



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**VOL. III NO. 66**

## THE HANSARD

Wednesday, 7<sup>th</sup> August 2024

The House met at 2.30 p.m.

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

### PRAYERS

**Hon. Speaker:** Hon. Members, we have quorum to transact business. Clerk-at-the-Table.

### PAPERS

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

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

1. The following Statutory Instruments and their accompanying explanatory memorandum, regulatory impact assessment and report on stakeholders' engagement from the Law Society of Kenya: -
  - (a) Legal Notice No.110 of 2024 relating to the Advocates (Practising Certificate) (Fees) Rules, 2024; and,
  - (b) Legal Notice No.111 of 2024 relating to the Law Society of Kenya (General) (Amendment) Regulations, 2024.
2. Reports of the Auditor-General and Financial Statements of the National Governments Constituencies Development Fund (NG-CDF) for the year ended 30<sup>th</sup> June 2023, and the certificates therein in respect of the following constituencies: -

(a) Banissa;	(n) Rangwe;
(b) Gem;	(o) Rongo;
(c) Homa Bay Town;	(p) Samburu East;
(d) Karachuonyo;	(q) South Mugirango;
(e) Kasipul;	(r) Suba North;
(f) Kitutu Chache South;	(s) Suba South;
(g) Luanda;	(t) Suna West;
(h) Lungalunga;	(u) Taveta;
(i) Mandera North;	(v) Tigania East;
(j) Mandera West;	(w) Ugunja;
(k) Muhoroni;	(x) Wajir North;
(l) Ol Kalou;	(y) Wajir West; and,
(m) Rabai;	(z) Wundanyi.

Thank you very much.

**Hon. Speaker:** The Chairperson of the Departmental Committee on Agriculture and Livestock. Hon. (Dr) Mutunga.

**Hon. (Dr) John K. Mutunga** (Tigania West, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Agriculture and Livestock on its consideration of the Coffee Bill, (Senate Bill No. 0 of 2023).

Thank you, Hon. Speaker.

**Hon. Speaker:** Next is the Chairperson of the Select Committee on Delegated Legislation.

**Hon. Samwel Chepkonga** (Ainabkoi, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Select Committee on Delegated Legislation on its consideration of Senate Amendments to the Statutory Instruments (Amendment) Bill, (National Assembly Bill No. 2 of 2023).

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Next Order.

## QUESTIONS AND STATEMENTS

### REQUESTS FOR STATEMENT

**Hon. Speaker:** Hon. Brighton Yegon, Member of Parliament for Konoin. Go ahead. Your microphone is not on.

#### EXPANSION OF KAMANDURA-MAI-MAHIU ROAD

**Hon. Brighton Yegon** (Konoin, 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 Transport and Infrastructure regarding the status of Kamandura-Mai Mahiu Road.

The Kamandura-Mai Mahiu Road and the Mai-Mahiu-Suswa Road serve as crucial access to the southern Nyanza region and parts of the lower Rift Valley, including Narok, Bomet and Kericho. The road is also used to transit goods to Uganda, Rwanda, Burundi, the Democratic Republic of Congo and Tanzania. In spite of the strategic nature of the Kamandura-Mai-Mahiu Road, motorists using the road, including the Mai-Mahiu-Naivasha Road, frequently experience heavy traffic congestion, resulting in significant delays that frustrate commuters and businesses. The situation is worsened by the fact that the road is narrow and does not have an alternative route to divert traffic, particularly along the Mai-Mahiu Escarpment. Over the years, appeals to the Government to expand the Kamandura-Mai-Mahiu-Naivasha Road and the Mai-Mahiu-Narok Road and put in place more safety measures have not been implemented.

It is against this background that I seek a statement from the Chairperson of the Department Committee on Transport and Infrastructure on the following:

1. Could a comprehensive report be provided on the measures being undertaken to address the perennial congestion along the Kamandura-Mai-Mahiu-Naivasha Road and the Mai-Mahiu-Narok Road in order to improve the flow of traffic and mitigate road accidents?
2. Provide details on the budgetary allocation to the Kenya National Highways Authority (KeNHA) towards the expansion, rehabilitation, management and maintenance of spoilt sections of the roads.

