafu? Wazee wakipangiwa mambo ya kufanya katika maisha ya uzeeni, basi watakuwa na maisha bora.

Nilitangulia kusema kuwa wazee ni baraka. Binadamu hustaafu, lakini tumbo halistaafu. Tuweze kuweka mikakati ya kuwawezesha wazee kufanya kazi ndogo ndogo. Sisi huambiwa kuwa baada ya miaka 60, watu hukaa na kungoja kifo. Kifo ni hiari ya Mungu; mtu anaweza kufa akiwa kijana au mzee. Tusiwache wazee bila kazi kwa sababu hawatasaidika.

Ahsante Bwana Spika wa Muda.

**The Temporary Speaker** (Hon. Farah Maalim): Let us have the Member for Nyeri Town, followed by the Member for Buuri.

**Hon. Duncan Mathenge** (Nyeri, Town, UDA): Thank you, Hon. Temporary Speaker. I congratulate Hon Gathoni Wamuchomba for the timely presentation of this Bill, which will give life to Article 57 of the Constitution. When you holistically look at the kind of life the elderly are living in this country, especially those who have served our Government in different capacities in the past... The saddest story is that of the teachers who taught and retired during the Moi era, who have not received their pension up to now. Many of them have passed on while waiting for that money. This Bill provides for a firm and solid way of dealing with those issues.

Secondly, we have the issue of food and nutrition security for our elderly. That group of people is over its productive years and, therefore, as a country, we have a duty of care to them. Even as we provide relief food, we should also provide food that will respond to the nutritional needs of our elderly population.

We all know that with age, health bills drastically increase. At that age, most of the elderly people suffer from non-communicable diseases which are difficult and more expensive to treat. In the Bill, we need to expand on the provision of health services to support them with expensive drugs for diseases like diabetes and hypertension, eye treatment and mobility aids for those who are suffering from arthritis. Many elderly people are living in deplorable conditions. Thus, the provision of shelter should be a priority especially now that we have affordable housing projects. The affordable Housing project should be tailor-made to respond to the needs of our elderly population.

The other sad bit is the number of hours our elderly people have to spend in the corridors of justice when they are pursuing succession and land cases. This Bill can be improved to provide explicit provisions, including timelines, when cases involving the elderly must be dealt with and concluded in courts.

Once again, I congratulate Hon. Wamuchomba and I support this Bill.

**The Temporary Speaker** (Hon. Farah Maalim): The Member for Buuri, followed by the Member for Central Imenti.

**Hon. Mugambi Rindikiri** (Buuri, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I rarely agree with Hon. Wamuchomba on many things, but I truly agree with her on this Bill.

*(Applause)*

This Bill has come at the right time. We cannot leave our senior citizens behind as we move forward because they gave birth to us, fought for our freedom, educated us and worked for us. They are farmers and civil servants, among others. Those people are the foundation of our society. Therefore, Article 57 of our Constitution recognises their rights just like any other Kenyan citizen. Having benefited from them, the right thing to do is to give them comfort in their last days on earth. This Bill will improve the living conditions of our elderly citizens. We all come from rural areas and urban centres and this population is not treated rightly. We are talking of civil servants, members of Parliament, teachers and others. This is a strong demographic of Kenyans who need attention in terms of medical facilities and feeding programmes. They also need to be recognised by the society and the Government. They also need social comfort.

If you visit the United States, the United Kingdom and other developed nations, you will always find homes for the elderly people. The State takes full responsibility for that population. Kenya is mature enough to recognise and move forward in ensuring that our elderly generation has the best of everything. This Bill will set forth an authority or commission to be in charge of the elderly.

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

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

I agree that adequate money must be appropriated towards this. I also agree with Hon. (Dr) Nyamai that research must be done on this population. Every year, we need statistics generated by the Kenya National Bureau of Statistics (KNBS) to determine the number of people according to age classification, specifically those over 70 years. Through this, we will know the kind of resources that the Government needs to put in place and how those resources will be distributed.

Hon. Temporary Speaker, we, as a House, need to apologise to the elderly because there is a line item on the amount of money that is being allocated to them that has never been given significant attention in this House. Moving forward, it is my view and conviction that we put more money into the elderly. I agree that the Ksh2,000 is not adequate. The minimum those people need is Ksh5,000 every month.

