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Thursday, 17th October 2024

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

Hon. Speaker: Serjeant-at-Arms, ring the Quorum Bell.

(The Quorum Bell was rung)

Members, we now have quorum. Clerk-at-the-Table.

PAPERS

Chairperson of the Public Investment Committee on Social Services, Administration and Agriculture.

Hon. Emmanuel Wangwe (Navakholo, ODM): Hon. Speaker, I beg to lay the following Papers on the Table:

The Fourth Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the reports of the Auditor-General on the financial statements of the following State Corporations:

1. National Social Security Fund, Financial Year 2019/2020.
2. Communications Authority of Kenya, Financial Years 2017/2018 and 2018/2019.
3. Child Welfare Society of Kenya, Financial Year 2014/2015.
4. Sacco Societies Regulatory Authority, Financial Years (2017/2018, 2018/2019 and 2019/2020).
5. Kenya Institute for Public Policy Research and Analysis, Financial Years (2014/2015, 2015/2016, 2016/2017 and 2017/2018).

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Chairperson of the Departmental Committee on Environment, Forestry and Mining. Leader of the Majority Party, who is the Chairperson of the Committee? Is it Hon. Gikaria? Is he in the House? He seems not. Next Order.

NOTICE OF MOTION

Hon. Speaker: Hon. Wangwe.

ADOPTION OF FOURTH REPORT ON THE FINANCIAL STATEMENTS
OF SPECIFIED STATE CORPORATIONS

Hon. Emmanuel Wangwe (Navakholo, ODM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Fourth Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Report of the Auditor-General on the Financial Statements of the following State Corporations, laid on the Table of the House on Thursday, 17th October 2024.

1. National Social Security Fund, Financial Year 2019/2020.
2. Communications Authority of Kenya, Financial Years 2017/2018 and 2018/2019.
3. Child Welfare Society of Kenya, Financial Year 2014/2015.
4. Sacco Societies Regulatory Authority, Financial Years 2017/2018, 2018/2019 and 2019/2020.
5. Kenya Institute for Public Policy Research and Analysis, Financial Years 2014/2015, 2015/2016, 2016/2017 and 2017/2018).

Thank you, Hon. Speaker.

Hon. Speaker: Next Order.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT

Hon. Speaker: The Chairperson of the Public Investments Committee on Governance and Education, the Member for Bumula.

STATE OF AFFAIRS AT MOI UNIVERSITY

Hon. Wanami Wamboka (Bumula, DAP-K): Pursuant to the provisions of Standing Order 44(2)(d), I rise to issue a Statement on the mandate of the Public Investments Committee, Education and Governance regarding the current state of affairs at Moi University.

Moi University was closed indefinitely on October 3rd 2024 due to a prolonged strike by lecturers and staff over unpaid salaries and unfulfilled promises from a 2017 to 2022 Collective Bargaining Agreement (CBA). The protests, which had lasted several weeks, included demands for delayed payments and remittances such as pension contributions and loan deductions. The disruption led to students' protests, prompting the University Senate to suspend academic activities. Students were ordered to vacate the campuses immediately, with international students advised to consult the Dean of Students. Since then, no reopening date has been announced, raising grave concerns over the likelihood of prolonged closure.

On Wednesday, 9th October 2024, the Public Investments Committee on Governance and Education, which I chair, held a meeting with the Cabinet Secretary for Education, the Principal Secretary for Higher Education, representatives from the Office of the Auditor-General, and Moi University Management to discuss the matter.

Consequently, the Committee noted that the University had written to the National Treasury and the Ministry of Education seeking financial assistance to pay the pending bills. In addition, we noted that the issue of pending bills was as a result of the late remittance of funds by the Government. The deteriorating state of affairs at the University calls for urgent intervention in order to forestall further disruption of academic programmes and to restore confidence in the University.

It is against this background that the Committee calls on the National Treasury to immediately release funds and pending statutory remittances to settle salary arrears owed to the staff of Moi University. This will ensure that normal learning activities resume at the University.

Hon. Speaker, this University needs the support of this House. I thank you very much.

Hon. Speaker: Thank you, Chairman. That is a matter of grave national concern and if we have international students, then it goes beyond borders. I will direct that the Chairman of the Departmental Committee on Education tomorrow morning brings a statement from the Ministry of Education on the status of Moi University in reflection to what the Chair of the Committee has said, and any other relevant material that can help accelerate the resolution of the problems of the University and the reopening of the University.

Hon. Osoro, tell Hon. Melly that tomorrow at 9.30 a.m., he has to give us a statement on this issue. Short of that, on resumption, the Cabinet Secretary will also be ordered to appear before the House on the issue.

Next is a response by the Chairperson, Departmental Committee on Transport and Infrastructure to the Statement by Hon. Monica Marubu. Is Hon. GK here? Hon. Osoro, where is the Chairman of the Departmental Committee on Transport and Infrastructure? He has to be here to respond to Hon. Monica Marubu.

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Speaker, I hope the Chairman will be back in a short while but if he is not, I commit to whip him to come and respond promptly.

Hon. Speaker: He has to be here to respond to Hon. Monica Marubu. Is she in the House? We can have Hon. Godfrey and Hon. Godfrey Ruku lay their Papers. Hon. Members, let us go back to Order 5. Hon. Gikaria, the Floor is yours.

PAPER

Hon. David Gikaria (Nakuru Town East, UDA): My apologies, Hon. Speaker. Thank you for giving me a second chance. I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the Gold Processing Bill (National Assembly Bill No.46 of 2023).

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Gikaria. We go back to Order 7, request for Statements as per the Order Paper. Member for Isiolo County, Hon. Mumina Bonaya. Go ahead.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

ACCIDENT CAUSED BY A GOVERNMENT VEHICLE IN ISIOLO COUNTY

Hon. Mumina Bonaya (Isiolo County, JP): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding an accident caused by a Government vehicle in Isiolo County.

On 28th February 2024, Mrs Paulina Lomwar Lochiman of ID No.30495689 was tragically knocked down by a speeding vehicle with registration number KCY 265Y along the

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Isiolo-Marsabit Highway. Unfortunately, the victim succumbed to injuries sustained during the accident. The family of the deceased has suffered a great loss and has been tirelessly seeking justice. However, their efforts to obtain clarity on the incident, including authenticating the ownership of the vehicle believed to be registered to one of the Government security agencies, have been unsuccessful. This has left the family in a state of distress and uncertainty on how to obtain closure on the matter despite reporting the accident at the Isiolo Police Station under OB54/28/2/2024.

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

1. Confirmation of ownership of the vehicle in question and clarification on whether it is indeed registered to any of the Government security agencies;
2. Steps that have been taken by the relevant authorities to investigate the circumstances of the accident and ensure that justice is served for the deceased and her family;
3. Any form of compensation by the Government or support to the family of Mrs Paulina Lomwar Lochiman in light of the tragic event; and
4. Reasons as to why the family's efforts to retrieve accurate information from the National Transport and Safety Authority (NTSA) portal have been met with difficulty, and the corrective actions being taken to ensure transparency in the future.

Thank you, Hon. Speaker.

Hon. Speaker: Chairperson of the Departmental Committee on Administration and Internal Security. Hon. Naomi Waqo, where is your Chairperson? Hon. Raso, the Vice-Chairperson, is here. Can you bring a response to that in two weeks?

Hon. Ali Raso (Saku, UDA): Yes, Hon. Speaker. In two weeks, after recess.

Hon. Speaker: That means on the first day after the short recess. Member for Kilifi Kusini, Mhe. Ken Chonga.

KUFURUSHWA KWA FAMILIA KUTOKA ARDHI
YENYE MGOGORO KILIFI

Mhe. Ken Chonga (Kilifi Kusini, ODM): Asante, Mstahiki Spika, kwa nafasi hii uliyonipa.

Mhe. Spika, kwa mujibu wa Kanuni za Kudumu 44(2)(c), ninasimama kuomba Kauli kutoka kwa Mwenyekiti wa Kamati ya Kiidara ya Utawala na Usalama wa Taifa kuhusiana na mgogoro wa umiliki wa ardhi kati ya familia ya marehemu Bw. Kea Rimba Gona na Bw. Mahmoud Abdalla Mohamed, kuhusiana na kipande cha ardhi, LR No.MN/III783 huko Kilifi.

Marehemu Bw. Kea Rimba Gona na jamaa zake wameishi kwenye kipande hicho cha ardhi kwa zaidi ya miaka 60. Hata hivyo, bila mamlaka yoyote, walifurushwa kutoka kwenye ardhi hiyo bila amri ya mahakama inayoruhusu kitendo hicho, na kinyume na makubaliano kadhaa kati ya pande hizo mbili yaliyosainiwa mwaka 2001 na 2014, ambayo yalitenga ekari tatu za ardhi hiyo kwa Bw. Gona. Ugawaji huo ulifanyika kufuatia makubaliano yaliyoidhinishwa na ofisi ya Afisa wa Wilaya katika eneo la Kikambala mwaka 2000. Hata hivyo, licha ya makubaliano hayo, Bw. Mahmoud alimfurusha Bw. Gona kutoka kwenye ardhi hiyo. Kesi ya mahakama ilifunguliwa baadaye mwaka 2019, chini ya Kesi ya ELC Nambari 99 ya mwaka 2019, ili kuamua umiliki halali wa ardhi hiyo.

Baada ya kifo cha kusikitisha cha Bw. Kea Rimba Gona tarehe 19 Julai 2024, mpwa wake, Lucky Kalama Rimba, aliwasilisha ombi la kumzika baba yake kwenye ardhi hiyo yenye mgogoro. Hata hivyo, Bw. Mahmoud alizuia mazishi hayo na akaizuia familia kutekeleza taratibu za mwisho za kumzika marehemu. Kwa bahati mbaya, mwili wa marehemu bado uko

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katika chumba cha kuhifadhia maiti cha Hospitali ya Rufaa na Mafunzo ya Pwani hadi leo. Aidha, siku ya Ijumaa, tarehe 11 Oktoba 2024, Bw. Mahmoud na mawakala wake, baadhi yao wakidaiwa kuwa maafisa wa polisi, bila sababu yoyote au kibali cha mahakama, waliifurusha familia hiyo kutoka kwenye ardhi hiyo. Kufurushwa huko kumeiwacha familia hiyo bila makaazi na kutatiza pakubwa uendeshaji wa shughuli zao za kawaida za kimaisha, iwe kikazi au kielimu.

Ni kutokana na hali hii ndipo ninaomba Kauli kutoka kwa Mwenyekiti wa Kamati ya Kiidara ya Utawala na Usalama wa Taifa kuhusu masuala yafuatayo:

1. Sababu ya Bw. Mahmoud kuifukuza familia hiyo kutoka kwenye makaazi waliyoyakaa kwa zaidi ya miaka 60;
2. Ni lini familia hiyo itaruhusiwa kufikia kwa makaazi yao hadi umiliki wa ardhi hiyo uamuliwe na mahakama;
3. Mbona maafisa wa polisi wanaodaiwa kutoka kwa Kituo cha Polisi cha Ndonga na Mtwapa wamekuwa wakimsaidia Bw. Mahmoud kuinyanyasa familia hiyo kwa kuwanyima fursa ya kufikia ardhi hiyo, hivyo kuingilia mchakato wa haki unaoendelea mahakamani;
4. Hatua zilizowekwa ili kuhakikisha kuwa Bw. Mahmoud hachukui umiliki wa ardhi ambayo bado ina mgogoro; na
5. Ikiwa ipo mipango yoyote kutoka katika Wizara ya Utawala na Usalama wa Taifa inayokusudia kufidia familia hiyo kutokana na mateso ya kihisia na kifedha waliyopitia tangu walipofukuzwa.

Ahsante, Mhe. Spika.

Hon. Speaker: *Ahsante, Mhe. Chonga.* Yes, Hon. Bowen. Do you want to speak on this issue?

Hon. Kangogo Bowen (Marakwet East, UDA): Yes, Hon. Speaker. Before you pronounce yourself on that issue, Hon. Chonga has presented a request for a Statement to do with land issues and ownership, yet he is directing his request to the Chairperson of the Departmental Committee on Administration and Internal Security. Would I be in order to say that the request for a Statement would be best handled by the Chairperson of the Departmental Committee on Lands?

Mhe. Spika: Mhe. Chonga, je, shida yako ni ukosefu wa usalama au umilikaji wa shamba?

Mhe. Ken Chonga (Kilifi Kusini, ODM): Ahsante, Mhe. Spika. Tatizo la kwanza ni kuwa familia ilifukuzwa mnamo siku ya Ijumaa tarehe 11.10.2024. Bado wako nje mpaka sasa. Wananyeshewa na hawajapata usaidizi. Pili, hili swala liko kortini. Inawezekanaje kuwa watu wanafurushwa kutoka kwa makaazi yao na kufungiwa nje ilhali swala liko kortini? Vile vile, swala la usalama limeingia kwa sababu yule aliyechukua shamba hili ameweka wakora walio na mishale, rungu na mapanga kuizuia familia hiyo isingie pale.

Kwa hivyo, kulingana na zile idara husika, nimelielekeza ombi langu mahali ambapo linastahili.

Hon. Speaker: *Sawa. Mhe. Raso, utawakilisha jibu baada ya wiki mbili.* Hon. Raso, take your seat. If, indeed, what he is saying is true, that there is a dead body lying in a morgue, and the person preventing the disposal of the remains of their loved one does not have a legitimate claim or ownership of the land, then the matter becomes even more urgent. I direct that you check with the Ministry that you oversee this afternoon and bring a preliminary response tomorrow morning on the status of the matter. Even if they are quarrelling over ownership, they should not harm the interests of the family over a dead relative, if that is where he is supposed to be buried. So, get in touch with the Ministry.

Is Hon. Nyamoko in the House? The issue of land ownership is also at play. You should liaise with the Member who made the request and give Hon. Nyamoko the LR number of the

land. He will check with the Ministry of Lands, Public Works, Housing and Urban Development to find out who owns it and pass on the information to Hon. Raso for him to give us a preliminary response tomorrow morning.

Hon. Ken Chonga (Kilifi South, ODM): The children from that homestead are no longer going to school and the family is stationed outside their house.

Hon. Speaker: One at a time. Let us deal with the issue as I have directed. Once the two issues are resolved, everything else will be resolved. Okay, Hon. Raso.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Speaker. Much obliged.

Hon. Speaker: Hon. David Kiplagat. DK.

STRATEGIC FOOD RESERVES IN THE COUNTRY

Hon. David Kiplagat (Soy, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding strategic food reserves in the country, particularly the management of maize reserves.

Management of strategic food reserves is critical in ensuring national food security, particularly in times of crisis such as drought, floods or economic downturns. Maize is a staple food that plays a vital role in the nutrition and economy of our country. Consequently, proper management of maize reserves is essential to the country's food security strategy. Each financial year, the Government, through the national budget, allocates funds to purchase maize to boost the strategic food reserves. However, in the Financial Year 2024/2025, due to budget constraints, the amount set aside for strategic food reserves was significantly reduced, which places the country at a risk of food insecurity.