Thank you, Hon. Speaker.

**Hon. Speaker:** Yes, Hon. Sunkuli.

**Hon. Julius Sunkuli** (Kilgoris, JP): Hon. Speaker, in support of that request for a statement, the Mai Mahiu escarpment is becoming an embarrassment. When you use that route,

you can spend up to three hours in a traffic jam and yet, it is such an important road. In addition to just telling us about long-term measures that are going to be taken, could the Cabinet Secretary responsible liaise with the Cabinet Secretary in charge of traffic police and tell us how they are going to manage traffic and those who obstruct others along the road? This is a very serious request for statement that needs to be addressed immediately.

**Hon. Speaker:** The Chairperson of the Departmental Committee on Transport and Infrastructure, Hon. GK.

**Hon. George Kariuki** (Ndia, UDA): Hon. Speaker, I commit to avail the statement in two weeks.

**Hon. Speaker:** Okay. Hon. Martin Owino, Ndhiwa.

#### HARMFUL EFFECTS OF CHEMICAL AGENTS USED BY LAW ENFORCEMENT AGENCIES

**Hon. Martin Owino** (Ndhiwa, ODM): 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 Health regarding the harmful effects of chemical agents such as tear gas and other irritants used by law enforcement agencies.

The recent demonstrations led by young people, often referred to as ‘Generation Z’, have brought to light the pressing calls for substantial reforms and the elimination of socio-economic inequalities affecting the people. Those protests, aimed at prompting transformative action from the Government, have been met with excessive crowd control measures by the police, most notably the indiscriminate use of tear gas and water cannons which has also been extended to residential areas and primary schools in close proximity. This has exposed vulnerable populations such as children, the elderly and those with pre-existing health conditions to disproportionate health risks.

Scientific research has shown that exposure to tear gas and other irritants can cause a wide range of health issues ranging from acute to long-term effects. The acute effects have been said to include severe irritation to the eyes, skin and respiratory system, while long-term effects include glaucoma, blindness, respiratory failure and even death due to chemical burns to the lungs and cannister injuries. Further, in the law of war...

*(Loud consultations)*

**Hon. Speaker:** Order! Order! Take your seat, Hon. Martin. Order, Hon. Members.

*(Hon. Johana Kipyegon consulted loudly)*

Order, Hon. Johana Ng’eno.

Hon. Members, in the event you have something to consult on, which is your right, do not disturb the House. I will allow you to use the Speaker’s recess room behind here, or you can go to the corridor or the Lounge. But, please, do not hold a *kamukunji* in the middle of ongoing proceedings in the House.

*(Loud consultations)*

**Hon. Martin Owino** (Ndhiwa, ODM): Thank you, Hon. Speaker. It is as if I was not heard. Can I start again?

**Hon. Speaker:** Start.

**Hon. Martin Owino** (Ndhiwa, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the

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Departmental Committee on Health regarding the harmful effects of chemical agents such as tear gas and other irritants that are used by law enforcement agencies.

The recent demonstrations led by young people, often referred to as ‘Generation Z’, have brought to light the pressing calls for substantial reforms and the elimination of socio-economic inequalities that are affecting the people. These protests, aimed at prompting transformative action from the Government, have been met with excessive crowd control measures by the police; most notably, the indiscriminate use of tear gas and water cannons which has also been extended to residential areas and primary schools in close proximity. This has exposed vulnerable populations such as children, the elderly and those with pre-existing health conditions to disproportionate health risk.

Hon. Speaker, scientific research has shown that exposure to tear gas and other irritants can cause a wide range of health issues ranging from acute to long-term effects. The acute effects include severe irritation of the eyes, skin and respiratory system. The long-term effects include glaucoma, blindness, respiratory failure and even death due to chemical burns to the lungs and canister injuries. Further, in the law of war, where far greater leeway is given to the use of deadly force, the use of tear gas is banned, particularly under the Geneva Protocol of 1925 and the Chemical Weapons Convention of 1993. Therefore, its continued use by law enforcement agencies as a riot control agent poses a great risk to the health of the peaceful protestors.

It is against this background that I seek a statement from the Chairperson...