As I congratulate Madam Gathoni Wamuchomba, let us also remind ourselves that we have failed as a society. Many people rarely go to take care of their parents or go to rural areas. Once we vacate the rural areas, many of us rarely go back. I challenge the Kenyan society today that there is a need to start and make it compulsory that every person takes care of his or her parents. Hon. Wamuchomba, you need to look at that. You cannot leave your father and mother. You have an obligation as they gave birth to you. I challenge Kenyans that it is time to start thinking about our fathers and grandfathers who are languishing in poverty and yet, many of us are enjoying life out here.

With those few remarks, I support. We are looking forward to whatever contribution we have made being given attention in the Bill. Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Kathambi. Hon. Gideon Ochanda, I take note that the Speaker had pronounced himself on the list. I will be coming back to it. I have just seen it now.

**Hon. Charity Chepkwony** (Njoro, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this Bill that has been brought by Hon. Wamuchomba relating to Geriatric. It seeks to effect Article 57 of the Constitution of Kenya to ensure the provision of proper care and maintenance of the well-being of the elderly people of this country.

On that point, allow me first to appreciate the good work that the Government is doing in relation to the disbursement of the funds for the elderly. This Bill also challenges all of us. We have catered for many groups in this country. We have remembered every group except the elderly, who are our fathers and our forefathers in this country. We cannot forget that we have a council of the youth and a council of the people living with disability in this country. However, we do not have anything about the elderly. I support this Bill because it is going to give us a structure to make sure that we have finalised the gaps that have made the elderly not be catered for.

With this Bill, I expect to have clarity on data to show us how many elderly people we have in this country, so that the Government can prioritise the needs of the elderly of this country when it is planning anything. We are here as Members of Parliament who make the budget for every ministry in this country. The only way to remember our elderly is by making sure that there is a framework that can give us the right mechanism. It will also give us a chance as legislators to come up with budget allocations for the elderly. With that, we shall be ensuring that we have health, equality, safety and security for the elders in this country.

I also expect this Bill to give justice to the elderly in this country. The way a majority of colleagues have talked, we have been touched by how some of the developed countries that we have visited care for their elderly. What we do in this country is as if we have purely forgotten the elderly people who have done a lot. When I sat here, I was also trying to look at the matters of Access to Government Procurement Opportunities (AGPO). I thought that we could also have a speciality for the elderly to access Government jobs as we talk about their matters.

I support this Bill because I know it will bring a lot of fairness and blessings by remembering the elders in this country. Most of the time, especially when there is registration of the elderly, we have seen that we have to run up or down to push our assistant chiefs, chiefs, and Deputy County Commissioners (DCCs) to make sure that there is registration. The question is whether we even have clarity on the data. I expect this Bill to cater for many of the things we have been lacking. I purely support this Bill which is going to bring dignity to our elderly in this country.

Thank you very much Madam Wamuchomba for bringing this Bill at the right time. It will take care for a team that had been excluded from all the structures of this country. Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. This Bill is going to take care of all our people, including the constituencies we represent.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Gideon Ochanda, Member for Bondo.

**Hon. Gideon Ochanda** (Bondo, ODM): Thanks a lot. If nature is good to your Members, then all of us are talking about our subject matter. All of us are going to get to this stage, if we are not yet there already. We are really the subject matter here. What we have had in this country or many other third-world countries is the little care that is placed on the issues of social security. Whether it is health, issues of pensions or gratuities, I think we have had a major problem in Kenya.

You can categorise elders in very many ways now. Some are old because of age and they have not been in any skilled service. Some have been in unskilled service. There are those who have been real professionals in what they have been doing before. However, on retirement, they are all looked at the same way and yet, many of them retire but they are never tired. If you look at the kind of problem we have in education now with the teachers, parents are paying for close to half of what the Teachers Service Commission (TSC) is paying in the name of Board of Management (BOM) teachers. However, many professional teachers retire at the age of 60 each year. You realise that many of them still have the energy to engage between 60 and 70 years. That happens even with other professionals, including those who are in the disciplined services.

We have clear arrangements like veteran programmes that give those who retire some space to engage differently. Once you retire to nothing, the chances of dying much faster are higher than when somebody retires to some engagement. Retiring to something that still engages you will make you appear as if you have not retired. Your life is a little bit enhanced. We are in a situation now where elders are operating or surviving in all manner of odd jobs. The returns in what they are doing have been reducing. Cultures have changed. Many communities are no longer placing elders where they were before. Pensioners' money gets down with age. The older you become, the more your pension reduces. There are all manner of odds against the elders. Some very clear-cut programmes must be placed in front of them.