As the harvest season approaches in the North Rift region, farmers are concerned about the likelihood of facing unfavourable market prices for their maize crops, which may further worsen their financial position. In addition, the Kenya Meteorological Department has forecasted a looming *La Niña* phenomenon from October to December 2024, which may persist into early 2025, in most parts of the country. The maize production is expected to be poor over most parts of the country, with prolonged dry spells and cases of isolated storms expected. This situation may worsen food insecurity in the country, necessitating strategic focus on our maize reserves.

Hon. Speaker, it is against this background that I request the Chairperson of the Departmental Committee on Agriculture and Livestock to report on the following:

1. Measures to be taken to purchase maize produce from the upcoming harvest so as to stabilise market prices and increase strategic food reserves.
2. Plans to be taken to dispose of approximately 750,000 90-kilogramme bags of old maize stock to make room for the new harvest.
3. Actions to be taken to settle the Ksh491 million in outstanding arrears owed to farmers by the National Cereals and Produce Board (NCPB) for maize delivered over 120 days ago.
4. The level of preparedness by the Government to manage the predicted *La Niña* phenomenon and plans to mitigate its impact on food security.

I thank you, Hon. Speaker. Because it is a matter of national importance, you could give opportunity to colleagues from the North Rift.

Hon. Speaker: You have no right to solicit for anybody to support your request for statement. Where are your friends from the North Rift? Hon. Adams.

Hon. Adams Korir (Keiyo North, UDA): Thank you very much, Hon. Speaker, for this opportunity. The matter raised by Hon. DK is very weighty not only for the North Rift farmers but farmers across the country. We are now headed to the maize harvesting season.

The prices are too low and farmers almost lack where to dispose of their maize. As a country, we promised Kenyan farmers that they would get what we call guaranteed minimum returns. As we talk, the price of a bag of maize is around Ksh2,800. We request the Government to set aside adequate resources so that NCPB can purchase maize from farmers. It will also allow farmers to prepare for farming next year to produce food for this country. Otherwise, Hon. Speaker, thank you very much for this opportunity.

Hon. Speaker: Hon. Pukose

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. I stand in support of Hon. David Kiplagat, the Member for Soy, in asking the Chairperson of the Departmental Committee on Agriculture and Livestock to respond. Many maize farmers, I included, are worried about our harvest because it is bumper but prices are very low. Maize is one of the main foodstuffs in our country. As you are aware, ugali is also the staple food for my neighbours in the western region. We would like the Government, more so this House that does budgeting, to set aside a good amount of money to NCPB so that it can buy strategic maize reserves from farmers. This will help other parts of the country experiencing food shortages. If the price can go up to Ksh4,000 per bag, we will be happy and many farmers will deliver their maize to NCPB.

Thank you Hon. Speaker.

Hon. Speaker: Hon. Ng'elechei.

Hon. Caroline Ng'elechei (Elgeyo Marakwet County, Independent): Thank you, Hon. Speaker, for giving me this opportunity. I support my colleague from Uasin Gishu County, Hon. DK. There is a saying that failure to plan is planning to fail. We have seen months in this country that people go without food. It is harvesting time for maize farmers in the North Rift and they have surplus which they cannot store in their own granaries. It is high time the country started planning for bad days ahead, the days when every part of the country will need that crop. It is about time we planned and mopped up the maize in farmers' granaries.

Farmers are crying because they are selling a bag of maize at Ksh2,400. They are not able to recoup their investments. If we allow middlemen who have the capacity to store the produce, they will buy it very cheaply and sell it later. The farmer who has done the donkey work will not have benefitted. That is my humble plea. We should look at the future by buying the maize from farmers.

Thank you.

Hon. Speaker: Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Speaker, the matter raised by the Member is key to this country and if approached from an economic point of view, we shall realise the weight it carries. Ordinarily, the tendency by farmers to produce more when there is deficit and hunger and then fail to produce the following year because they have more crop is very common. It has been understood in economics by Collingwood in his *East African Economics* as the buffer stop business whereby governments must then undertake to purchase the extra stocks so that we do not lose the price. Once we lose the price, farmers will not produce the following year and we shall have a drop in production and therefore high prices. That is a matter that is very important, given the fact that His Excellency the President pronounced himself on the fertiliser subsidy. This was the beginning of this production. If we do not maintain what we did with the subsidised fertilisers by making sure that we contain buffer stocks within the market in order to control prices for the farmers, farmers will not produce any more maize and we shall go back to where we were.

Hon. Speaker, thank you very much.

Hon. Speaker: Hon. Bartoo.

Hon. Phylis Bartoo (Moiben, UDA): Thank you, Hon. Speaker, for giving me this opportunity to contribute to this request for statement by Hon. DK. I want to specifically zero

in on Uasin Gishu County, where maize harvesting is going on now. It is very important for the Government to prepare urgently to buy maize from farmers so that we avoid the issue of cartels taking advantage. Currently, the price of a bag of maize in Uasin Gishu is Ksh2,800. It is very unfortunate because farmers take almost a whole year preparing until harvest time. It will be an injustice for them to sell the end product at a mere Ksh2,800 per bag. I urge the Government to adequately resource NCPB so that it can support farmers to get guaranteed minimum returns for their maize.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Kamket, do you want to talk about cattle rustling or maize?

(Laughter)

Hon. William Kamket (Tiaty, KANU): Hon. Speaker, I hear maize growers complain about the prices of maize being low, but those of us who are net purchasers of maize feel very happy when the price is down. These people are used to buying our goats and cows at throwaway prices. It is now our turn to buy their maize at very low prices so that they feel what we have been feeling. The price of maize should go even lower so as to allow us to buy and stock more food in our homesteads.

Hon. David Kiplagat (Soy, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. DK, what is it?

Hon. David Kiplagat (Soy, UDA): Is Hon. Kamket in order to insinuate that farmers in the North Rift and the Republic of Kenya should sell maize at low prices for his own benefit yet we have not indicated that his cows should be sold at low prices? Is he in order?

Hon. Speaker: Yes, Hon. (Dr) Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Speaker, Hon. Kamket is misleading the House. He has been 'taking' our cows and goats for free. Therefore, he cannot say that we take them back at throwaway prices. He comes to our homesteads at night to steal our cows and sell them at throwaway prices. So, he takes them for free.

Hon. Speaker: Hon. Makilap, you will be the last one on this matter.

(Hon. Mary Njoroge and several other Members consulted along the gangways)

Order, the Hon. Members holding unlawful *kamukunji* in the House. Hon. Wamaua and your group, that meeting is illegal. Take your seats or retreat to the corridor and talk from there. Proceed, Hon. Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Speaker. Let me comment on economic terms. Not all of us in the North Rift are maize farmers. A majority of us are pastoralists. The Kenya Kwanza administration has been working very hard to bring down the cost of living generally. It is only when the prices of maize come down that the cost of *unga* comes down.

Therefore, on this particular matter, let us allow the forces of supply and demand to play freely so that pastoralists and maize farmers reap from their investments. That way, there will be a fair economic matrix until we reach the Laffer Curve. I do not agree with him. Let us have an economy that is determined by the forces of supply and demand so that the prices of commodities in this country can be balanced.

Hon. Speaker: Order, Hon. DK. Hon. Donya, you are the very last one on this matter. Please, proceed.

Hon. Dorice Donya (Kisii County, WDM): Hon. Speaker, as much as we are discussing about maize, my colleagues here are asking questions. We have the debate on the

impeachment of the Deputy President pending in the Senate. He has not appeared for the afternoon session and we are worried. We need to know where he is because he was our client in the National Assembly. We cannot locate him in the Senate.

(Laughter)

Hon. Speaker: Order. Hon. Donya, you are completely out of order. In law, the National Assembly is described as *functus officio* on this matter. You handled that matter and passed it on to the Senate. Therefore, you have no jurisdiction or authority over it anymore. What is happening in the Senate has nothing to do with what happened here. We do not supervise the Senate. Neither is it your responsibility to track the whereabouts of the Deputy President. It has never been your responsibility and it will never be.

Chairman of the Departmental Committee on Agriculture and Livestock.

Yes, Hon. Odiwuor. Is it on maize?

Hon. Phelix Odiwuor (Lang'ata, ODM): Hon. Deputy Speaker, the Deputy President is my constituent and his absence is not a good thing. I am worried.

(Laughter)

Hon. Speaker: Order. Hon. Jalas, you are even more out of order. Member for Tigania East and Chairman of the Departmental Committee on Agriculture and Livestock, you have heard the Statement from Hon. DK and all the supporting and opposing views. Bring a response in two weeks' time.

Hon. John K. Mutunga (Tigania West, UDA): I am the Member for Tigania West, Hon. Speaker.

Hon. Speaker: Oh, you represent Tigania West. I am sorry.

Hon. John K. Mutunga (Tigania West, UDA): Hon. Speaker, I have heard what the Members have said. Guaranteed minimum return is calculated so that farmers can be encouraged to continue farming, but it must be higher than the production cost. It is a good idea to have that done. Therefore, I will consult the Ministry and get back to the House with the correct information in two weeks' time.

Thank you very much.

REMOVAL OF ASBESTOS ROOFING FROM ALL BUILDINGS IN THE COUNTRY

Hon. Speaker: Hon. Robert Mbui.

Hon. Robert Mbui (Kathiani, WDM): Hon. Speaker, pursuant to the provisions of Standing Order 44 (2)(c), I rise to request for a Statement from the Chairman of the Departmental Committee on Environment, Forestry and Mining regarding the status of implementation of the Government's directive on removal of asbestos roofing from all buildings in the country.

Hon. Speaker, in 2011, the National Environment Management Authority (NEMA) issued guidelines on safe removal, handling, packaging and transportation of asbestos for disposal and raising awareness on the hazards of asbestos such as causing chronic illnesses like asbestosis, lung cancer and mesothelioma.

Further, on Wednesday 28th August 2024, the Cabinet Secretary for Environment, Climate Change and Forestry issued a directive to NEMA to identify facilities, including public schools and private establishments with asbestos roofing countrywide for removal and safe

disposal of all the asbestos roofing within three months. The decision was made owing to the health and environmental risks associated with asbestos, and particularly cancer.

Hon. Speaker, more than a decade since the NEMA guidelines were issued, the country is yet to be informed of the progress made with regard to removal of asbestos roofing owing to health and environmental risks. It is against this backdrop that I request for a Statement from the Chairman of the Departmental Committee on Environment, Forestry and Mining on the following:

1. The provision of a report on the number of private and public buildings in the country that were found to have asbestos roofing.
2. The progress made with regard to implementation of the directive on safe removal and disposal of all the asbestos roofs, particularly from public utility facilities.
3. A report on whether the timelines provided by the Cabinet Secretary are adequate to carry out the removal and disposal of all the asbestos from all the affected buildings in the country.
4. An assessment of the cost implication of the exercise and its effect on the possibility of compliance within the given timelines, because many public institutions will be most affected by the exercise.

Thank you, Hon. Speaker.

Hon. Speaker: Chairman of the Departmental Committee on Environment, Forestry and Mining, Hon. Gikaria.

Hon. David Gikaria (Nakuru Town East, UDA): Yes, Hon. Speaker.

Hon. Speaker: This House passed a law outlawing asbestos on any of our buildings in the country, probably 10 years ago. If you do not remember, you will have to check. Why do we still have asbestos on buildings?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Speaker, Hon. Members will remember that during his vetting for appointment as Cabinet Secretary, Hon. Duale committed himself to follow up this matter. So, if you give us two weeks, we will be ready with a response. Regarding the law that was passed by this House, I will look at it this evening and give an update next week.

Hon. Speaker: Hon. (Dr) Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Speaker, the issue of asbestos does not just affect schools. It affects health facilities, housing quarters within the military and other public servants housing quarters. This problem affects many old public housing quarters which were built under the municipal councils in urban centres. So, it is widespread. I thought the Chairman would have documentation on proper disposal of asbestos. From a health point of view, asbestos causes lung cancer called asbestosis. This is, therefore, a matter of public health concern, and it should be taken seriously. It should be addressed with finality because it is a major problem within our country.

Hon. Speaker: Hon. Gikaria, did you hear that? This House actually passed a law outlawing the use of asbestos on any of our buildings; be they schools, churches or dwelling houses.

Yes, Mama Rachael?

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Speaker. I support this request for Statement. We have asbestos at Ikanga Health Centre in my constituency. The information we have been given is that the national Government will remove all the asbestos. We were told that it should not be touched. I urge the Committee Chairman to ensure that this matter is taken very seriously. Many places have been littered with asbestos.

Hon. Nyiva donated land, where asbestos waste material was kept. Later on, some lorries went there and carried it to a safer place, meaning that even the land that had been

donated is not safe because it was taking asbestos to water sources. The Chairman must give a very strong commitment on how they are going to deal with asbestos. If possible, they should pick up the asbestos at Ikanga Health Centre to protect my constituents from getting sick.

Hon. Robert Mbui (Kathiani, WDM): Hon. Speaker, I wanted to propose something they could consider. Something happens when people are told to remove asbestos. People still have to seek approval from NEMA to remove the same asbestos that NEMA has already asked them to remove. That costs money. The National Construction Authority (NCA), which is involved in construction, also wants to be paid where someone wants to remove the asbestos roofing and replace it with iron sheets. The institutions should explore the possibility of exempting those who want to remove asbestos from paying the levies, so that the cost of disposing this dangerous material comes down. The Government should keep its hands off these facilities so that we deal with this matter once and for all. As we have heard, this is affecting our schools, health centres and some residential properties.

Hon. Speaker: Hon. (Dr) Nyikal. Give Dr Nyikal the microphone. There you are.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Speaker. The use of asbestos is illegal. Therefore, by law, houses or buildings with asbestos roofs should not even be approved for habitation. We are actually talking about an illegality. The Public Health Department has the right to declare all those buildings unfit for habitation. My suggestion would be that all institutions and departments or Ministries, Departments and Agencies (MDAs) with facilities bearing asbestos roofing must have a plan to put them in the right place. They can be prosecuted. All ministries and departments should have a clear plan to remove asbestos from their buildings.

Principal Secretaries responsible for institutions that have facilities with asbestos can be sued for posing a danger to public health. The Public Health Department can do it. This matter should be dealt with. Government departments which have buildings bearing asbestos must make sure all those materials are removed and disposed of. It is not the role of the people in those houses to know what to do with asbestos. It is for the relevant Government institutions to plan on how to remove those harmful materials. Where to put asbestos is also an issue. You cannot give that role to other institutions. There is need for a national plan to get rid of asbestos, in compliance with the law.

Hon. Speaker: Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Speaker. We are discussing a very important matter of asbestos. We have it at the centre of a town in my constituency. We also have discharged toxic substances into our rivers. I do not think we are powerless as a House. We should, as a House, take action because the law was passed in this House. It is an issue of enforcement. From where you sit, you just need to instruct the concerned authorities to enforce the law so that we do not expose our people to health problems. This House must act to ensure that the law is enforced.