*(Loud consultations)*

*(Several Members stood along the gangways)*

**Hon. Speaker:** Order, Members. Can you converse in low tones? Member for Dagoretti and Member for Embakasi, take your seats.

**Hon. Martin Owino** (Ndhiwa, ODM): Hon. Speaker, it is against this background that I seek a statement from the Chairperson of the Departmental Committee on Health on the following:

1. An overview of the composition and concentration levels of tear gas and other irritants used by law enforcement officers and whether their use is authorised, considering the concerns on their harmful effects on victims.
2. A report on both the immediate and long-term health risks associated with tear gas exposure, with particular attention to vulnerable groups such as those with respiratory conditions.
3. The strategies and measures that have been put in place to safeguard public health and the alternative mechanisms that could be deployed instead of tear gas or other irritants to manage protests, riots or civil unrest.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Martin. The Chairman of the Departmental Committee on Health, Hon. (Dr.) Pukose, has heard what Hon. Owino has said. When can you bring a statement?

**Hon (Dr) Robert Pukose** (Endebess, UDA): Thank you, Hon. Speaker. The issue that has been raised by Hon. Martin Owino, *Wuod chief*, - who is a member of the Departmental Committee on Health - is weighty. We will bring an answer to the House after two weeks.

Thank you, Hon. Speaker.

**Hon. Speaker:** Two weeks are okay. Hon. Mayaka.

**Hon. Irene Mayaka** (Nominate, ODM): Thank you, Hon. Speaker. Allow me to raise this particular concern. You had given instructions about six weeks ago that the Departmental

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Committee on Social Protection would bring a response of a statement I raised in regard to the matter of anti-female genital mutilation, but there has been no response to that issue. This is six weeks later. So, I am very concerned about that.

Thank you.

**Hon. Speaker:** Is the Chairperson of the Departmental Committee on Social Protection here? Hon. Owen, who is your Chairperson? Is it Hon. Alice Ng'ang'a?

**Hon. Owen Baya** (Kilifi North, UDA): It is not Hon. Alice Ng'ang'a.

**Hon. Speaker:** The Chairperson is Hon. Alice Ng'ang'a.

**Hon. Owen Baya** (Kilifi North, UDA): Is it the Chairperson of the Committee on Regional Integration?

**Hon. Speaker:** Departmental Committee on Social Protection.

**Hon. Owen Baya** (Kilifi North, UDA): It is Hon. Alice.

**Hon. Speaker:** Where is she? Can you tell her to bring a response to Hon. Mayaka's Statement tomorrow afternoon?

**Hon. Owen Baya** (Kilifi North): Much obliged, Hon. Speaker.

**Hon. Speaker:** Okay. Hon. Malulu Injendi.

**Hon. Malulu Injendi** (Malava, ANC): Thank you, Hon. Speaker. I am raising an issue on a Question I asked the Cabinet Secretary for Roads, Transport and Public Works on Road A1 Kakamega-Kaburengu, which is incomplete. There are no works that are going on it. I raised this Question on 16<sup>th</sup> August 2023. After I raised it, Parliament went on recess. When we resumed in February 2024, I asked a similar Question again to the Cabinet Secretary. Up to now, there has been no response in terms of the completion of that road.

**Hon. Speaker:** Where is the Chairperson of the Departmental Committee on Transport and Infrastructure, Hon. GK. Is it true that you have been sitting on that statement from August last year? This is a year later.

**Hon. George Kariuki** (Ndia, UDA): Hon. Speaker, there is no statement that we have kept for that long. I will interact with the Member to know what could have happened.

**Hon. Speaker:** Hon. Injendi, can you approach the Chairperson and see if, indeed, your statement is still pending before them. If it is not satisfactory, report back to me. Yes, Hon. Akujah. Is that Hon. Akujah?

**Hon. Joseph Emathe** (Turkana Central, UDA): Hon. Speaker, this is Hon. Namuar, Member for Turkana Central.

**Hon. Speaker:** Sorry, Hon. Namuar. You are sitting very far. I cannot see you properly.

**Hon. Joseph Emathe** (Turkana Central, UDA): Hon. Speaker, before the day not to be remembered, I sought a statement on the killing of Turkana fishermen in Ileret in Marsabit. You directed it to the Departmental Committee on Administration and Internal Affairs.