In this country, life expectancy is 60 or 62 years, meaning that the number of people in the group we are talking about has been reducing over time. I doubt it could be a number the Government can fail to support. If you put them in the category that I was talking about by taking those who were professionals and linking them with what they were doing, in as much as we will be giving them a little support, they will also be engaged and busy. For those that have skills, can they guide some different groupings? Can we have those village polytechnics and encourage all those elders who have skills to be around the schools? We will end up with a small number of those who are retired, those getting old without any skills, or those who are basically depending on their labour. The Government can plan this because I know that it can be done. It can be done in every location if there are programmes and a clear way to do it. Those people can be in older people's homes or their own homes, but we have an arrangement where they can eat and get healthcare.

The other day, I learned that food and water are some of the things that bring those elders down. Most of them cannot wash their clothes, and then minor diseases bring them down. With a clear programmatic approach, the nation can take care of our elders beyond what we are currently doing. A sum of Ksh2,000 is not enough with the kind of life situation that we are in. And even if it was enough, its disbursement is so absurd. We have been collecting data for the last three months. There is a problem in this country; is it difficult to count those 60 years and above? We have also failed to identify indigents that were supposed to be supported under the Universal Health Coverage (UHC). There is a big problem that needs to be sorted out in this country.

I support.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Moses Kirima, Member for Central Imenti.

**Hon. Moses Kirima** (Central Imenti, UDA): Thank you for allowing me to contribute to this important Bill by Hon. Gathoni Wamuchomba. This Bill is timely, considering that the population in Kenya, especially the aging group, is increasing due to improved medical facilities and dietary values that Kenyans are actualising these days. It is high time that we consider how to care for the aged, considering that everybody plans to reach old age.

In developed countries, aged people are highly valued in a way that the Government considers them when making policies. They give them value for what they contributed during

their early days. This includes giving them medals, recognising them as veterans and all kinds of adorations to recognise their previous contributions to the welfare of the society. In Kenya, as we speak, the aged are not given priority because the Government does not have a policy for them. They are not given anything else apart from the Ksh2,000 stipend per month, which rarely reaches all of them.

My mother died at the age of 89. She had registered for the Ksh2,000 stipend but never received it until she went to the grave. I am just giving you an example. In the village, many do not get that stipend. Many intermediaries and brokers between the Government and the banks where this money is channelled get in between, and the money does not reach the right people. A certain percentage, however, gets it. In my view, the Government should be serious when it is addressing the issues of the aged. If you go around the country now, you will find many organisations, particularly individuals, coming up with homes for the aged to take care of them. The society has now changed. It is no longer like the ordinary African society where the young ones were cared for by the aged with the hope of reciprocating at a particular time of age where they had to now feed, light fire and take care of the aged. Things have now changed.

These days, given a chance, the youth can even dispose of the property of the aged and leave them desperate and destitute. This Bill is timely, and it is my prayer that when it comes to implementing it, we shall consider homes that are being established. Where do the aged go at a particular time when they have nobody to take care of them in their homes, and they cannot feed themselves? Where do they go when they are abandoned in the rural areas by their siblings who move to urban areas?

With those few remarks, I support.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you. Hon Shakeel Shabbir. It is important to note that your card has not been working. The card for Hon. Kenga Mupe is also not working. I have seen you there since we started, but your card is not indicated anywhere.

Hon. Kenga Mupe, I will give you a chance at some point.

**Hon Shakeel Shabbir** (Kisumu East, Independent): Thank you for indulging me. As you have said, some of these cards are not working. We sit here hoping they are recording, but they are not. I hope the Serjeant-at-Arms and those in charge of this august House will have these machines serviced.

I am contributing from a position of knowledge. In my earlier days, we set up a home for the elderly in England. The home worked for about 30 years. My family worked very hard, and the Queen even awarded my sister-in-law for the work she did in the care of the elderly. So, taking care of the elderly is in our genes. In our African, Kenyan and even Luo cultures, not only do we respect the elderly, but we also respect the spirits of our ancestors. The elderly are part and parcel of our society. I do not understand what is happening to Kenyans and our people. We are now ignoring and throwing our elderly away. There are cases in Kisii where the elderly are being burnt as witches just because the children want to take over the properties. It is a sad state of affairs, and it tells us that the society that we are in is degrading very fast.