Hon. Speaker: Yes, Mama Ruweida. I want to move on to something else.

Hon. Ruweida Mohamed (Lamu East, JP): Asante, Mhe. Spika. Tuajua kwamba *asbestos* zina madhara na sheria ya kuzipinga ilipitishwa hapa. Sijui kama watu wanaona kuwa kule kwangu ni karibu na Somalia kwa hivyo wameamua kutuwachia *asbestos*. Kuna nyumba za hospitali kule Kizingitini na wanaoishi pale ni madaktari. Nyumba zote hizo ziko na *asbestos* kwenye paa.

Kingine cha kusikitisha ni kwamba *contractor* aliyepewa kandarasi ya kuotoa *asbestos* kwenye paa za nyumba katika hospitali ya Kiunga alizitoa. Nina uhakika kwamba *BQ* ya kandarasi hiyo inaonyesha mahali anapofaa kuhifadhi hiyo *asbestos*. Jambo la kushangaza ni kwamba mwanakandasi huyo aliwapatia wananchi wa Kiunga *asbestos* hiyo na hivi ziko kwenye *private houses* badala ya kuzizika pahali au kuzitupa kwa njia nzuri. Huyu *contractor*

aliziwacha hizi asbestos pale Kiunga. Wananchi wamezichukua na kutengeneze maboma. Ni hatari sana.

Ninaomba wahusika wahakikishe kwamba hilo jambo limerekebishwa kabla halijaleta madhara. Tumeambiwa kwamba asbestos husababisha *cancer*. Unatarajia watu wangu wa Kiunga wapate hiyo shida ilihali wenyewe ni maskini wa roho zao?

Hon. Speaker: Hon. Tandaza, are you rising on this matter?

Hon. Kassim Tandaza (Matuga, ANC): I would also want to add my voice on this matter as a lead expert on environmental issues. As a commodity, asbestos cannot just be left to anybody to handle. I take exception to the proposal that the relevant Government authorities should wave the regulations so that people can dispose of asbestos on their own. A proper environmental impact assessment has to be undertaken before you dispose of asbestos. You cannot just handle asbestos with your bare hands the way you would want to remove some iron sheets or *makuti* from the rooftop of your house. Special protective equipment must be used while handling asbestos. Specialised transportation vehicles are also required to move the materials to dumping sites so as not to cause danger. The dumping site has to be approved for that purpose, taking into account the depth of the pit and the soil conditions, to ensure that water runoff does not spill into existing rivers during the rainy season.

There is no shortcut when it comes to disposal of asbestos. As a House, we probably need to deal with the matter. We can allocate adequate funds for this purpose as we prepare the next budgets so that these harmful materials can be disposed of safely. Haphazard disposal of asbestos can create more problems.

Hon. Speaker: Hon. Gikaria, as the Chairman of the Committee, I doubt whether you will do justice to this request for Statement. On the first Wednesday upon resumption from the short recess, I direct that the Cabinet Secretary for Environment appears before the House to tell the country how they are going to get asbestos roofing off all housing structures in the country. He should tell us when they are going to dispose of these materials in the manner described in the Act that banned the use of asbestos. Hospitals, churches, schools, and dwelling houses still have asbestos roofs 10 years down the line.

You will join the Clerk in conveying the message to the Cabinet Secretary of the Ministry that your Committee oversees. You will be here in two weeks' time with a comprehensive Statement with timelines on when we are going to clear this menace once and for all. Are we together Chair? Thank you.

Anyefuata ni Mbunge wa Matuga, Mhe. Tandaza.

KUKARABATIWA KWA BARABARA YA MWAMBUNGO-
MAJIMBONI-SHIMBA HILLS-KILULU-MRIMA (B98)

Mhe. Kassim Tandaza (Matuga, ANC): Mhe. Spika, kwa mujibu wa Kanuni ya 44 (2)(c), nimesimama kuomba Kauli kutoka kwa Mwenyekiti wa Kamati ya Uchukuzi na Miundomsingi kuhusu kukarabatiwa kwa barabara ya Mwabungo–Majimboni–Shimba Hills–Kilulu–Mrima (Nambari B98).

Miundombinu bora, haswa barabara nzuri, ni kichocheo muhimu cha maendeleo ya kiuchumi na uboreshaji wa hali ya maisha kwa kurahisisha kufikia huduma za umma kwa haraka inavyohitajika. Hata hivyo, wakazi wa Eneo Bunge la Matuga bado hawajafurahia miundomsingi kwa sababu ya hali duni ya takriban kilomita 50 za barabara ya Mwabungo–Majimboni–Shimba Hills–Kilima–Kilulu–Mrima (Nambari B98), ambayo kwa sasa iko katika hali mbaya na haipitiki. Mbali na kuunganisha sehemu nyingi inazopitia katika Kaunti ya Kwale, barabara hiyi pia hufanikisha shughuli za utalii katika Hifadhi ya Kitaifa ya Shimba Hills. Hali mbaya ya barabara hiyo imeathiri uchumi kwa kupandisha gharama ya uchukuzi, biashara na ufikiaji huduma za umma. Licha ya Mamlaka ya Barabara Kuu ya Kenya (KeNHA)

kutangaza Zabuni Nambari KeNHA/R9/150/2024 ya kukarabati barabara hiyo mwezi wa Februari 2024, hakuna hatua yoyote dhahiri ambayo imechukuliwa hadi sasa – hali ambayo inazua wasiwasi miongoni mwa wakaazi kuhusu utekelezaji wa zabuni hiyo.

Mhe. Spika, kutokana na hali hiyo, naomba Kauli ya Mwenyekiti wa Kamati ya Uchukuzi na Miundomsingi kuhusu yafuatayo:

1. Ripoti kuhusu hatua zilizoafikiwa katika utekelezaji wa Zabuni Nambari KeNHA/R9/150/2024 iliyotangazwa mwezi wa Februari 2024 kuhusu ukarabati wa barabara ya Mwabungo–Majimboni–Shimba Hills–Kilulu–Mrima (Nambari B98).
2. Hatua zinazochukuliwa ili kukarabati barabara ya Mwabungo–Majimboni–Shimba Hills–Kilulu–Mrima (Nambari B98) haraka iwezekanavyo, ikiwa ni pamoja na kiwango cha fedha zilizotengewa mradi huo.
3. Mipango iliyowekwa na KeNHA ili kuweka lami barabara ya Mwabungo–Majimboni–Shimba Hills–Kilulu–Mrima, ikiwa ni pamoja na ratiba ya ujenzi wa barabara hiyo na tarehe ya kukamilishwa.

Asante, Mhe. Spika.

Hon. Speaker: Mheshimiwa Feisal, ungependa kuongezea chochote kwenye ombi hili?

Mhe. Feisal Bader (Msambweni, UDA): Asante sana, Mhe. Spika, kwa kunipatia nafasi. Ningependa kuongeza sauti yangu kwenye suala ambalo Mhe. Tandaza ameeleza. Hii ni barabara muhimu sana inayounganisha maeneo bunge matatu katika Kaunti ya Kwale. Hii barabara inaanzia katika Eneo Bunge la Msambweni, ambalo ninawakilisha hapa. Inapitia Eneo Bunge la Matuga, linalowakilishwa na Mhe. Tandaza, hadi Eneo Bunge la Lungalunga.

Barabara hii ni kama imesahauliwa na shirika la KeNHA. Kama tunavyojua, miundombinu ndio uti wa mgongo wa maendeleo. Katika Kaunti ya Kwale, hizi ndizo sehemu ambazo tumezingatia pakubwa suala nzima la ukulima. Kwa mfano, katika sehemu ya Shimba Hills, kuna watu wanaofanya ukulima. Ni sehemu ambayo machungwa yanakuzwa kwa wingi sana. Asilimia 70 ya machungwa tunayotumia katika Mkoa wa Pwani yanatoka katika eneo la Shimba Hills, ilhali barabara yake haipitiki. Kwa hivyo, hata mimi ninamuomba Mwenyekiti wa Kamati ya Uchukuzi na Miundomsingi aje hapa atueleze Wizara imeweka mikakati gani ya kuhakikisha kwamba barabara hii inakarabatiwa kwa haraka upesi.

Asante sana, Mhe. Spika.

Hon. Speaker: Next is Hon. Zaheer.

Hon. Zaheer Jhanda (Nyaribari Chache, UDA): Thank you, Hon. Speaker. I acknowledge the request for Statement by the Hon. Member. The Hon. Chairman will bring a comprehensive response in the next two weeks.

Thank you.

Hon. Speaker: It is so ordered. Thank you. Yes, Hon. Gichimu.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Speaker, for giving me this opportunity. On 2nd October 2024, I requested for a Statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding payment of tea bonuses for Kimunye and Thumaita Tea Factories, which are in Gichugu Constituency. There was a commitment, through the Vice-Chairman, that this Statement would be responded to within two weeks. That period lapsed yesterday. This matter is of utmost urgency because the tea farmers from the two factories have still boycotted plucking tea. It is important that the matter is handled with a little urgency, so that I give feedback to the farmers from Gichugu, whom I represent in this House.

Hon. Speaker: Hon. Mutunga, you were supposed to respond to the Statement Request within the past two weeks.

Hon. (Dr) John K Mutunga (Tigania West, UDA): Hon. Speaker, this issue concerns tea farmers across the country. It is not isolated to one area.

Hon. Speaker: Do you have a response?

Hon. (Dr) John K Mutunga (Tigania West, UDA): I do not have it but we will have it in a week's time. We are going out this week to establish what caused the variance in pricing.

Hon. Speaker: Okay. Thank you. I will start with the Chairperson of the Departmental Committee on Transport and Infrastructure. I have been told that Hon. Zaheer has the responses. Start by responding to the Statement by Hon. Monicah Marubu.

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

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

STATEMENTS

STATUS OF COMPENSATION OF FISHERMEN IN LAMU

Hon. Zaheer Jhanda (Nyaribari Chache, UDA): Thank you, Hon. Deputy Speaker. On Thursday, 20th June 2024, the Member for Lamu County, Hon. Monicah Marubu, requested for a Statement from the Chairman of the Departmental Committee on Transport and Infrastructure regarding the status of compensation of fishermen in Lamu County.

In the Statement, Hon. Monicah Marubu sought to establish, among other things:

1. Details of the fishermen set to receive compensation, including their areas of residence, fishing grounds and the criteria used for the verification process.
2. Measures in place to ensure that only fishermen from the affected fishing grounds and local fishers community receive compensation.
3. Timelines for completion of the compensation process.
4. Why the Government is yet to implement a fishing value chain approach to boost the fishing industry of the area, considering that the compensation provided to fishermen does not provide a long-term solution, hence jeopardising a sustainable source of livelihood of the community.

Hon. Speaker, the Committee received a response from the Ministry of Roads and Transport through the Clerk of the National Assembly on 20th September 2024, which I wish to make known to the House.

Regarding details of the fishermen who are supposed to receive compensation, including areas of residence, fishing grounds, and the criteria used for the verification process; the Ministry acknowledged that the fishermen residing in Lamu County are set to receive cash compensation. It also notes that the affected victims were identified through beach management units with the cooperation of the local Beach Management Units (BMUs) chairs and the county government.

In March 2023, Kenya Ports Authority (KPA) began verifying and processing agreements for compensation, initially approving 4,026 fishermen. However, a directive from the Ethics and Anti-Corruption Commission (EACC) halted payments for further verification. After completing its investigations, the EACC validated 4,167 fishermen while an additional 567 names were requested for verification.

As per the court order of 1st December 2022, KPA has commenced compensation payments of Ksh241,714 to each of the 4,026 approved fishermen and boat owners, totalling to Ksh973,141,852. The payments were to be completed by 2nd June 2024. To date, KPA has successfully processed payments for 3,887 fishermen while 139 payments bounced due to incorrect bank details.

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With regards to the measures in place to ensure that the fishermen from the affected fishing grounds and the local fisher community receive compensation and provide timelines for completion of the compensation process, the Ministry submitted that KPA, guided by the EACC, will adhere to a set criterion. The compensation is expected to be completed by mid-December 2024, contingent on the chairs of BMUs providing the identities of the 567 disputed names. The list of eligible fishermen and boat owners was compiled by officials of the BMU and representatives from the County Government of Lamu, based on the following criteria:

1. They must have been fishermen or boat owners by 16th October 2016.
2. They must have been registered with the County Government of Lamu as either fishermen or boat owners by the same date.

Regarding the reasons as to why the Government is yet to implement a fishing value chain approach to boost the fishing industry of the area, considering that the compensation provided to fishermen does not provide a long-term solution, hence jeopardising the sustainable source of livelihood of the community. The cash compensation is 65 per cent of the Lamu fishermen's compensation amount. The other 35 per cent of the fund consists of Ksh640 million set aside by the Government for development of physical infrastructure and provision of support services for the fishing industry in the area. Kenya Ports Authority is set to engage Lamu stakeholders on the nature of the equipment they wish KPA to procure as part of the sustainability development. A task force was formed in 2019 to follow up on the compensation and its modalities.

It is prudent to note, however, that due to the passage of time and changing fishing dynamics in Lamu County, there is need to have this proposal validated in terms of the identity of the equipment and the equivalent specifications before the validation exercise. The task force will be required to conduct consultative and stakeholder participation engagement activities in Lamu County. This is a process to be undertaken by members of the task force before KPA can move towards the procurement stage.

Kenya Ports Authority has committed to facilitating the conclusion of the compensation process by engaging all the stakeholders involved. The Committee also assures the Hon. Member that it will follow up on this matter as it plans to engage the Ministry early in November.

I submit, Hon. Speaker.

Hon. Deputy Speaker: The originator of the Statement Request, do you want to comment?

Hon. Muthoni Marubu (Lamu County, Independent): Thank you, Hon. Deputy Speaker. The Hon. Member and a Member of the Committee have indicated that the identification and, indeed, the compilation of the listed beneficiaries was done in collaboration with everyone else except the Members of Parliament of the National Assembly.

The Ministry of Transport and KPA are under the purview of the national Government. How come the names and the process were done with everyone else except the Members of the National Assembly, including myself and the other Members? Secondly, I have not seen the list of the more than 3,800 fisherpersons that the Hon. Member has indicated have been compensated. I hope the list is available because we have had a situation in Lamu where everyone else is compensated except the people of Lamu. We had a situation where people were compensated for land in Kilalani for paving way for the construction of the Lamu Port.

Ironically, three-quarters of the people who were compensated were not residents of Lamu at all. Given that situation, I can almost attest to this House that the names on the purported list of members of the fishers community are not names of people from Lamu. However, we will see the list, interrogate it and submit it to the people for them to authenticate it. This is because we previously had a situation where certain people took money that was meant for the people of Lamu.

Thank you, Hon. Speaker.

Hon. Deputy Speaker: Committee Chair.