**Hon. Speaker:** I remember that. Hon. Tongoyo, there was a request for statement from Hon. Namuar.

**Hon. Gabriel Tongoyo** (Narok West, UDA): I have not received it from the Ministry, but I am still following it up.

**Hon. Speaker:** When can you bring the response? Can you do it next week?

**Hon. Gabriel Tongoyo** (Narok West, UDA): I will bring the response on Tuesday.

**Hon. Speaker:** Hon. Member, they will bring a response on Tuesday next week.

**Hon. Joseph Emathe** (Turkana Central, UDA): Thank you, Hon. Speaker. I am well guided.

**Hon. Speaker:** Yes, Hon. Oundo. Give him the microphone.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Hon. Speaker, when we resumed this Session after the day never to forget....

**Hon. Speaker** It is the day not to remember!

*(Laughter)*

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): The day we will never forget.

Hon. Speaker, there was a Question directed to the same Committee concerning transport facilitation for various National Government Administration Officers (NGAO) and National Police Service (NPS) officers in Funyula Constituency. I remember you asked the Chairperson to make all urgent arrangements and bring the statement, notwithstanding that there was no substantive cabinet secretary. You directed that since the Principal Secretary and the entire State mandarins were still in office, they could prepare the statement and give it to him. It is now almost two weeks down the line since it was supposed to be delivered. I am also perplexed and worried that nothing has been presented in this House. Again, we could be proceeding for another break. I do not know what I will tell my people in the constituency. Plead with the Hon. Chairman by virtue of the powers bestowed upon you, even if it does not appear anywhere in the Standing Orders. Using Standing Order No.1 and any part of the Constitution, could you plead with the Hon. Chairman to give me an answer to, at least, go and present to my people. The situation in the constituency is getting dire.

Thank you.

**Hon. Speaker:** Was it about security? First, the Speaker cannot plead with a Member. The Speaker can only direct a Member. Hon. Tongoyo, is that directed at you? When do you respond?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Yes, it was. I have not received the response yet. In fact, quite a number are in line. The Principal Secretary told me that he is working on them. They could be almost 10 in number.

**Hon. Speaker:** Yes. When can you bring a response to Hon. Oundo's request for statement?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Let me do so next week. Let me just add something. The National Treasury leases a majority of vehicles for the national Government administration officers and our police officers. We have not gotten anything for the last two financial years. I think there was something in this current Budget. However, there have been some court cases. I think it is good to highlight that to Members.

**Hon. Speaker:** Thank you. But, be that as it may, can you bring a response by Wednesday morning or afternoon?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Afternoon.

**Hon. Speaker:** Wednesday afternoon. Thank you. Give Hon. Makilap the microphone.

**Hon. Joseph Makilap** (Baringo North, UDA): I do not know whether the Chairman of the Departmental Committee on Administration and Internal Affairs can handle a matter that rose last night. A huge landslide affected my constituency. The name of the place is Saimo Kipsaraman and Saimo Soi....

*(Technical hitch)*

**Hon. Speaker:** What is wrong with the microphone? Can you give him the microphone again? Change your location. A microphone is on behind the Deputy Speaker. Can you try that? Go ahead.

**Hon. Joseph Makilap** (Baringo North, UDA): I do not know whether the Chairman of the Departmental Committee on Administration and Internal Affairs can handle this matter. Yesterday, there was a heavy downpour in Baringo North in Baringo County.

**Hon. Speaker:** Is that microphone working? Give him a portable microphone.

**Hon. Joseph Makilap** (Baringo North, UDA): Thank you for your indulgence.

There was a heavy downpour in Baringo last night, specifically in Baringo North at the Saimo Hills. A huge landslide ran over some families and households. It killed people and blocked roads in two incidences. This incidence is similar to that of Naivasha, but the magnitude is smaller. How can we institute an emergency to restore order, and ensure accessibility of roads and the people who have suffered? How can the Ministry of Interior and National Administration handle this? Can we have a multi-agency response that is geared into addressing the plight of the residents of Saimo Soi and Saimo Kipsaraman in Baringo North that are in a dire situation? They have no homes as we speak here.