Children and the elderly are the two pillars of our family and society. If our family values and culture cannot be supported, we are going to the dogs, and as we say, the end of the world is close. If we cannot respect our elderly and children, then what are we doing? About 90 per cent of the nurses in this country are in the United Kingdom, United States of America, Japan or wherever. The other day, I saw an advert that said, "We are giving special visas for caregivers." Our people are going to take care of some foreigners for money while leaving their own elderly behind.

I may not have supported the Housing Levy but, if there was an "elderly levy," I would have wanted to be part and parcel of it and contribute a certain percentage of my money to it.

I also disagree with the title and suggest this as an amendment to the Geriatric Bill. As much as my fellow Member of Parliament came up with that title, it takes away the dignity of the elderly. I do not know why that title. “Geriatric Care” is a medical term; we need to give it a more human touch.

The idea of establishing the National Council for the Elderly is good, but a directorate of social development already exists. I do not see why we need a national council for the same. Setting it up will be very costly. For instance, its Chief Executive Officer (CEO) will want a four-wheel drive vehicle. There will be other requirements for setting it up, and they will take up a lot of money. We can allow the already existing directorate to perform those functions. We also need to formulate some set of rules and format of what elderly care requires. Whether there is home care for the elderly in a residential home or a day-care centre for the community, ignoring our children and failing to send them to school is an offence. I suggest that we treat this the same way. Failing to take care of our parents should also be considered an offence.

The stipend of Ksh2,000 is a joke. In my constituency, with over 200,000 people, only about 50, or less than 120, get the stipend. When they get it, sometimes it takes six months before it is disbursed. It also, sometimes, gets stolen by conmen and other family members. The abuse of the elderly has been there. We have not taken any action against the people in a home where they were seen beating up an elderly person the other day. We must develop a framework for effective action.

About ten years ago, I was taught by the Rwandan President that, while it is good to have a vision, without its implementation, it is hallucination. We hope this Geriatric Bill, or what we hope to change the name to, will be put into force immediately after it is passed. Some structure, format, or template should be formulated so that we will have the directorate, the National Council or whatever we call it, to help the aged. Those aged are quality people. I know some people who are professors. For one, Prof. Bethwell Ogot is nearly 95 years old but has better brains than mine.

Hon. Temporary Speaker, I am 70 years old. Soon, I will be called an elderly. Where will I go? Is there an elderly home for old parliamentarians? I know there is none. What do we do with our old parliamentarians? I have seen some of them who were leaders sitting at home, rotting and doing nothing. The pension that they get is peanuts. The elderly and the children must be cared for as a priority.

In Europe, people care for their cats and dogs more than their families. We go there, at a cost, to take care of the elderly. We clean them up. The elderly are not senile. They do not have dementia. Even if they were senile, had dementia, or looked like they were mad, they have a right to be in this country, perhaps more than the younger generations, because they fought for the Independence of this country. I hardly see an elderly person being given any recognition. The late Dedan Kimathi’s wife, for one, who passed away, was never treated well. There are too many others who were not treated well.

The elderly must be given recognition by the State, the county governments and other authorities. When I was in Germany, I tried to buy a train ticket, but I was told that being an elderly person over 65, I did not need one. I also went to an orchestra and wanted to pay, but I was told my fee was half-price. In this country, you are charged even more. If you are elderly and in a *matatu*, they charge you even more.

I support this Bill and urge my fellow Members of Parliament to look at it, strengthen it, and give it the bite it requires. Let us look after the elderly the way they looked after us in our youth.

Thank you very much, Hon. Temporary Speaker, for your indulgence, the House as a whole and the sponsor of the Bill.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Members, you may choose to speak for five minutes. I am saying you may because we did not

limit time at the beginning of the Motion so that a few more of you can speak. I am just looking at the screen and many people have expressed interest. We will now go to the Hon. Andrew Okuome, Member for Karachuonyo. I am informed that you are the most senior in terms of age. So, you may have something to say about this.

**Hon Adipo Okuome** (Karachuonyo, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. As I contribute to this Motion directly before you, Hon. Temporary Speaker, and on my left, I see a very noble writing saying: This House is “For the Welfare of Society and the Just Government of the People.” Our elderly are part of our society, right from the family level, community level up to the national level. I am very happy that this Bill is trying to address the issue of the welfare of our aged seriously.

A society that cannot care for its aged is a sick society. It is an unjust society and uncaring society. I know this House is not for that. Based on what I have just said, I automatically support this Bill. If a council is created to care for the aged, we would have established a system that can even improve the lives of those people we are talking about. Knowing that Kenya cares for them is medicinal. It cures them and strengthens their lives. Giving them good health increases their lives. That is why the creation of that council will be a very important step. This society will take care of the aged through the family in the beginning.