Hon. Zaheer Jhanda (Nyaribari Chache, UDA): Thank you, Hon. Deputy Speaker. I acknowledge the additional concerns raised by the Hon. Member. As a Committee, through the Chairman, we will follow up the matter by engaging the Ministry further and inviting the Cabinet Secretary to a further meeting with the Hon. Member and Members of the committee.

Hon. Deputy Speaker: Fair enough. Thank you. Is there a response to the Statement Request by Hon. Ruku? He is not around. Let us proceed to the other Statement requests.

(Hon. Zaheer Jhanda off record)

Do you have the Statement? You proceed but the Member who requested for it is not here.

(Hon. Robert Pukose spoke off record)

The Member who requested for the Statement is not in. So, you can just table the response.

Let us move to responses to previous statements. The response to Hon. Clive Gisairo by the Chairperson of the Departmental Committee on Communication, Information and Innovation.

(Hon. Alfah Miruka spoke off record)

Are you responding on behalf of the Committee?

Hon. Alfah Miruka (Bomachoge Chache, UDA): Yes, Hon. Deputy Speaker. I am responding as the Vice-Chairperson of the Committee.

Hon. Deputy Speaker: Okay, proceed.

STATUS OF KENYA DIGITAL ECONOMY ACCELERATION PROJECT

Hon. Alfah Miruka (Bomachoge Chache, UDA): Thank you, Hon. Deputy Speaker. Hon. Clive Gisairo, the Member for Kitutu Masaba, in the 13th Parliament, requested for a Statement during this Third Session of the National Assembly. His first question was on the status of implementation of the Kenya Digital Economy Acceleration Project (KDEAP) since the disbursement of funds by the World Bank.

The response is that the KDEAP project was declared effective 2nd February 2024, following a legal opinion by the Attorney-General. The Government had at this time met the six conditions for effectiveness of the project. The Ministry obtained a budget allocation of Ksh400 million in the Supplementary Budget II for the Financial Year 2023/2024 in the month of June 2024. The money was received in the designated account at the National Treasury on 27th June 2024. However, the disbursement to the project bank account under the Information Communication and Technology (ICT) Authority is yet to be completed. The current Financial Year 2024/2025 has a budget allocation of Ksh2.8 billion granted and the 18-month work plan has been approved by the World Bank.

The second question was on the regions have benefitted from implementation of the project so far. The response is that the project implementation will start in this current financial year. Additionally, the terms of reference are under review in preparation for roll-out. Upon implementation, the project will benefit the whole country.

The third question was what are the expected gains from this project. The response is that the beneficiaries of the project include citizens, the private sector, public sector agencies, students and civil servants. Individuals across the nation will benefit from wider opportunities to participate in the digital economy through the widened access to broadband internet, via public Wi-Fi hotspots and community access schemes. Additionally, there will be digital access to public services as well as enhanced data protection. The programme places a strong emphasis on digital inclusivity and bridging the divide - that is, Persons with Disabilities (PWDs), vulnerable communities and underserved areas.

On the same note, we have a response to the Statement sought by Hon. Dorice Donya Toto, the County Women Representative for Kisii County.

The first question is on the measures that are in place to ensure that the ISPs such as Safaricom...

Hon. Clive Gisairo (Kitutu Masaba, ODM): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Hon. Clive Gisairo?

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Deputy Speaker. Since he has responded to my Statement, it is fair that I be allowed to comment before he moves to the next Statement, which is not mine.

Hon. Deputy Speaker: Okay. We can allow that. Hon. Alfah, hold on before we move to the next Statement. Proceed, Hon. Gisairo.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Deputy Speaker. I sought a Statement almost six months ago. This was in regard to a disbursement by the World Bank of US\$390 million, an equivalent of Ksh48 billion. The response we have heard is not worth Ksh100,000. This is simply disrespectful to this House. It is the reason why the Chairperson has always avoided bringing the Statement to this House despite my many follow-ups.

He even confided in me that he will not stand in this House to read that Statement. I doubt whether the Principal Secretary went through what is written before appending his signature. This Statement was written by an intern in that office. The amount in question is Ksh48 billion, but the response talks about Ksh400,000. Further, the response states that the money has not been deposited into the account while this project was funded in March 2023.

I am totally dissatisfied with this response. Further, I would like the Committee to help me get a proper response even if it means I join them so as to get to the depth of this matter. We cannot have such a response after six months. There are only three pages explaining nothing and telling us that the beneficiaries will be the citizens of this country. I am totally disappointed and hope to get a proper response for the Statement that I sought from the Chairperson of the Departmental Committee on Communication Information and Innovation.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Nabii.

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Deputy Speaker. The Kenya Digital Economy Acceleration Project is by the World Bank. It is supposed to help not just anyone, but the young and disadvantaged people of this country. It disappoints me that we are talking about Ksh48 billion. This money was brought by the World Bank and was supposed to accelerate the economy. We cannot figure out a single project in this country funded using this money. They are hiding behind the word citizens. Can they identify which citizens will benefit in this project? This is because citizens are everywhere. The project is supposed to be domesticated somewhere. This is very disappointing.

Hon. Deputy Speaker, I want you to find this Committee completely out of order for not giving us satisfactory answers.

Hon. Deputy Speaker: The Committee can summon the relevant State Department so that the Member for Kitutu Masaba can attend and get finer answers. That is a better way of dealing with this. Is it acceptable?

Hon. Clive Gisairo (Kitutu Masaba, ODM): Hon. Deputy Speaker, this is acceptable. They should give a timeline because it has taken six months to bring this response. Without a timeline, we may end the 13th Parliament without a response.

Hon. Deputy Speaker: I direct that it be within two weeks after recess. Six months is out of order. You can now move to the next response to Hon. Dorice.

COMPENSATION BY INTERNET SERVICE
PROVIDERS DURING INTERNET OUTAGE

Hon. Alfah Miruka (Bomachoge Chache, UDA): Thank you, Hon. Deputy Speaker. We will do as guided by your office. We will invite the Member together with the Ministry so that we discuss it further.

Let us move to the second Statement which was sought by Hon. Dorice Donya. Her first question was on the measures that are in place to ensure that Internet Service Providers (ISPs) such as Safaricom, Telecom and Airtel, compensate their customers adequately during prolonged internet outages. The response is that ISPs fall under the Application Service Provider licence category implemented by the Communication Authority. The Authority has licensed over 500 application service providers required to provide quality service, devoid of service interruptions.

The licensed entities are required to put in place measures that will ensure continued uptime of their services, high availability and reliability of internet service and customer complaint handling mechanism. Whereas the current regulatory framework does not prescribe specific compensation in case of service outages, the service providers provide for different levels of compensation to their customers. These include: wireless data bundles, when affected by fibre to home internet service downtime; data bundle period extension for period of unavailability; no charge for post-paid customers for period of unavailability and apologies communicated through various communication channels. That was the first question.

The second question was to clarify on the implementation of the broad-band compensation and the rebates by internet service providers for their customers in the event of service disruptions.

The response is that the interruptions during planned activities, system upgrade or maintenance, licensees are required to notify the Communications Authority of Kenya (CA) and their customers seven days before such a downtime. These activities are also expected to be carried out during lowest period of tariff volumes. For unforeseen outages, licensees are required to inform the CA of the occurrence within 24 hours and outline the measures they have undertaken to ensure minimum disruptions of service to customers. The CA also handles customers' complaints on case by case basis.

Question three required us to outline the steps taken by the Ministry of Information, Communications and the Digital Economy to enhance accountability in internet service providers (ISPs) and protect the rights of customers especially in light of increasing dependence on internet services.

The response is that CA, has established a framework for assessment of Quality of Services (QoS) of telecommunication service systems that cover end-to-end QoS services, parameters for voice, SMS and data. Currently, Safaricom, Airtel and Telkom are assessed on an annual basis. The mobile network operators that fail to meet the minimum standard of 80 per cent QoS performance, is issued with a notice of violation. Failure to address may lead to penalty of up to 0.4 per cent of the mobile network annual turnover. The framework is currently under review in order to enhance accountability of the ISPs.

Hon. Deputy Speaker: Hon. Donya Dorice, do you want to comment on this?

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Deputy Speaker. My major question was, during power shortages or when Safaricom is doing its maintenance, and which takes two to three days, they do not compensate the customers who subscribe every month. For the three days that are lost, customers are not compensated! During power outages as well, no one gets the bundles for compensation. He has not even indicated what I had asked. *Mheshimiwa* Alfah, they do not compensate. What you have been given as a response is null and void. That is Camargo's response.

Hon. Deputy Speaker: Do you have any response? She is saying that you have not answered the actual question.

Hon. Alfah Miruka (Bomachoge Chache, UDA): I recommend that we refer the Member to the affected department from the Ministry so that we can dig in further on the issue.

Hon. Deputy Speaker: Time frame? Within two weeks after we resume from recess. Thank you.

I think we are done. Next Order.

(The Deputy Speaker consulted the Clerks-at-the Table)

Whip of the Majority Party, do you have your weekly report?

BUSINESS FOR FRIDAY, 18TH OCTOBER 2024
AND WEEK COMMENCING 4TH TO 8TH NOVEMBER 2024

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you, Hon. Deputy Speaker. I am holding brief for the substantive Leader of the Majority Party for his usual Thursday Statement.

Pursuant to the provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee which met on Tuesday, 15th October 2024, to prioritise business for consideration during the week, although they still met today.

I wish to commend the leadership of this House and Members for the dedication and cooperation exhibited in the Session so far. As Members will note, the House resolved to hold sittings tomorrow, Friday, 18th October 2024 commencing at 9.30 a.m and 2.30 p.m., respectively. The House is thereafter set to proceed on a short recess commencing Tuesday, 22nd October 2024 and resume regular sittings on Tuesday, 5th November 2024.

I hope the Members who are consulting loudly, are able to take note of the particular dates. It will be remembered that during the last session when we went for a short recess, few Members still reported for duty in this House the following day because they were not very keen on when the House adjourned for short recess. I had said that the House is thereafter set to proceed on a short recess commencing Tuesday, 22nd October 2024 and resume regular sittings on Tuesday, 5th November 2024.

With regard to the business scheduled for tomorrow, Friday 18th October 2024, the House is expected to consider the following private Members' business and other priority business, some of which are listed on today's Order Paper as follows:

1. Committee of the whole House of the Senate Amendments to the Food and Feed Safety Control Co-ordination Bill, 2023;
2. Second Reading of the following Bills:
 - (a) The Higher Education Loans Board (Amendment) Bill, 2022;
 - (b) The Parliamentary Pensions (Amendment) Bill, 2023;
 - (c) The Public Finance Management (Amendment) Bill, 2022;
 - (d) The Political Parties (Amendment) Bill, 2022;
 - (e) The Parliamentary Pensions (Amendment) Bill, 2022;

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- (f) The Parliamentary Powers and Privileges (Amendment) Bill (Senate Bill No.37 of 2023);
- (g) The Environmental Management and Coordination (Amendment) Bill, 2023;
- (h) The Land Control Bill, 2023; and,
- (i) The County Governments (Revenue Raising Process) Bill, 2023.

With regard to business scheduled for Tuesday, 5th November 2024, the House is expected to continue Second Reading of the following Bills, if not concluded —

1. The Equalisation Fund (Administration) Bill (Senate Bill No.14 of 2023);
2. The Public Finance Management (Amendment) Bill, 2022; and;
3. The Political Parties (Amendment) Bill, 2022.

Additionally, debate will also be undertaken on the following Motions, should they not be concluded today —

1. First Report on the implementation status of House resolutions on Committee reports and public petitions passed by the House;
2. Report on the alleged unfair trade practices by foreign investors in Kenya;
3. Second Report on employment diversity audit in public institutions;
4. Report of the Extraordinary Session of the Sixth Pan-African Parliament (PAP);
5. Consideration of reports on financial statements of State corporations (Nyanza Region);
6. Third Report on consideration of the audited accounts of specified State corporations; and,
7. Consideration of Sessional Paper No.5 of 2023 on the National Policy on Labour Migration.

Having said that, in accordance with the provisions of Standing Order 42A(5) and (6), I wish to convey that the Cabinet Secretary for Roads and Transport is scheduled to appear before the House on the afternoon of Wednesday, 6th November 2024 to respond to the following Questions:

1. Question by Private Notice No.013/2024 by the Member for Gatanga, Hon. Wakili Edward Muriu, regarding status of any negotiations for a concession agreement between the Government and the Adani Group regarding the management of Jomo Kenyatta International Airport (JKIA).
2. Question by Private Notice No.014/2024 by the Member for Embakasi West, Hon. Mark Mwenje, regarding amount of money disbursed to KeRRA for the Financial Year 2023/2024 as of September 2024 for “Nandi” City County and the measures being taken to address the inordinate delay.

My apologies, Nandi is not a city county. I realised there is a typing error here. It is supposed to be Nairobi City County and not Nandi City County. Nandi is not a city. It is some village county. Apologies, it is some good county known for tea farming and other matters.

Hon. Julius Melly (Tinderet, UDA): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order Hon. Melly?

Hon. Julius Melly (Tinderet, UDA): Hon. Deputy Speaker, the Whip of the Majority Party is demeaning my county, which is the source of champions. The county is known for tea and sugarcane. It is even where the nationalist Koitalel arap Samoei came from. He should read his Statement well and apologise to the people of Nandi County.

Hon. Silvanus Osoro (South Mugirango, UDA): My apologies, Hon. Melly. I really did not mean to undermine the great County of Nandi. What I meant is that it is a county found in the remote areas of this country, but not a city. It does very well in athletics. The fact is that it is in the remote areas of this country. But Hon. Deputy Speaker, the question...

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

Hon. Deputy Speaker: What is your point of order, Hon. (Dr) Pukose?

Hon. (Dr) Robert Pukose (Endebess, UDA): You know very well, Hon. Deputy Speaker, that the Sabaot are the grandfathers of the Kalenjin Community. I would not want Hon. Osoro to get away with disparaging Nandi County as remote. It is not fair Hon. Osoro. You need to withdraw your statement on this. With all due respect, the Whip of the Majority Party...

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you very much, Hon. Deputy Speaker. I hope Hon. (Dr) Pukose will take judicial notice of the fact that my first girlfriend hailed from Nandi County and I found their village very remote when I was visiting that area then. I also want to inform him that I was privileged to attend school in a remote area of Nandi called Kapsabet. I know when I say this. The school is great, but it is found in some remote area in Nandi County. With all fairness, Nandi is a great county, but we agree it is not a city.