**Hon. Speaker:** I appreciate the urgency of the matter. However, file a Question by Private Notice if you want to raise an urgent matter like that in future. Such must be presented within the same day and must be responded to within 48 hours. The matter is raised. Hon. Tongoyo, can you check with your emergency services to see the veracity of the allegation? What can you do? Go on record.

**Hon. Gabriel Tongoyo** (Narok West, UDA): I am well guided. I will. I also want to add that the State Department for National Disaster Management handles such situations, jointly coordinated by the Ministry of Interior and National Administration.

**Hon. Speaker:** Under which Committee does disaster management fall?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Disaster management is not in my Committee. I think it is under Hon. Lochakapong.

**Hon. Speaker:** Anyway, just deal with it.

**Hon. Gabriel Tongoyo** (Narok West, UDA): I will. Allow me to mention something. You instructed me to respond on insecurity in Garissa for which, I was also supposed to bring the statement. I want to go on record. While awaiting a statement and taking into account the sensitivity of the issue, I organised a meeting between the Members and the Director of Criminal Investigations. I have got information that they have covered a lot of ground. They have agreed on a raft of interventions that are being undertaken in Garissa.

**Hon. Speaker:** Okay. Who requested for the statement? Can you bring a formal statement tomorrow?

**Hon. Gabriel Tongoyo** (Narok West, UDA): It is the Member for Garissa Township and the nominated Member. I will.

**Hon. Speaker:** Okay. Yes, Hon. Pukose.

*(Technical hitch)*

Serjeants-at-Arms, can you ask the technicians to address these irritations? Give the microphone to Hon. Pukose.

**Hon. (Dr) Robert Pukose** (Endebess, UDA): Thank you, Hon. Speaker. I stand for the issue raised by Hon. Makilap, about the landslides in Baringo. More so, in Baringo North. I want to help the Member because Hon. Tongoyo has committed to follow it up. It will not be acted upon when he follows it up verbally and yet, the people of Kipsaraman and those areas might be facing some challenges. Would I be in order that the Clerk assists Hon. Makilap to have something written so that he can take it to the Ministry of Interior and National Administration and the State Department for National Disaster Management so that he can be assisted? It will not work without any documentation. He can be assisted more effectively just on the strength that you have given direction and now that it is on *The Hansard*.

**Hon. Speaker:** Hon. Makilap, can you file your request for statement for tomorrow afternoon?

**Hon. Joseph Makilap** (Baringo North, UDA): Immediately, Hon. Speaker. The situation is dire. I will draft a letter immediately so that the Hon. Speaker receives it any time from now.

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**Hon. Speaker:** Next Order.

## BILL

### *Second Reading*

THE DIVISION OF REVENUE (AMENDMENT) BILL  
(National Assembly Bill No.38 of 2024)

*(Several Members stood along the gangways)*

**Hon. Speaker:** Order, Honourable Members. Members on their feet, please, take your seats. Hon. Member for Kisumu Town, take your seat.

*(Question put and agreed to)*

## MOTION

ALTERATION OF THE CALENDAR OF THE HOUSE

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

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

THAT, pursuant to the provisions of Standing Order 28(4), this House resolves to further alter its Calendar as adopted on 14<sup>th</sup> February 2024 and amended on 25<sup>th</sup> and 26<sup>th</sup> June 2024, so as to:

1. Commence its long recess on Friday, 16<sup>th</sup> August, 2024; and,
2. Resume its Regular Sittings for the Third Part of the Third Session on Tuesday, 17<sup>th</sup> September 2024.

We have to do this because we have important business that we must do next week. We are supposed to proceed for recess tomorrow, 8<sup>th</sup> August 2024. But because of the business that is ahead of us, we propose that we extend for one week so that we can finish that business, and then proceed for recess. This is very important because during the time that we had protests, we had to break earlier. Because of that, I beg that this House joins and agrees with me that we postpone the recess until next week so that we can finish important business.

Hon. Speaker, I thank you. I request my friend and partner in crime to second.

**Hon. Speaker:** Hon. Wanami Wamboka.

**Hon. Wanami Wamboka** (Bumula, DAP-K): Hon. Speaker, I beg to second.

Indeed, we have a lot of crucial business in the House to conclude, bearing in mind that we had to break early in the last part of the Session. We are postponing recess by one week so that the House can finish its business.