The families know the elderly we are talking about more than anyone else. The council needs to know more about what is happening with this aged person through the members of the family. By law, the community can also be encouraged to ensure the old enjoy the remaining parts of their lives. We can then progress to the national level, where the council is.

When we talk about caring for the aged, we are not just talking about financial provision to them. We should look at the shelter for the elderly. We know some of those elderly persons do not even have houses. The nation can ensure that this essential requirement in life is provided to the aged person. If this person has a house, we can progress to find out whether he can eat. It is important. The person who knows this best is within the family of that aged person – whether nuclear or extended. They know better whether that person has food in his house or not. We can then proceed on and see whether that person enjoys his life without people coming to molest or harm him in any way. That, again, can only be done starting from the grassroots, as I have said.

This Bill is good. It will help us address the needs of those in the age bracket we are discussing. It is time for us to support the Bill like this and ensure it succeeds so that we can pride ourselves when we watch our aged and see them healthy, happy and doing well. Once a situation like that is on in our society, then we can justify what I started with, which is written on my left and in your front, Hon. Temporary Speaker, that this house and, therefore, Kenya is for the welfare of our society and the just Government of our people.

I rest my case, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Racheal Nyamai): Thank you. Hon. Dorothy Ikiara, Nominated Member of Parliament.

**Hon. Dorothy Muthoni** (Nominated, UDA): Thank you, Hon. Temporary Speaker. I wish to support this very important Bill.

I thank Hon. Gathoni Wamuchomba, Member of Parliament for Githunguri Constituency, for coming up with this very important Bill. It is important for all of us to appreciate that old age is a blessing. Further to that, every person who is born will one day grow old. As we look at this Bill, it is important to think that we are not talking about people who are far away from us. We are also heading towards that age to be called the elderly. I have no problem with the title, the Geriatric Bill (National Assembly Bill No.50 of 2022), because it means it is a special area of medicine that focuses strictly on providing care for the unique health needs of older people. It is good for all of us to appreciate that, as we grow old, old age



comes with its unique challenges. It is one thing to appreciate because if you grow old without health issues, then you must be very lucky. In one way or the other, you need a lot of attention.

As I go deeper into this Bill, I appreciate the Kenya Kwanza Government because it is the responsibility of every responsible Government to think of each citizen. I appreciate that the Kenya Kwanza Government has already put in place measures to start looking into the matters that are concerning the elderly people. The Government looks to recruit healthcare workers who will go around the villages. I am sure the target of the healthcare workers will be to attend to the elderly. Young people can walk to the nearest health centres.

I appreciate the Kenya Kwanza Government because it has come out openly to increase the National Social Security Fund (NSSF). For a long time, people used to contribute meagre cents in the form of their retirement benefits. Today, the Government has increased the NSSF contributions, which will ensure that everyone who is retiring will go home with something reasonable, which can take care of their welfare.

I am also equally disappointed when we talk about the elderly people, especially those who have worked for this Government responsibly and faithfully. I am talking about doctors, teachers and other workers. After retirement, those people languish in abject poverty because their pensions never come on time. They keep on tarmacking, waiting for them. Once they are out of the payroll, they do not know who to turn to. I urge that this Government should start hyping their game, take care and appreciate people who have worked tirelessly by rewarding them in a very timely manner.

Having said that, this Bill is coming up to establish a council that will ensure efficiency in providing services to the elderly. It is good for all of us to note that families are growing smaller now. They are shrinking. Some years back, parents used to have five or six children, and some would be at home and oversee their parents in their old age. Today, families are too small that you cannot ensure all your children stay home to care for you. When established, the council will be responsible for ensuring that they have data and know where each elderly person is and their needs. The council will also be entitled to ensure that when money is disbursed to the elderly, it reaches the right people, unlike today, where every person is in charge of the elderly cash transfer, and we do not know if it reaches them or not.

If we have a council in place, there will be a mechanism to ensure that even if the Government is giving a stipend to the elderly people, it will reach them on time. We all need to understand that if this Bill goes through, we must have funding. There is no way we can take care of the elderly when we do not have adequate funding for them. This will ensure that we accommodate them in very special homes and provide proper nutrition for them. Most of them are not sick, but they lack proper nutrition. This can only be provided for by the Government. We have mistakenly assumed that old people can source for their food. If we can get a mechanism and way of ensuring that...