3. Question 167/2023 by the Member for Baringo Central, Hon. Joshua Kandie, regarding criteria used and applied by the Kenya Roads Board to determine the amount of funds allocated to each constituency.
4. Question 178/2023 by the Member for Kinango, Hon. Gonzi Rai, regarding the issuance of demolition notices against the Mackinon Road Trading Centre buildings by the Kenya National Highways Authority (KeNHA);
5. Question 013/2024 by the Member for Funyula, Hon. (Dr) Ojiambo Oundo, regarding the current status of Matayos-Ganjala-Nakhasiko-Nangina Road that was tendered under the 10,000 kilometres Low Volume Sealed Roads (LVSR) procured during commencement of the Financial Year 2017/2018;
6. Notice of Question 014/2024 by the Member for Bahati, Hon. Irene Njoki, regarding the status report on the progress and expected timelines for completion of the Lanet Airport Project;
7. Question 70/2024 by the Member for Malava, Hon. Malulu Injendi, regarding the progress report of construction of class A1 Kakamega-Kaburengu Road whose construction commenced in October 2012;
8. Question 78/2024 by the Member for Luanda, Hon. CPA Dick Maungu, regarding reasons for the delays by the contractor in upgrading of Maseno-Kombewo Road to bitumen standard given the deplorable and impassable conditions of the 5.1-kilometre stretch from Maseno to Opsi in Luanda Constituency;
9. Question No.79/2024 by the Member for Yatta, Hon. Robert Basil, regarding reasons behind significant delay in the completion of construction of the Matuu-Ekalakala-Kiwandini Road to Kyasioni Road in Yatta Constituency;
10. Question 127/2024 by the Member for Laikipia North, Hon. Sarah Korere, regarding reasons for delay in completion of construction works on Doldol-Nanyuki Road in Laikipia North Constituency;
11. Question No.128/2024 by the Member for West Pokot County, Hon. Rael Kasiwai, regarding the rationale behind the stalling of Barpelot-Tot-Marich Road project and the expected date of commencement of the stalled project;
12. Question 129/2024 by the Member for Kajiado South, Hon. Samuel Parashina, regarding the details on the status of construction of the Illasit-Rombo-Taveta Road;
13. Question 133/2024 by the Member for Matuga, Hon. Kassim Tandaza, regarding the update on the progress of construction of Kwale-Kinango (B92)

Road whose construction commenced on 4th August, 2021 and was to be completed on 3rd August, 2024;

14. Question 137/2024 by the Member for Igembe Central, Hon. Daniel Karitho, regarding the construction of Kangeta-Muutine-Kathelwa-Thuuru Road that has stalled since 2016;
15. Question 138/2024 by the Member for Mwingi West, Hon. Charles Ngusya, regarding the status of construction of the remaining 25-km stretch section of the Kibwezi-Kitui-Kabati-Migwani-Mbondoni Road to bitumen standard which has stalled;
16. Question 139/2024 by the Member for Matayos, Hon. Geoffrey Odanga, regarding measures put in place to ensure road safety on the Thika Super Highway and monitoring of the road so as to mitigate the frequencies of such accidents; and,
17. Question 140/2024 by the Member for Ikolomani, Hon. Benard Shinali, regarding the construction of E9127 Mulundu-Shitoli-Malinya-Lusui Road that has stalled and so the Cabinet Secretary can provide the measures put in place to ensure resumption of works by the contractor.

In conclusion, Hon. Deputy Speaker, the House Business Committee after today's meeting will reconvene on Tuesday, 5th November 2024 to schedule business for the rest of that week.

I now wish to lay this Statement on the Table of the House.

Hon. Deputy Speaker: We can move to the next Order.

BILLS

Second Readings

THE KENYA INFORMATION AND COMMUNICATIONS (AMENDMENT) BILL
(National Assembly Bill No.52 of 2022)

(Moved by Hon. Elisha Odhiambo on 16.10.2024 – Afternoon Sitting)

(Debate concluded on 16.10.2024 – Afternoon Sitting)

(Question put and agreed to)

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

THE COMMUNITY HEALTH WORKERS BILL
(National Assembly Bill No.53 of 2022)

(Moved by Hon. Martin Owino on 16.10.2024 – Afternoon Sitting)

(Resumption of debate interrupted on 16.10.2024 – Afternoon Sitting)

Hon. Deputy Speaker: Hon. Owino.

Hon. Martin Owino (Ndhwa, ODM): Thank you very much...

Hon. Onesmus Ngogoyo (Kajiado North, UDA): On a point of order, Hon. Deputy Speaker.

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Hon. Deputy Speaker: Just a moment, we have a point of order. Proceed Hon. Ngogoyo.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): Thank you, Hon. Deputy Speaker. Will I be in order to request your indulgence that this House observe a moment of sympathy to the Deputy President who has been taken ill this afternoon. He is not able to transact... Will I be in order to ask you to observe a moment of sympathy?

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

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

Hon. Jared Okello (Nyando, ODM): Hon. Deputy Speaker, whereas we all have our political leanings, I think my brother, Hon. Ngogoyo, is overstretching this. First, we have always observed moments of silence in cases of death.

Second, there is absolutely no evidence that the Deputy President has been taken ill. What we have heard is that the Senate is trying to get him so that he can testify of a case that emanated from this House. Therefore, Hon. Ngogoyo's thoughts are misplaced. This House has no latitude to entertain such theatrics.

Thank you.

Hon. Deputy Speaker: Hon. Ngogoyo, I think the Member has cleared the issue. We normally pay tribute, and then the Hon. Speaker of the day would allow the Members to rise for a moment of silence. In this case, that is not the case. I, therefore, want to grant your request.

Proceed, Member for Ndhiwa.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Deputy Speaker, for the opportunity. Before I reply, I want to donate a minute to Hon. Dorothy Muthoni.

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Deputy Speaker.

I want to thank Hon. Oluoch for bringing this important Bill to this House. It is important to underscore the importance of the Community Health Workers Bill before this House.

The Community Health Workers Bill primarily supports Article 43 of the Constitution 2010. Health is key.

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

Hon. Deputy Speaker: Hon. Wangwe, what is your point of order? Just hold on, Hon. Ikiara.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Deputy Speaker.

This is a House of Records. I am proud of the Member, but it is unfortunate that she refers to Hon. Oluoch as the sponsor of the Community Health Workers Bill, unless he is referring to Hon. Martin Owino.

Hon. Deputy Speaker: I think he can correct it. It is Hon. Martin Owino Peters, the Member for Ndhiwa.

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Deputy Speaker.

I said Hon. Oluoch. Where I come from, Owino, Oluoch, and Odanga are names from that community. Forgive me, Hon. Martin.

I wish to add my voice to this very important Bill. If we fast-track it, it will go a long way toward helping our hospitals manage various diseases.

Community health workers should be the first contact persons to identify various ailments before patients seek treatment in hospitals. This is because they can go to the villages more, enabling them to know who is suffering and from what. It is important to note that these health workers have been offering their services at a minimal cost. At the moment, they are paid Ksh2,500. If we can improve this kitty, the Government will stand advantaged, and as we always say, prevention is better than cure.

Hon. Martin, I want to thank you for this very important Bill. I urge Members that we fast-track it.

Hon. Deputy Speaker: You may proceed, Hon. Owino.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Deputy Speaker.

I want to thank Hon. Member for that support. Yesterday, we had a robust debate on this and across the board. Everybody found that community health workers are integral to this country's health delivery system.

Reactionary medicine is not helping. Waiting for patients to be very ill and later treating them will not improve their health. That is why this Bill wants to identify, train, register, equip and regulate the community health workers. It will help prevent and manage those diseases. Diseases can be detected early if this cadre is recognised and empowered, as the Bill says.

We will also have a prompt referral system, a client support system, and an efficient data system. We are not going back to using three-year-old data to do our business.

There are what we call the three D's, which worsen people's health in this country. This means delay at home, delay on the way and delay at the facility. If we empower these community health workers, these three D's will be a thing of the past, and we will register a good outcome for our health across the country. If community health workers are empowered, trained, equipped, and regulated, the incidence of diseases, deaths, and disabilities will be reduced. As Hon. (Dr) Pukose would testify, if you identify a diabetes condition early and advise the client to adjust their lifestyle, they will use less money in comparison to buying a dialysis machine later on after the disease has advanced and therefore, cut the treatment cost in the end—same case with cancer. Right now, people are diagnosed with cancer late when the disease has advanced to stages three and four. However, it could have been treated or managed if it had been diagnosed earlier.

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

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

In closing, I want to thank Hon. Kuria Kimani for that idea. The issue of funding community health workers can be easily dealt with if we invest well in Level 1 hospitals and community health workers. It will lessen the frequency of higher tertiary care. The money saved from reduced frequencies can be ploughed back into the community health workers. Therefore, those who are saying that it is expensive to have community health workers salaried are misinformed. In fact, if we invest in community health workers, we will cut the cost of health care in this country.

We also put money into the Primary Health Care Fund. An integral part of primary health care is community health workers. Therefore, those funds should be earmarked to pay them. Positive health outcomes will not come with volunteers. This is because they also have needs like any other person. They have children going to school and have to put food on the table.

But more importantly and uniquely, this cadre is placed in our community and relates with the people in the village. That is why they are there 24/7. Such a person cannot be paid Ksh2,500. These people have to be well-salaried for us to achieve what we want in the health sector.

Members discussed much. I thank the Chairperson of the Departmental Committee on Health, Dr Pukose, who stayed in the Chamber throughout the debate, and Dr Kimani. I also thank Hon. Nyikal, who passionately seconded this Bill and agreed that when he retires, he will also become a community health worker in Seme. I will do the same. All of us will end up in a community so that we can discharge this service.

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With those few remarks, I, Martin Peters Owino, Wuod Chief Nyamrewa No.1, beg to reply.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Martin Peters Owino. Hon. Members, I will not put the Question at this moment. That will be done in another sitting as will be scheduled by the House Business Committee.

(Putting of the Question deferred)

Next Order.

MOTIONS

APPROVAL OF THE MEDIATED VERSION OF THE SUGAR BILL (National Assembly Bill No.34 of 2022)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Emmanuel Wangwe, you may proceed.

Hon. Emmanuel Wangwe (Navakholo, ODM): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Mediation Committee on the Sugar Bill (National Assembly Bill No.34 of 2022), laid on the Table of the House on Wednesday, 16th October 2024.

Hon. Temporary Speaker, in considering the Sugar Bill 2022 clauses under mediation, the Committee had to address the following issues...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Emmanuel Wangwe, please move the Motion as per the Order Paper.

Hon. Emmanuel Wangwe (Navakholo, ODM): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House adopts the Report of the Mediation Committee on the Sugar Bill (National Assembly Bill No.34 of 2022), laid on the Table of the House on Wednesday, 16th October 2024, and approves the mediated version of the Sugar Bill (National Assembly Bill No.34 of 2022).

Hon. Temporary Speaker, in considering the clauses of the Sugar Bill, 2022 under mediation, the Committee had to address the following issues:

1. Whether to go the zoning way, as proposed by the Senate or the regional catchment area way, as proposed by the National Assembly.
2. Whether to increase the membership of the Kenya Sugar Board to 14 by adding a member from the least represented gender and a representative of persons living with disabilities and the youth.
3. The nominating body for the representative of universities on the Board of directors of the Sugar Research Institute.
4. The institution that will be in charge of the percentage of the Sugar Development Levy allocated for infrastructure development and maintenance.
5. Whether imported industrial sugar should be exempted from payment of the Sugar Development Levy.
6. Whether growers should be represented on the Board of directors of private milling companies.

7. Whether to adopt the sugarcane zones proposed by the Senate or the sugarcane catchment areas proposed by the National Assembly.

The Committee deliberated and resolved the above issues as follows:

1. On whether to go the zoning way, as proposed by the Senate, or the regional catchment areas, as proposed by the National Assembly, the Committee resolved to adopt the National Assembly's position of putting regional catchment areas in place, which will be important in cane management.
2. On whether to increase the membership of the Kenya Sugar Board to 14 by adding a member from the least represented gender and a representative of persons living with disabilities or the youth, the Committee resolved to retain the membership of the Board at 12, provided that the appointing authority shall ensure that there is adherence to the two-thirds gender rule and representation of the youth and persons living with disabilities on the Board insofar as it is practical.
3. On the nominating body for the representative of universities on the board of directors of the Sugar Research Institute, the Committee observed that universities in Kenya do not have an apex body to nominate a representative. The responsibility to nominate a representative of universities to the Board was, therefore, placed with the Cabinet Secretary, who will ensure that the nominee has knowledge and experience in agricultural research in the sugarcane field.
4. On the institution that will be in charge of the percentage of the Sugar Development Levy allocated for infrastructure development and maintenance, the Committee resolved to have the 15 per centum allocated for infrastructure development and maintenance managed by the Kenya Sugar Board and shared by the sugarcane-producing regions on a pro-rata basis. This is because Clause 43 of the Bill provides that audited accounts of the Board shall be submitted to the National Assembly and the Senate, and, hence, Parliament will oversee the fund.
5. On whether imported industrial sugar should be exempted from payment of the Sugar Development Levy, the Committee rejected this proposal on the basis that there was no justification to exempt imported industrial sugar from paying the Sugar Development Levy while all other imported sugars are subject to the levy.
6. On whether growers should be represented on the Board of directors of private milling companies, the Committee also rejected this proposal since it is illegal to compel private companies to have farmers' representatives on their boards. Private companies are private with the intention of making a profit; hence, they should be managed privately. There is also a possible conflict of interest if a farmer sits on a company's board, as they can easily compromise in favour of the companies at the expense of the farmers.
The practice of having farmers' representatives on boards or in private companies was best left as a practice and custom at the discretion of millers and not compelling legal provisions, as that would contravene the Companies Act of 2015.
7. On whether to adopt the sugarcane zones proposed by the Senate or the sugarcane catchment areas proposed by the National Assembly, the Committee adopted the New Schedule proposed by the Senate and renamed it "sugarcane catchment areas" instead of "sugarcane zones". The regions will be used for elections and cane management purposes, which are in line with the recommendations of the Sugar Taskforce Report. Further, the sugarcane catchment areas will bring sanity to the sugar industry as they will bring cane

poaching which has resulted in losses for the millers to an end. This will encourage investments in the sector.

The Mediation Committee on the Sugar Bill (National Assembly Bill No.34 of 2022) considered the seven clauses of the Bill under mediation and came up with an agreed version. Today's Order Paper has the entire detailed agreed version of the Bill attached, taking into consideration the principles as guided by my highlights.

In summary, the Sugar Act will play a crucial role in restoring sanity to the sugar industry and boosting the confidence of those who want to invest in the sector.

I wish to salute, acknowledge, and appreciate the offices of the Speakers and Clerks of both Houses of Parliament for the logistical and technical support accorded to the Committee in executing its mandate.

Finally, I wish to express my appreciation to the Committee secretariat for their patience, sacrifice, endurance and commitment to the assignment, which enabled the Committee to complete the task within the stipulated period. A mediation committee has a latitude of only 30 days. There are consequences if it extends beyond 30 days.