**Hon. John Kiarie** (Dagoretti South, UDA): On a point of order, Hon. Temporary Speaker.

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

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Temporary Speaker, it is not my interest to interrupt my teacher, Hon. Ikiara. However, I want to know whether I am in order, noting the journey that this Bill has gone through... It was introduced in the last Parliament. I see a golden opportunity to finalise it this afternoon so that it can proceed to the next stage. I know there is a lot of interest to speak. I have listened to the debate all this morning up to now. I can tell there is great support for the Bill. I am sure even Members will be keen for it to proceed to the Third Reading so that we can expend it and the implementation can start as soon as possible.

I would like to know if I will be in order to invoke Standing Order 95 so that we can take this beautiful opportunity for the Mover to reply. It will allow us to proceed to the next

level rather than postpone this Bill to a later session when we do not know if it will be concluded. If you will agree with me, I ask the Mover to be magnanimous to donate a few minutes to the Members who have shown great interest to speak, as she will be replying. We can take advantage of this opportunity to move this Bill forward.

Hon. Temporary Speaker, that is the point I wanted to raise.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Kiarie. What you have said is quite in order. I will call upon the Mover to reply at some point. I hope she will be magnanimous to share her minutes for responding to the many Members on the screen who would like to comment. I will give Hon. Ikiara a minute to conclude. From there, I will allow Hon. Kenga Mupe.

**Hon. Dorothy Muthoni** (Nominated, UDA): Thank you, Hon. Temporary Speaker. As I conclude, funding has been inadequate through the years. It has not been sufficient to accommodate all our elderly people. With the council coming in, we shall have proper figures of how many elderly people we have. This will enable the Government to fully support and take care of them. With the Government's affordable housing, we can accommodate those with nowhere to stay so that the Government can take care of them from a central area. We know that the basic needs in life are food, clothing and shelter.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): I have just realised that Hon. KJ also lost his opportunity to speak on this Bill when he rose and called for the Mover to reply.

I will now go to Hon. Susan Nduyo, who has been waiting. Member for Tharaka-Nithi. Hon. Susan Nduyo.

*(Hon. Susan Ngugi rose up in her place)*

Take a seat, Hon. Susan. I will come to you. Hon. Kenga Mupe.

**Hon. Kenga Mupe** (Rabai, PAA): Ahsante, Mhe. Spika wa Muda. Ninasimama kuunga mkono Mswada huu wa kubuniwa kwa baraza la kitaifa la wazee. Ninachukua fursa hii kumpongeza Mhe. Gathoni Wamuchomba kwa kuleta Mswada huu wa maana katika Bunge la Kitaifa. Katika utamaduni wetu wa Kiafrika, tunatakiwa tuheshimu wazee kwa sababu ni voo katika jamii.

Kama Mbunge wa Rabai, ninaunga mkono Mswada huu kwa sababu wazee wetu ambao wamefikisha umri wa miaka sitini katika vijiji wanatengwa na kubaguliwa. Huu ni wakati mwafaka wazee wetu waweze kupata msaada. Ni muhumi Serikali itenge hazina ya pesa ambayo itahakikisha kwamba wale wazee wote ambao wako na miaka sitini wanawezeshwa ili wakimu mahitaji yao ya kimaisha.

Wazee hao wapewe bima ya afya ili wahakikishe wanapokuwa wagonjwa, wataenda hospitali na kupata huduma bila kulipa pesa zozote. Hao wazee wanastahili kupatiwa chakula. Wamekuwa ni voo katika taifa na jamii. Katika eneo bunge langu, wazee wote ambao wamefikisha miaka sitini na zaidi wanaitwa wachawi. Inafikia wakati ambapo wanauawa ili wapokonywe rasilimali zao. Katika Eneo Bunge la Rabai, kuna Wodi ambayo inaitwa Mwawesa. Kuna vijiji kama vile Bwaga Moyo, Ngare na Ngindo ambavyo kufikia leo, kuna wazee zaidi ya mia moja ambao wameuawa kwa sababu wao ni wachawi. Ninaunga mkono Mswada huu. Baraza la kitaifa la wazee litakapoundwa, wazee kama hao watatetea rasilimali zao.

Ninampongeza Rais wetu wa Jamhuri ya Kenya, Mhe. Ruto. Tunaona kwamba wazee wote wa miaka sabini wameanza kutengwa pesa hivi sasa na wameanza kuzipata.