I wish to acknowledge my colleagues, led by the Chairperson of the Departmental Committee on Agriculture and Livestock, Dr Mutunga. I appreciate you and thank you for your input. I appreciate Hon. Justice Kemei, Hon. Nabii Nabwera, Hon. John Makali, Hon. Peter Masara and Hon. Peter Owino, who accompanied me on the Mediation Committee. I also wish to thank our colleagues in the Senate led by the Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries, Hon. Murango, and the entire team. They took a lot of their time to make input. They even proposed how to capture the clauses.

Hon. Temporary Speaker, with those few remarks, I beg to move and request Hon. (Dr) John Mutunga to second. Thank you.

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

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you, Hon. Temporary Speaker. I second the adoption of the mediated version of the Sugar Bill, which has taken a bit of time to be discussed across the country. This Bill is a derivative of a very intensive process of consultations. Consultations occurred at three levels. The first level was the generation of the task force's Report. The Sugar Task Force did its work and presented a report to the immediate former President of the Republic. The Report was adopted, and the Task Force was mandated to implement it.

The second level of consultations was when we went round to every factory and most of the sugarcane-growing areas. We consulted with farmers, politicians, millers and everyone else to hear their views on the kind of legislation they would like for the industry to be better managed. This aspect brought in a lot of useful information. The last level of consultation was the sugar conference held in Kakamega. At the conference, the task force Report was thoroughly examined. Quite a bit of Task Force Report informed the Bill as it is. The mediated version of the Bill has been immensely informed by that background as well as by individual Members from the sugarcane-growing areas.

There are key aspects of the Bill worth mentioning as I second. The first one is that the Bill will revitalise the sugar industry, ensure that farmers get resources for cane development, and revitalise the Sugar Research and Training Institute, delinking it from KALRO and giving it resources from the Sugar Development Levy. This money will enable the institute to research sugar.

The other key aspect of the Bill is that money from the Sugar Development Levy will be carefully shared. Money for the Board has been set at 15 per cent. There will be money for research, cane development and road development in the areas where sugarcane is grown. This was a contentious issue that forced the Senate and the National Assembly to mediate. We agreed that this money should be domiciled at the Kenya Sugar Board and will be utilised in

counties where sugar is produced in a prorated manner based on the levels of contribution from various regions so that we may attend to the key needs of infrastructural improvement. We specifically said the money is for infrastructural improvement because we would like roads and bridges improved. If you say road improvement, other infrastructure may not benefit.

The final thing I would like to say is that this Bill seeks to basically harness the entire industry. It looks at the industry from pre-production all the way to the table. It seeks to curb the importation of sugar, how to produce sugar in this country and even sell it in the region. The Bill takes all aspects into consideration. Therefore, we believe we have mediated a very good legislation for this country.

Hon. Temporary Speaker, I second.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Chairman.

(Question proposed)

I will give the opportunity to a few Members, starting with Hon. Onyango Oyoo, the Member for Muhoroni.

Hon. James K'Oyoo (Muhoroni, ODM): Thank you very much, Hon. Temporary Speaker, for allowing me to share this important development with my colleagues. As all of you are aware, my constituency is the heart and soul of sugarcane growing and milling. This development can either add much value to my constituents or hurt them. I want to pay tribute to the Mediation Committee. We canvassed in the House most of the issues covered in the Bill, save for a few contentious issues that remained.

I will talk about zoning, which is the elephant in the room. It is in the interest of the farmers I lead that there be no zoning. They grow sugarcane by their own efforts. It is imperative that when they harvest, they should be given the freedom to sell to the best miller with the capacity to help them harvest and transport them and pay them in good time. We have had serious problems with certain millers who want to restrict farmers in my constituency. They capitalise on the fact that Government millers are semi-dysfunctional. They capitalise on the plight of farmers because of the dysfunction of government factories, and they offer themselves as the only people with solutions. They want to restrict farmers from supplying sugarcane to them when they have no capacity. They do very little. They cannot improve the roads. There is nothing they do that adds value to farmers. So, zoning is something that farmers in my constituency detest.

The Board and the Mediation Committee have tried to deal with it, but there are many circumlocutions. My friend told me that a rose by any name is still a rose. I have seen many circumlocutions. We want the matter to be addressed well so that farmers have something called *soko huru*. A farmer should sell to any miller unless, as indicated, there is evidence that the farmer took a loan to develop his farm or got some fertiliser from a miller. When a farmer, like the ones in my constituency, has developed a farm by himself, he should be permitted to sell to whoever he wants. Any circumlocution that seeks to curtail a farmer's freedom is not good for us. I have seen semblance of it in the Report.

(Hon. (Dr) John K. Mutunga raised his hand)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order, Hon. Chairman? I cannot see your card request, but I can see your hand is up. What is out of order?

Hon. (Dr) John K. Mutunga (Tigania West, UDA): It is a point of information. Does he want to be informed?

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I would like to find out from him whether he wants to be informed. Do you want to be informed by the Chairman?

Hon. James K'Oyoo (Muhoroni, ODM): Yes.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Okay. Proceed, Chairman.

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you, Hon. Temporary Speaker. I would like to refer the Member to the mediated version of the Bill. Zoning was one of the contentious issues. We could not possibly lock farmers to specific factories, so we refused. What we have done is to provide for a minimum of three factories in a catchment area. That is what the Bill says. If all the three factories fail, then there is a serious problem in the entire industry.

We also introduced the idea that catchment areas are also considered electoral colleges. So, elections for representation on the Board will be held within the catchment areas. We also agreed that representation within an electoral area will be rotational by county. For instance, if Kisumu County produces a representative this season, in the next season, somebody from Kericho County will be elected, and so on. As long as they are in the same catchment area, we can also introduce equity. That issue has thoroughly been discussed and dealt with.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. K'Oyoo.

Hon. James K'oyoo (Muhoroni, ODM): Thank you, Hon. Temporary Speaker. The second issue I want to speak to is about the reconstitution of the Sugar Board. During the days when the Sugar Board was very active, farmers were doing very good business and they were harnessing their plants and sugarcane business. However, when the Sugar Board was killed, an anonymous body called the Agricultural and Food Authority (AFA) came in. It had very little interest in what sugarcane farmers were doing. We have felt the brunt. I support this. I think the Mediation Committee has done very well. They have reintroduced the Sugar Board as per our aspiration and spelt out the zones for this purpose, which initially I was not happy about, but I have seen the rotational basis. I think this will add some value.

I will talk about the 50 per cent levy. At the time we had the Sugar Board, some monies were deducted to improve infrastructure or development in various sugar catchment areas. A lot of monies were collected, but with the disbandment of the Sugar Board, they were immediately rerouted to the county governments in the form of cess. I do not know what happens in other areas; I do not come from Nandi, but they are my neighbours. In Kisumu County, all the monies that accrue from this deduction, have not benefitted the farmer. We do not even know how much it is, what it is doing, who is keeping it, and for what purpose. Now that we have an identity, we know that the money is going to go to the Sugar Board; that it will be used for the benefit of the farmer. When the Sugar Board had the money, it assisted companies in buying road construction equipment. A serious company in my constituency...

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

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order. There is a point of order from Hon. Emmanuel Wangwe.

Hon. James K'oyoo (Muhoroni, ODM): Yes.

Hon. Emmanuel Wangwe (Navakholo, ODM): It is not a point of order, but it is just to inform my very good friend. We have walked the journey together, and I would like to inform him.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Do you want to be informed? You are being over-informed.

(Hon. James K'oyoo nodded)

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you. I think it is just a matter of correction. He has mentioned the percentage allowed; now that we are on public media, they

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might take it as a fact. It is not 50 per cent, but 15 per cent of the Sugar Development Levy (SDL).

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You only have two minutes. Hon. Members, remember you are debating the Mediated version.

(Hon. (Dr) John K Mutunga spoke off the record)

If you are not conversant with the mediated version, you may find yourself taking us back to the initial Bill. You have two minutes to conclude, Hon. K'oyoo.

(Hon. James K'oyoo spoke off the record)

Hon. James K'oyoo (Muhoroni, ODM): Thank you, Hon. Temporary Speaker. I have zeroed in on just three issues. I said that when it was held by the Sugar Board, 15 per cent was given to help the industries to develop road networks to deliver sugarcane harvests. However, equipment that was bought never benefited the workers. We hope that they will be serious this time round. We will ensure that this serves the interest of the farmers. Otherwise, I support the Mediated Bill as constituted by the Committee.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. K'oyoo. Hon. Julius Melly, Member for Tinderet.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Bill. I laud the sponsor of the Bill, Hon. Wangwe, and the Chair of the Committee, the Member for Tigania West.

Hon. Temporary Speaker, as representative of farmers in the sugarcane-growing areas, I want to state that we have waited for this Bill for long. This Bill seeks to bring sanity to the sector. As the Standing Orders allow, I shall be proposing a few amendments to it, especially on the issue of...

(Several Members spoke off the record)

It is a mediated version. I am guided, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): No. You cannot do it at this time.

Hon. Julius Melly (Tinderet, UDA): I am guided on that.

(Hon. David Kiplagat spoke off the record)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I hope you are not going to engage the Chair of the Departmental Committee on Education and Research. You already said that he ...

Hon. Julius Melly (Tinderet, UDA): He is out of order. As I was saying...

Hon. David Kiplagat (Soy, UDA): On a point of order, Hon. Temporary Speaker.

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

Hon. David Kiplagat (Soy, UDA): Is it in order for Hon. Melly, a senior and ranking Member of this House, to indicate that he is proposing an amendment to a Mediated Version of the Bill? I think he is completely out of order. He had started by saying that he supports the Bill.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. David Kiplagat, Member for Soy, I was listening very keenly to the Chair of the Departmental Committee on Education

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and Research, and I know that he has a lot of experience and has no intention of bringing amendments. He already made comments on that subject. Let us move on.

Hon. Julius Melly (Tinderet, UDA): Yes. It is Hon. David who does not understand the issues at play. He is excited about the issue. There are a number of issues that I want to bring to the attention of Members.

First, is the issue of the Infrastructure Fund. It is the considered opinion of farmers and all the stakeholders that the 15 per cent, be used to support sugarcane-growing. It is proposed that 15 per cent be used for infrastructure alone. I request the Mover to inform me and the country on the following: what percentage goes to cane development; and what percentage goes to other areas within sugarcane-growing areas? Give us the whole per centum from 100: how it is being distributed?

Hon. Temporary Speaker, we also have this issue of the miller; contracting a miller outside the region to come and carry the crop outside that particular miller's catchment area. It is quite contentious because another miller cannot contract another miller. Certain mills in cane-growing areas have gone under. A good example is Miwani which cannot contract an existing company to take up its farmers' crops within that region. If a miller has gone under, it is proper for the farmers to be contracted afresh. Farmers who are not contracted afresh should be allowed to move to those areas where they can be able to sell their crops.

Hon. Temporary Speaker, regarding the issue of the catchment area, I come from a sugarcane-growing county and I have been convinced to some extent by the Mover that it is only in my county where it is split into two, northern and southern. I do not know if this will disenfranchise the farmers in that particular region because out of all the catchment areas, it is only this county that has been split into two. I do not know the wisdom that informed that this county be split into two.

Thirdly, Hon. Temporary Speaker...

Hon. Nabii Nabwera (Lugari, ODM): Hon. Temporary Speaker...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Nabii Nabwera

Hon. Nabii Nabwera (Lugari, ODM): I would like to draw...

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

Hon. Nabii Nabwera (Lugari, ODM): It is a point of information.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I will have to find out from the Chair of the Departmental Committee on Education and Research...

Hon. Julius Melly (Tinderet, UDA): I would like to be informed because he was a Member of the Mediation Committee.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Okay. You may proceed.

Hon. Nabii Nabwera (Lugari, ODM): It is not true that it is only Nandi that is split into two. Kakamega is also split into two; Mumias is in a different catchment area from the other part of Kakamega.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): The Chairman, Hon. Melly. Hon Members, I would like to discourage so many points of information because Hon Nabii Nabwera already informed you.

Hon. Julius Melly (Tinderet, UDA): Yes, I have adequately been informed.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Do you still want to be informed by the Member for Soy? You can choose not to be informed.

Hon. Julius Melly (Tinderet, UDA): On what issue? What is the information?

The Temporary Speaker (Hon. (Dr) (Dr) Rachael Nyamai): What is out of order, Member of Soy? Give the microphone to Hon. David Kiplagat.

Hon. David Kiplagat (Soy, UDA): I am trying to follow my senior in this House. He started by saying he is supporting the mediated Bill. Listening to his debate, he is actually

deviating to the negative. He needs to state clearly what position he is taking. Let him argue in supporting the Bill if he is doing so.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon Kiplagat, I am inclined to give protection to Hon Melly. He can still raise other amendments in six months if he is not satisfied. We will let him debate. This is a House of debate and there is much freedom here. Please, just finalise. You have about two minutes now.

Hon. Julius Melly (Tinderet, UDA): I want you to guide the young legislator that this is a House of debate. This is a House where we ventilate on issues affecting our people. We do not just deposit legislative proposals in this House and pass them unanimously without critique. It is in order to inform the Member that any issue on this Bill shall be brought to this House for amendment after six months. It is proper. I guide the Hon Member of Soy on that.

On catchment and zoning, I just want to discuss this more specifically. I thank the Committee because the word zoning is not there. However, there are some contentious issues on catchment where the farmer or the grower is restricted to particular mills. I agree with Hon K'Oyoo. In this case, the farmer should be completely free and without any trappings or conditions to take his crop anywhere. I want to give examples of other crops like tea, coffee, and the rest. A rose by any other name is still a rose.

Because this is a mediated version, I will be proposing that catchment be very clear. This is especially on the farmer's or the grower's responsibility. More importantly, what the miller is supposed to do. Most farmers in my area are not contracted farmers like in Muhoroni. A majority of contracted farmers are in other zones. They are free to do what they want to do with their crop. Yes, the document is a fairer copy than the previous one debated by the Senate. In this case, on that particular issue, I am of the opinion that we shall be proposing some amendments at the stipulated time.

I thank you. I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon Melly. Hon Kuria Kimani, Member for Molo, and then we go to Hon Jared Okello who is the Member for Nyando.

(Hon. Kuria Kimani was not in the Chamber)

Hon. Jared Okello (Nyando, ODM): Thank you very much, Hon. Temporary Speaker.

This issue or Bill that has taken inordinately too long. The Bill stems from a taskforce that was established in the former regime. Our former colleague, Hon Wamunyinyi, brought it forth in the last regime. It died with that regime. My brother, Hon. Wangwe, graciously resurrected it.

In the Departmental Committee on Agriculture and Livestock where I sit, chaired by my very good friend Dr Mutunga, we have delved into this matter over and over. The matter went to the Senate and it came back. We did what we ought to have done. Again, the mediated version is right here with us. I come from a sugarcane-growing area just like my brothers Hon K'Oyoo and Hon Melly. We have really suffered. Many people have had to uproot sugarcane from their farms just because of the pitfalls that exist within this industry. We acknowledge the problems government-owned sugar mills have gone through.