Ninaunga mkono Mswada huu. Ahsante sana, Mhe. Gathoni Wamuchomba.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Ahsante. Mhe. Hon. Susan Nduyo, Member for Tharaka-Nithi.

**Hon. Susan Ngugi** (Tharaka-Nithi County, TSP): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute. I am a Member of the Departmental Committee on Social Protection, where Hon. Gathoni Wamuchomba presented this Bill in detail. I understand what it is all about.

It will assist us, especially the women's representatives, who deal with affirmative action groups like the elderly. We wish they could be treated like any other special group in the village. We have State departments that take care of children and youth. We also want to see State departments dealing with elderly persons. Officers in those offices should help us handle those senior citizens. We are all aware that the elderly are the custodians of indigenous knowledge. Sometimes, I helplessly look at them when they are being buried with their knowledge. Some of them die because there is no one to protect them. We thank God for Article 57 of the Constitution, which provides for the protection of the elderly.

The Bill should provide for studies on the elderly. Universities and other institutions of higher learning have paediatric and gynaecology departments. They should also have gerontology departments, where students can be taught how to deal with the elderly.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you, Member for Tharaka Nithi. You may take your seat.

**Hon. Susan Ngugi** (Tharaka Nithi County, TSP): Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Members, the Member for Dagoretti South, rose under Standing Order 95 and indicated that we call upon the Mover to reply. I want to put the Question to the House.

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

Hon. Wamuchomba, please proceed.

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): You can be as magnanimous as possible. You have 10 minutes.

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): I will try to align myself with the new name that the people of Githunguri have given me. They call me "the mother of the sub-county". I will adopt the name and be "the mother of the hour". I want to donate my time to Members who have been patiently waiting to support the Bill. I wish to donate three minutes to Hon. Fred Ikana, Member for Shinyalu, who is seated next to me. I will also donate three minutes to Hon. Phylis Bartoo, Member for Moiben. Lastly, I will donate a few minutes to Hon. Taitumu.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Gathoni, you should give each Member one minute so that as many Members as possible can speak. You only have 10 minutes. You can donate eight minutes and give yourself two minutes to conclude.

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Obligated, Hon. Temporary Speaker. I will revise my donated time to one minute. I will donate one minute each to Hon. Fred Ikana, Hon. Phylis Bartoo, Hon. Njeri Maina, Hon. Taitumu and Hon. Catherine Omanyoo. I cannot see the other Member. My eyesight is failing me. I will donate one minute each to *Mjumbe wa Magarini*, Member for Kajiado South, my senior brother, and the lady from Kabondo Kasipul.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): That is the Member for Matayos. You each have one minute.

**Hon. Fred Ikana** (Shinyalu, ANC): Ahsante, Mhe. Spika wa Muda, kwa kunipatia nafasi hii. Ningependa kuchukua fursa hii kwanza kabisa kumshukuru dada yangu, Mhe.

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Gathoni Wamuchomba, kwa kutuletea Mswada huu ambao unalenga kuimarisha maisha ya wazee wetu. Kama Mbunge wa Shinyalu, ninaunga mkono Mswada huu kikamilifu kwa sababu ni wakati mwafaka wa kuhakikisha kuwa tunazingatia maswala yatakayowasaidia wazee wetu kuishi maisha bora. Vile vile, itawawezesha kupata bima ya afya na mapato yatakayowawezesha kuishi kama wananchi wanaoheshimika.

Kwa hayo machache, ninaunga mkono Mswada huu.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Bartoo.

**Hon. Phylis Bartoo** (Moiben, UDA): Thank you, Hon. Temporary Speaker. I rise on behalf of my people in Moiben Constituency to support the Bill by Hon. Wamuchomba. The elderly will be very happy because of this Bill. I hope that in future, we will re-look at providing shelter for those who do not have any place to stay or people to take care of them and, at some point, provide food for the elderly.

Because of time, I strongly support this Bill.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Gitumu.

**Hon. Julius M'anaiba** (Igembe North, UDA): Thank you, Hon. Temporary Speaker. I also support and congratulate Madam Wamuchomba.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): I want to put that name correctly. It is Hon. Taitumu.

**Hon. Julius M'anaiba** (Igembe North, UDA): Thank you for the correction. I am now impressed. Let me take the cue to congratulate Hon. Wamuchomba for coming up with this noble Bill that seeks to actualise Article 57 of the Constitution. It proposes coming up with an important council that seeks to come up with measures that will take care of the elderly people in our country.