Some of the employees plugged into these companies have had to wait for over three years to be paid salaries. Farmers have had to wait for too long to have their monies channelled to them. Both former and current government regimes have also intervened quite a lot by expending some monies to cushion farmers and, additionally, help employees. However, these have been patch-up measures. We believe that the Bill, as mediated, will address the many pitfalls that have existed within the sugar industry for way too long. The mediation team has decided that we come up with catchment areas so that companies do not just come up without

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being put at a particular catchment. It has all been decided that not more than three companies can exist within a catchment. This is also in trying to control usage of sugarcane. Otherwise, we may overdo or create a lot of strife amongst companies. It is three sugar companies per catchment. That is to me a very good approach.

Now, the issue of representation at the Board becomes very critical. During elections of representatives to the Board, it is more serious than electoral units within us are. I like something very much. The mediation team has decided that whereas directors will be elected at catchment areas, it becomes rotational. When you have a director from Kisumu, another will subsequently come from Nandi. Otherwise, Nandi will lose because of our numbers if you subject Kisumu farmers to Nandi farmers. Subsequent election will go to a different region and not Kisumu having more than its fair share. That was a very good approach.

Again, monies the Sugar Board will collect as levies both from local farmers and sugarcane that comes from outside Kenya will be shared amongst certain bodies within this Board. Therefore, we have created a training institute whose work will be to carry out research. That is because we are still stuck on sugarcane that takes two years to mature yet the digital age has dictated that we have some that only take nine months. Let us go for the nine-month crop. The Sugar Research Institute will carry out that work.

Roads within the sugar sector or schemes are in a dilapidated state. We expected that our county governments that get cess monies from farmers supplying sugarcane would pave the roads for them. However, it is the direct opposite.

Hon. Temporary Speaker, when you go to these sugar companies, you cannot believe the condition of roads in these places. Therefore, in the wisdom of the Committee and the mediated version of the Sugar Bill, this money will be going straight under the oversight of Members of Parliament who come from the sugarcane-growing regions. Just like we play an oversight role to Kenya Rural Roads Authority (KeRRA) which is doing splendid work in our areas, this money— which will also be used to help improve roads within the sugarcane growing regions— will address dilapidated infrastructure within these places.

We have also put a lot of emphasis on sugar imported into the country. Sugar is the low-hanging fruit for any crooked government to make money. They do it at a disadvantage of our sugar mills. We have seen cases where sugar companies' warehouses are full. They have no market, yet the Government brings in tax-free sugar, so that they can mop up their finances either for political expediency during campaigns or reasons that are beyond our knowledge.

This Bill has put a lot of emphasis on the amount that has to be brought into the country, only at a time when our country does not have enough for its local use. From where we have been before, this is a step up. Our farmers together with employees in these sugar companies have suffered for way too long. Therefore, we believe and hope that with all these changes that we intend to have, they will enjoy at least for once.

We have also proposed inspectors who will be going around to know whether the sugar that we have is local or imported. If it is imported, which Gazette Notice informed the importation? We are trying the much that we can, under the strenuous circumstances, to come up with purity in this business of sugar. Therefore, I support the mediated version of the Bill. However, it does not close doors for improvements in the future because some of the issues we have proposed will still be pilot. If the catchment idea will not reflect the wishes of the people, then in six months, we will come back here and make amendments where necessary.

I thank you for the opportunity to contribute, Hon. Temporary Speaker. I support the mediated version of the Bill.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, the Member for Nyando. Hon. Nabii Nabwera, the Member for Lugari.

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Temporary Speaker. At the outset, I support the mediated version of the Bill. I would like to declare that I had the onerous

task of serving as the taskforce joint secretary. We went around this country. The Bill borrows largely from the negotiated version by the stakeholders in the sugar industry. I thank the Members, our colleagues whom we were in the Mediation Committee. I want to speak to the issue about catchment area.

Clause 19 of the Bill provides that the contracted farmers will be restricted within the catchment area of their contracted millers. Clause 20 of the Bill allows non-contracted farmers to supply cane to any miller in the country. Clause 20 of the Bill cures Clause 19 of the Bill. You are aware that five of our mills— Nzoia Sugar Company, Chemilil Sugar Company, Sony Sugar Company, Muhoroni Sugar Company and Miwani Sugar Company— are supposed to be managed under the new leasing arrangement. No investor in the sugar sector wants to invest his money, if he is not guaranteed of the raw material. This has been the biggest problem in the sugar industry. To cure it, it was necessary to create a catchment area. The provision for Sugar Development Fund has multiple importance for those of us in the sugar sector. We are imposing a levy on imported sugar which is something that has never happened before. That is why imported sugar is a menace in this country. It will not be cheap anymore. This provides room for the local industry to grow. Before the advent of AFA, we were in the process of developing a faster maturing variety of cane.

Sugarcane matures after nine months in India. It matures after 11 months in Mauritius. It matures between 11 and 13 months in Brazil. Because we did away with the sugar regime at that time, our sugarcane matures between 19 and 24 months. By providing money to Kenya Sugar Research and Training Institute, we are assured that we will move from 19 months to early maturing cane of 11 months. We have even gone further in that Bill to provide for propagation of the new varieties. We have provided regions for research.

I associate myself with the sentiments of Hon. Okello on the issue of infrastructure development. This was a very contentious issue. I thank our colleagues from the Senate who held the position that this is a devolved function. But we then agreed that the money for infrastructure development reposit at the Kenya Sugar Board. It will only be used in the areas where sugarcane is grown. That means, even in my own constituency, the wards that do not have sugarcane will not benefit from money for infrastructure development. Why are we doing this? One of the most destructive things in the sugar sector are the tractors that haul cane. There is a particular tractor called a winch which is a very heavy machine. If it pulls sugarcane through your farm, it destroys the road. This means we will recreate our infrastructure in the area. More importantly, we are providing cheap access of funds to the farmer. Today, in the sugar industry, unlike the tea and coffee sector, we do not have anywhere a farmer can go to for funding unless to a commercial bank which is very exorbitant in terms of interest rates thus unaffordable. But by providing money for sugarcane development, money from which millers can also tap into when they want to improve on their machinery is an improvement.

The most difficult aspect of sugarcane farming is the organisation of the farmer. Many times, when I have had discussions with Members of this House, the question has been how we can ensure our farmers are well-organised. In this mediated version of the Bill, we realise that farmers are empowered. We have even provided for a farmer's organisation. This means that the voice of the farmer will be heard. This Bill is progressive to a level that, during discussions, we allowed where a private miller wants representation of farmers to their board, it will be done.

Why is it necessary that this House fast-tracks this mediated version of the Bill? It is because we have a haemorrhage of the sugarcane farmer in Lugari; the sugarcane farmer in Migori is crying, and the sugarcane farmer in Kisumu is worried about the price. The price is so unstable that every month you have a new price. This Bill provides for a pricing mechanism which is the stakeholder's.

I urge the House respectfully and honourably that we all unanimously fast-track and pass this Bill. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. David Kiplagat Member for Soy Constituency.

Hon. David Kiplagat (Soy, UDA): Thank you, Hon. Temporary Speaker. Reading the mood of the house....

(Loud consultations)

Okay, may I proceed then?

(Loud consultations)

I am on the Floor. Protect me, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Take your seat.

Hon. David Kiplagat (Soy, UDA): No, protect me. I want to contribute. I want to make my comments.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I order that you take your seat, Hon. David Kiplagat, and we give this opportunity to the Member for Molo Constituency. You will have another chance.

Hon. Kuria Kimani (Molo, UDA): That was close. Thank you, Hon. Temporary Speaker. I rise to support this mediated version of the Sugar Bill that aims at revitalising the sugar industry by establishing a very robust regulatory framework that will promote fairness, efficiency and sustainability.

(Hon. Brighton Yegon laughed loudly)

This comes at a time when the sugar industry is facing significant challenges, including mismanagement, low production...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Hon. Chairman. Hon. Brighton Yegon, you know you have a very loud laughter. It is not bad, but it is so loud that it is distracting other Members. I allow you to laugh, but please do it in a lower volume. You may proceed, Hon. Chairman.

Kuria Kimani (Molo, UDA): Hon. Brighton, you can still laugh in whispers.

Hon. Temporary Speaker, let me say again that, I rise to support this Report on the mediated version of the Sugar Bill that aims to revitalise the sugar industry by establishing a very robust regulatory framework that will promote fairness, efficiency and sustainability. This comes at a time when the sugar sector is faced with pricing problems, significant challenges in mismanagement of sugar factories, low production and poor livelihood for the farmers.

As this House may recall, last year, the Departmental Committee on Finance and National Planning jointly with that of Departmental Committee on Agriculture and Livestock, tabled and approved in this House a Report on the commercialisation of sugar factories. Having visited farmers in Western and Nyanza regions at that time, it gives us a very good understanding of the importance of this sector, and the solution to the challenges that are facing sugarcane farmers.

This Bill seeks to establish the Kenya Sugar Board which will be responsible for overseeing regulation of the sugar industry, ensuring there is compliance with the set standards and ensuring that there is proper sugar promotion. The Kenya Sugar Board will play a very critical role in ensuring that sugar manufacturers and marketers are protected.

The Bill also outlines clear legislation and regulation on sugar protection and market practices that will enhance transparency. This Bill will address the need for quality control in the sugar production, and ensure that both the producers and the consumers of sugar are protected.

The Bill emphasises the importance of protecting the rights of sugarcane growers, including fair pricing and protection of contractual agreements with the millers. The Bill will also ensure that in the event of a dispute, whether it is among farmers, millers or marketers, the disputes are amicably addressed to the benefit of both the millers and the farmers.

Most importantly, this Bill will help safeguard or protect the importation and exportation of sugar. This is aimed at protecting local farmers from unfair competition. For a very long time, the reason why some of our local manufacturing and even local farming has not been yielding fruits, is because of facing unfair competition from importation. This Bill sets clear guidelines on the importation and exportation of sugar. This will, therefore, ensure that we protect our local industry and our local farmers from unfair competition.

This Bill also provides mechanisms, including financial and technical mechanisms to support the sugarcane growers, so that they can have improved production. This improved production will enhance better livelihoods for the farmers. Most importantly, there is also a clear focus on training programmes for farmers so that farmers can adopt better farming practices to ensure that the farmers get better and higher yields.

In consideration of our environment, the Bill also addresses environmental concerns by giving the Board the mandate to set the requisite environmental programmes for both the farmers and the millers. This will help reduce the extortion of the environment that has previously been done, especially by the millers. The Kenya Sugar Board, as an authority, will have a leeway to give penalties where there is non-compliance with the set legal and regulatory framework. Where there is multi-practice around the sugar sector, this Bill provides for a mechanism to penalise that, by giving the Board the authority to issue penalties in case of any multi-practice.

In conclusion, this mediated version of the Bill represents a significant step towards the restructuring of the sugar sector in Kenya. By fostering a supportive environment for farmers, by ensuring there is fair competition and by promoting sustainable practices, this Bill has a great potential to completely change and revitalise the sugar sector. It will ensure that there is production in this country and farmers are protected.

Hon. Temporary Speaker, perhaps, you may ask why the sugar sector is important in this country. It contributes 0.8 per cent of Kenya's Gross Domestic Product (GDP) and employs, at least, 500,000 Kenyans directly. Therefore, if you were to collocate the number of Kenyans employed in the sugar sector, you will realise... The passing of this Bill will change the way the sugar sector operates. It will increase its GDP contribution from 0.8 per cent to a much higher percentage.

This sector also contributes greatly to tax revenue. Most importantly, it will help ease the pressure on our exchange rate. If you check the tonnes of sugar we import every year, we will reduce this importation by consuming our locally grown, produced, and processed sugar. In return, we will have a huge saving and ease pressure on our exchange rate. In addition, we will improve our balance of trade and payment. With these changes, we will even export sugar to other countries.

In addition to the direct benefit to this sector, there are other sectors supported by the production and farming of sugarcane, for example the fertiliser and agrochemical sector. If farmers use fertiliser and agrochemicals, it means the industries will grow. The machine and equipment industry will also grow if more farmers grow sugarcane and get good prices because their sugarcane is processed locally. There will be need to have proper farming machinery,

especially with the proposed funding model in the Bill. The machinery and equipment sector will definitely grow.

The transportation of sugarcane from farmers to the factory and market will also have a ripple effect of growing the transport and logistic sector. It will attract direct investment. When investors are certain there is good quality sugarcane available, this will attract direct investors into our country. They will not just process the sugarcane but other bi-products like molasses.

This is also a great opportunity for Public Private Partnerships (PPP). We have the nucleus land owned by the community. If possible, they can have a PPP camp, where they will set up factories to process sugarcane for the farmers and pay them a good return on investment. Lastly, this will change our rural areas. Sugarcane farmers are deep in the villages. If money flows to the people in rural areas, it will lead to increased rural development. It will also reduce rural-urban migration and ensure the Bottom-Up Economic Transformation Agenda (BETA) is achieved. Money will go to the pocket of farmers in the deepest part of our country.

With those remarks, I want to congratulate my senior colleague, Hon. Wangwe, for coming up with this Bill. I also want to congratulate the taskforce for doing such a great job of coming up with this mediated version of the Sugar Bill.

Thank you, Hon. Temporary Speaker. With that, I beg to support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Member for Molo. Hon. Caroli Omondi, Member for Suba South.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Temporary Speaker. I also want to lend my voice in support of this mediated version of the Sugar Bill and make some observations. Let me begin by congratulating Hon. Wangwe, Hon. Nabii Nabwera, Hon. Melly, and the rest of the team for all the good work, effort, tenacity and collaboration that has yielded this new sugar Bill at this stage.

I want to speak on three things. First, I firmly believe that our farmers should have complete freedom to grow and sale sugarcane to millers of their choice. We can regulate the sector and follow the best practices. It is perfectly legal if a farmer chooses to contract a particular miller for off-take of the sugarcane. However, we should support such farmers by having a register at the Kenya Sugar Board (KSB), where all the millers register the contracted farmers. That way, everybody will know which farmer is contracted by which miller.

We should also allow KSB to prepare a framework of contracts between farmers and millers. Many farmers may not afford lawyers so there should be a standard framework agreement which a farmer will sign with the miller. This will be good but when a farmer chooses not to contract a miller, he should be free not to sell his or her sugarcane to the three millers. Restricting competition to three millers is not different from one miller, which is a monopoly. If they are two millers, it is a duopoly and three is an oligopoly.

Farmers should be free to contract or not contract and to supply their sugarcane to whomever offers them the best price and at the right time when their sugarcane is ripe. As a matter of fact, this restriction on sales through concepts such as catchment areas has created all this mess. If you think about it, all the successful privately-owned sugar mills in Kenya were started by companies with no nuclear zones and did not have contracts with farmers. They became more successful than state-owned sugar mills. Therefore, we do not need zoning and other things for sugar mills. We just need to give farmers the freedom to grow sugarcane then at the right time they will sell it to millers who offer the best price or those who come on time to harvest.

Millers who are contracted should register with the Kenya Sugar Board. Let us support the farmers by giving them a pro-forma contract to sign for transparency. This is what happens in other sectors.

Second, I want to talk about the intended leasing as a measure of privatisation of state-owned sugar mills. I think this is long overdue. The sooner we get the Government out of the sugar sector in terms of management of the mills, the better for everybody - the tax collector, farmers, and the rest of the country.

When we privatise these mills, we will expect better management skills from skilled investors and managers. They will shield the factories from political interference. I think this has been our biggest problem. Our mills have suffered from political capture. A failed politician is appointed to be somebody in the mill. A failed civil servant is transferred from the Ministry to go and run a mill. I have been a director of these sugar mills from 1992. Therefore, I know what I am talking about. I have even seen cases where employees have given evidence against the Government when there is a dispute with external companies.

Therefore, I think the sooner we lease these sugar mills, the better. That way, we can get better management skills and also attract new technology. The milling equipment in most of these sugar factories are outdated. They are about 30, 40 to 50 years behind. We need investors to bring new technology and make investments. Sugar mills are not just for production of sugar. They can co-generate power using the bagasse and produce alcohol to become profitable.

We also need to better our research. All the countries you see with fast-maturing cane, that is not the work of their governments; it is the work of private millers who have invested in research. Even if we put a lot of money in Kenya Sugar Research Foundation (KESREF), it will not yield us good results as when that money and process of research are handled by the private sector. We need to quicken the privatisation process.

Finally, the sooner we have new investors, the better for our farmers. At least there will be more support from the private investors by way of loans, extension services, and fertilisers which they do not get today. Lastly, I hope going forward, we will be very careful on the qualification of directors. It should not be purely a matter of zoning and representation; rather it should be about somebody's qualifications and passion.

Thank you, Hon. Temporary Speaker. I will leave it there because of the interest in the matter so that we save on time.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. (Dr) Pukose, Member for Endebess.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker, for allowing me to contribute on this Consideration of the Mediated Version of the Sugar Bill (National Assembly Bill No.34 of 2022).

From the outset, I thank Hon. Emmanuel Wangwe, Member for Navakholo, together with his team, for spending time and agreeing with the Senate Committee so that we can move forward with this Bill which has taken a lot of time and keen interest, especially when it came to issues about zoning. Initially, many farmers were feeling that they were going to be disadvantaged when they are put in certain zones yet when they are planting sugarcane, they use their own resources. They expect to get profit out of it and if they are limited to a certain zone where the conditions are not favourable, whether in collection or pricing of the sugarcane, that can disadvantage many farmers.

We have seen sugarcane growers in Endebess experience challenges with weight of the sugarcane. You find that weight at the weigh bridge is not the same as that of the weight at the factory hence losses. As a result, farmers complain and they end up being discouraged from continuing to grow sugarcane. We would like to have an honest factory, a factory that will give a price for what you have planted and for the efforts that you have put in. The issue of being put into a zone is that you can be allocated within three factories. This is for purposes of elections of officials so that the leadership can be alternated between counties, which is progress.

Hon. Temporary speaker, on the issue of the Sugar Fund, we expect that this will also go into developing areas with dilapidated road networks that affect mainly sugarcane growers. The money and lots of efforts put through KeRRA and the counties is not adequate to make the roads passable, especially during rainy seasons where farmers get a lot of challenges in transporting their sugarcane. The sugarcane ends up not reaching the intended destination. The driver and the sugarcane sleep on the road. I do not know whether that is correct English, but it does not reach the destination. They get stuck on the road before reaching their destination and this leads to losses to farmers. This is something that should be addressed.

With those few remarks, I want to congratulate the team and support the mediated version of the Bill.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai: Thank you very much. Hon. (Dr) Wilberforce Oundo, Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. Let me take this opportunity to sincerely thank Hon. Wangwe for following up through with this Bill. It is a stage which seems to be like the end of the long journey. The collapse of the sugarcane industry in totality has brought a lot of miseries since 1980s and 1990s. Attempts to revive them have just been piecemeal and probably politically initiated for purposes of achieving political gains. But, for the very first time, we have followed through this process until we are where we are today. Accolades must also go to Hon. Wamunyinyi. He is the one who initiated this Bill in the 12th Parliament. He processed it, but as usual it died, so to speak, in the Senate before it was completed. We stand here today to say thank you for the effort you made.

We must also thank the Sugarcane Task Force that has been on this for a long time. I know my colleague, Hon. Nabwera, has also been on it all along. The idea of correcting the sugar sector began around 2008 to around 2011. I was happy to be involved by a consultancy that was led by Standard Investment Bank to get here and we said we must move with speed. Sometime last year, the Government also initiated the process of leasing the various publicly owned sugarcane companies. I believe and hope that this process will continue because the assumption is that the Government is not supposed to be in business.

The Government ought to be a regulator, an enabler and not compete in business. This is because, the structure imposed on them by the Public Procurement and Asset Disposal Act and other regulations such as the Parastatals Act, makes it completely impossible for them to move with speed and compete with the private sector.

In Busia County, our sugarcane factories and our sugarcane farmers are not complaining much because we are run by private sugar companies. Whatever is grown, the uptake is adequate to the extent even the Busia Sugar Company has leased almost several thousands of acres in Sivinga Sub-Location and Mango Sub-Location of Funyula Constituency where they are growing sugarcane on a contract basis. Any process that concludes or brings sanity to the sugar sector is a godsend gift for the people of Funyula Constituency. I do not know how Hon. Wangwe managed to manage the Senators in the mediation process. They are essentially belligerent and they take a hard position devoid of information and stick to it. You tell them: 'if you are not an expert in this area, let the expert guide you'. You must be a very patient person to have shepherded this process to where it is. Probably, I do not have that amount of patience since from a classroom in the University of Nairobi, you only deal with the top-notch students, so you move things fast and it becomes difficult to deal with any slow learners.

Hon. Temporary Speaker, I am happy that, finally, you resisted the issue of sugarcane zoning. In a liberal economy, let the purchaser, literally have some kind of an arm's-length arrangement that allows them to deal. Providing three factories in a sugarcane catchment area gives latitude to a farmer to choose where to go. Probably, in the fullness of time, we might

have to re-look at this arrangement. What if the production is too much that the three sugarcane factory mills cannot manage to process sugar on time? Any factory has got some maximum capacity and for it to increase its capacity, it will take a lot of time to assemble and expand the capacity. For now, we will allow it to go as it is to enable us to move forward. On the issue of the nominee to the Institute by the universities, I know it is not easy to talk to some Senators and make them understand that the original version that was dealing with the Council of University Education should surely have resolved the matter.

Nevertheless, we need to take it as it is.

Hon. David Kiplangat (Soy, UDA): On a Point of Order.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I have a point of order from Hon. David Kiplangat, the Member for Soy.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Under what Standing Order?

Hon. David Kiplangat (Soy, UDA): Hon. Temporary Speaker, under Standing Order 95, will I be in order, reading the mood of the House, to request that the Mover be called upon to reply after Hon. (Dr) Oundo is done?

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You have done it a lot of justice.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Yes, let me conclude.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I give you two minutes to conclude then we will find out whether that is the mood of the House.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): It is good that Hon. Kiplangat has a mood meter that measures the mood of the House. I will conclude with the issue of the sugarcane catchment areas and the process of appointing or electing members to the Sugar Board. I see here that Lower Western comprises Mumias, Busia, and Siaya. I hope in their geographical delineation of Mumias, they will be explicitly clear whether it is Mumias East Constituency or Mumias West Constituency. This will help us avoid a situation where other people who are purporting to be in Mumias, join the Mumias area.

Truth be told, the Mumias people have cut all the sugarcane. They have uprooted all their sugarcane because they have issues with Mumias Sugar Company. They are farming other crops that they probably think are profitable. To allow those who do not have sugarcane farms to continue having directors is a matter that we need to revisit during the election of members to the Sugar Board. We will be there to make sure you only put your mouth where your sugarcane is. You cannot come as a *tenderpreneur*, an aggregator, and purport to sincerely take the position of a director in the Sugar Board. Since the people of Busia have the largest number of sugarcane farms, we must insist to be given the first slot for the directors.

As I conclude, I just want to urge the institute to continuously develop a variety that has high sucrose content and matures faster. A period of 18 to 19 months is inordinately long. It is not economical for a farmer. That is why you find that farmers keep shifting or switching to other crops. We need to find a process that makes it faster. There has been agitation about the pricing mechanism. I believe this Bill has cured that problem and we will no longer have that problem at heart.

I support and ask my colleagues who are here, including those who do not come from sugarcane-growing areas but consume sugar, to please vote for this Bill. This includes those who, during our age, used to call girlfriends sugar. It is your turn to also vote and support the people who grow sugarcane. Of course, there are other terminologies I do not want to go into, but it is important to support this mediated version of the Bill so that we proceed to the next level. This will save the farmers of this country and we will avoid the shenanigans and cartels in the sugar importation sector.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Professor. Hon. Members, I will purposively give a chance to Hon. Eve Obara.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker. I do not want to waste my time because I am also a beneficiary of this mediated version. I want to appreciate the committee that came up with this, bringing order to a completely disorganized industry where cartels reigned. As I said before, I was educated through sugarcane proceeds. I have seen what they have proposed and recommended in the mediated version, and I am totally in agreement with what they are proposing. The most important one is that which allows farmers to take their sugarcane to any miller unless they are contracted.

Hon. Temporary Speaker, I am happy with the kind of variety of sugarcane that they are proposing for 12 months which is different from the 18 months one that we previously had. On representation, that is the best thing that has happened: that this thing is rotational and we are going to kill all the cartels.

The levy on imported sugar has been a big problem for the sugar industry. I know we want to finish so that we can conclude this matter that has taken years to go through. Thank you, again. I thank the Committee for coming up with this mediated version. I believe that going forward, we are going back to what the sugar industry used to be at the time when I was growing up and not the cartels that we currently have. Thank you very much Wangwe and the team. I support. Sorry to be rushed.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Members, based on the matter that has been raised by the Member for Soy, I want to find out whether it is the mood of the House that I call upon the Mover to reply.

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

Mover, Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Temporary Speaker. Before I even reply, although the Standing Orders do not allow me to donate, allow me to thank the Hon. (Dr) Nyikal. As a Member of this House, we began the journey together on the Sugar Bill in the last Parliament and in many of the 17 meetings we attended in Kisumu and the rest of the country, we were together. Allow me to thank Hon. Melly. We were with you in this journey and today it is coming to fruition. The Sugar Bill is becoming a reality.

My colleagues raised issues to do with the Mediation Bill. To what extent can we open the Mediation Bill? I feel it is important to respond to that and say we restricted ourselves to what the law says about the difference between the Senate report and the National Assembly report. Therefore, many of the issues that, maybe, my colleagues expected to see today are as we voted in the earlier version of the Bill from the National Assembly.

There are also issues of concern from my colleagues to do with the restrictions and how open we are about farmers' issues. I want to reiterate that Clause 19 is restrictive and it addresses how a farmer is supposed to relate with a miller. We have allowed those who do not want to be restricted to a particular miller using Clause 20, that they are free. They are at liberty to now produce the cane on their own volition and sell it to whomever. Therefore, we just want to say this will bring sanity. The larger population shall be restricted to how they are supposed to work. Those who do not want to be contracted have also been given liberty.

Allow me to thank my colleagues as I did in the moving. Out of 14 Members of my mediation team, 12 Members have signed the adoption list confirming, indeed, what Dr Oundo was saying in terms of how you bring together all the members of the team to work together. We want to say it was great and we appreciate. We thank God that the team I was given in both

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the Senate and the National Assembly was cohesive and we were able to work as a team. Therefore, this is a mediated version where the Senate and National Assembly have agreed and I find it very conducive that, equally, my colleagues have moved in the same way.

Second last, allow me to thank Hon. Kuria Kimani as the Chairman of the Departmental Committee on Finance and National Planning. He came in with the support of under Ksh17 billion for western Kenya sugar factories. Hon. Kuria, if we do not pass this Bill today, then that support will go to waste. What you and your team did has given us the impetus to be where we are.

Finally, allow me to thank Hon. Wamunyinyi who presented this Bill to this House in the last Parliament and asked me, with great honour, that I move it again in this Parliament. Today, my colleagues, you have seen it good. I want to plead with you that come the time of voting, let us all overwhelmingly vote in support of this Bill. This is the future of our industry. To my people of Navakholo, I thank you. The people of western and farmers of this country, indeed, you are great people and we are here to serve you.

Thank you, Hon. Temporary Speaker, and I beg to reply.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Members, I will not put the question. This will be done in another sitting, as will be scheduled by the House Business Committee (HBC).

(Putting of the question deferred)

Next order.

ADOPTION OF REPORT ON INQUIRY INTO ALLEGED UNFAIR
TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA

THAT, this House adopts the Report of the Departmental Committee on Trade, Industry and Cooperatives on the Inquiry into Alleged Unfair Trade Practices by Foreign Investors in Kenya, laid on the Table of the House on Thursday, 7th March 2024.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): The Chairman, Departmental Committee on Trade, Industry and Cooperatives. He is absent. The Vice-Chairperson is also absent. I will not call upon any member of the Committee. I do not think we will go there.

(Motion deferred)

Next order!

ADOPTION OF FIRST REPORT ON IMPLEMENTATION STATUS
OF REPORTS ON PETITIONS AND HOUSE RESOLUTIONS

THAT, this House adopts the First Report of the Committee on Implementation on the implementation status of Reports on Petitions and Resolutions passed by the House, laid on the Table of the House on 26th October 2023.

(Moved by Hon. Raphael Wanjala on 19.9.2024)

(Resumption of debate interrupted on 19.9.2024)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, this is resumption of debate. Members who had spoken on this Motion are Hon. Raphael Wanjala and Hon. Joshua Mwalyo. Hon. David Ochieng' was on the Floor. So, any Member wishing to speak on this, feel free.

Hon. Kuria Kimani (Molo, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Yes, Hon. Kimani, the Member for Molo.

QUORUM

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I rise pursuant to Standing Order 35. Considering that we do not seem to have the requisite Quorum, I move that the Quorum Bell be rung.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Kimani. I order that the Bell be rung for 10 minutes.

*(Hon. Emmanuel Wangwe, Hon. Brighton Yegon and
Hon. David Kiplagat stood along the gangways)*

Hon. Members, for discipline in the House, I request Hon. Wangwe, Hon. Brighton and Hon. David Kiplagat to take their seats as the Quorum Bell is being rung.

(The Quorum Bell was rung)

Hon. Temporary Speaker (Hon. (Dr) Rachael Nyamai): Serjeants-at-Arms, you may now stop the Bell.

ADJOURNMENT

Hon. Temporary Speaker (Hon. (Dr) Rachael Nyamai): The time being 6.12 p.m., the House stands adjourned until Friday, 18th October 2024, at 9.30 a.m.

The House rose at 6.12 p.m.

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