Many Kenyans are joining this bracket, coming from a very deprived environment and background. If this Bill is actualised, it means that those people from...

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Omanyo.

**Hon. Catherine Omanyo** (Busia County, ODM): Thank you, Hon. Temporary Speaker. I support fully. We must keep giving the elderly dignity and respect. Most of them had all the energy, money and titles, but with time, everything degenerates.

As we think ahead, let us keep in mind ourselves and our children to come; where can they have a soft landing and still have dignity and respect? That is one way of giving back to our parents and people who cared for us when we were also in need.

Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Kombe.

**Hon. Harrison Kombe** (Magarini, ODM): Ahsante, Mheshimiwa Spika wa Muda, na pongezi kwake Mheshimiwa Gathoni kwa kuleta Mswada huu. Hakika ni jambo la busara kwamba Bunge hili liweze kupitisha Mswada huu, na utimizwe. Hakika kunapokuwa na vituo vya kulinda na kuhifadhi wazee, hata baadhi yetu nafikiri tutaweza kufaidi katika Mswada huu. Kuna Wabunge wengi ambao wamekuwa wakiishi maisha ya taabu, shida na mashaka wakati wakiwa na umri wa juu. Vituo hivyo vitaweza kusaidia.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Maina Njeri.

**Hon. Njeri Maina** (Kirinyaga County, UDA): Thank you, Hon. Temporary Speaker. I rise to support the Bill by Hon. Gathoni Wamuchomba and laud the same. I note that it has a provision for care centres in the respective counties to ensure that we take care of the elderly in the community.

It is unfortunate that we have neglected the elderly in our communities from the very basic communal level. I, therefore, support this so that we can ensure that we care for the people who made sure that we are here today.

Thank you.

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

**Hon. Parashina Sakimba** (Kajiado South, ODM): Thank you, Hon. Temporary Speaker. Let me start by congratulating my sister, Hon. Gathoni Wamuchomba, Kiambu's finest.

The Bill has come at the right time. By the establishment of the National Council for the Elderly, one will take care of that group. This is a group that had been isolated. The people of Kajiado South will be happy as they watch this Bill being passed. It is taking care of their pockets. This is a group that has been affected by drought. They are also affected by natural calamities like *El Nino*. No one is there to take care of them. Today, they are the happiest group.

Congratulations, Madam Wamuchomba.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Obara Eve.

**Hon. Eve Obara** (Kabondo Kasipul, ODM): Thank you very much. I also rise to thank Hon. Wamuchomba for coming up with this Bill that is coming with a structured manner in which we can take care of our elderly people.

Fully aware that culture is dynamic, it is no longer possible to take care of those people within the communities.

I support. Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai, ODM): Hon. Odanga.

**Hon. Geoffrey Odanga** (Matayos, ODM): I am in support of the Bill, Hon. Temporary Speaker. The Constitution of Kenya provides for the establishment of a legal framework for the handling and treatment of the elderly, which we have really delayed operationalising. Our elderly people, including farmers, peasants, and those who have worked, require dignity and improvement of their living conditions.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai, ODM): Lastly, Hon. Gathoni Wamuchomba, you have two minutes to reply.

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Thank you, Hon. Temporary Speaker. I most sincerely take this opportunity to thank all Hon. Members who have submitted their opinions to this House and contributed towards the support and critique of this Bill. I am forever grateful. This has been a journey that I started back in 2019 in the previous Parliament because of the passion I carry for the elderly people of Kenya, who have worked tirelessly to make what Kenya is and who require to be dignified by delivery of care.

I am very impressed that Hon. Members took time to read through the Bill. I am also impressed that I have also received valuable contributions towards making this Bill a better law in future. I commit that whatever has been discussed and deliberated on this afternoon is going to be taken care of during our next reading of the Bill. I am also very happy that this House has found it worth to give this Bill an opportunity to go through the Second Reading today.

As we look forward to the next level, I request for the deferment of the putting of the question pursuant to Standing Order No.53(3) of the Standing Orders.

Thank you and, therefore, I beg to reply.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai, ODM): Thank you very much, Hon. Gathoni Wamuchomba, for replying. Hon. Members, the question to be put is hereby deferred to another sitting.

*(Putting of the Question deferred)*

## ADJOURNMENT

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai, ODM): Hon. Members, the time being 1.01p.m., this House stands adjourned to this afternoon at 2.30 p.m.

The House rose at 1.01 p.m.

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