Thank you. I second.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Speaker:** Is the Chairman for Budget and Appropriations Committee in the House? Who is handling the Committee of the whole House Stage on appropriations? I do not want us to go to the Committee Stage and then we get stuck.

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*(Loud consultations)*

Hon. Naisula Lesuuda, are you the Vice-Chairperson? I think it is Mary Emaase. Is Hon. Ndindi Nyoro in the House? I have not seen him.

Leader of the Majority party, can you approach the Chair?

*(Hon. Kimani Ichung'wah consulted with the Speaker)*

Honourable Members, I am advised that the Committee has no amendments. Having no amendments and because of the importance and urgency of finalising with this Bill for purposes of assisting our counties, I direct that the Leader of the Majority Party or his Deputy lead the House in the Committee of the whole House. Once we finish that, we will, upon reporting, go straight to the Special Motion, Order No.11. I want us to agree that we can allocate, depending on the interest, an average of two and a half hours to that Motion. If the interest persists, then I can push it to about three hours; meaning that if we start say by 4.00 p.m., we will be voting on that Motion by about 7.00 p.m. So, Members, you are accordingly advised.

Next Order

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

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

### IN THE COMMITTEE

*[The Temporary Chairlady (Hon. Martha Wangari) in the Chair]*

THE DIVISION OF REVENUE (AMENDMENT) BILL  
(National Assembly Bill No.38 of 2024)

*(Loud consultations)*

**The Temporary Chairlady** (Hon. Martha Wangari): Order, Hon. Members. We are now in the Committee of the whole House to consider the Division of Revenue (Amendment) Bill (National Assembly Bill No.38 of 2024).

*(Loud consultations)*

*(Hon. Daniel Karitho walked along the aisle)*

Order, Hon. Members. Consult in low tones. Hon. Karitho, get out of the aisle.

*(Hon. Dorothy Ikiara and Hon. Ruku GK stood in their places  
and spoke off the record)*

Hon. Dorothy and Hon. GK, take your seats. Hon. Members we are already on clause 3. If you intend to speak on this, put an intervention.

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*(Clause 3 agreed to)*

*(Clause 4 agreed to)*

*(Schedule agreed to)*

*(Clause 2 agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

**The Temporary Chairlady** (Hon. Martha Wangari): Hon. Members, we have come to the end of the Committee of the Whole House.

Mover, move reporting.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Chairlady, I beg to move that the Committee do report its consideration of the Division of Revenue (Amendment) Bill, (National Assembly Bill No. 38 of 2024), and its approval thereof without amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

## IN THE HOUSE

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

### MOTION

#### CONSIDERATION OF REPORT ON THE DIVISION OF REVENUE (AMENDMENT) BILL

**Hon. Speaker:** Hon. Temporary Chairlady.

**Hon. Martha Wangari** (Gilgil, UDA): Hon. Speaker, I beg to report that the Committee of the whole House has considered the Division of Revenue (Amendment) Bill, (National Assembly Bill No. 38 of 2024), and approved the same without amendments.

**Hon. Speaker:** Mover.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Speaker, I beg to move that this House do agree with the Committee in the said Report. I request Hon. Junet Mohamed to second.

**Hon. Junet Mohamed** (Suna East, ODM): I second.

**Hon. Speaker:** Have you seconded?

**Hon. Junet Mohamed** (Suna East, ODM): I have seconded.

*(Hon. Anthony Oluoch and other Members consulted loudly)*

**Hon. Speaker:** Order, Hon. Oluoch. Keep your peace.

**Hon. Anthony Oluoch** (Mathare, ODM): Well guided.

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*(Question proposed)*

*(Question put and agreed to)*

## BILL

*Third Reading*

### THE DIVISION OF REVENUE (AMENDMENT) BILL (National Assembly Bill No. 38 of 2024)

**Hon. Speaker:** Mover.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Speaker, I beg to move that the Division of Revenue (Amendment) Bill (National Assembly Bill No.38 of 2024) be now read a Third Time.

Hon. Speaker, this is a very important piece of legislation that is awaited to ensure that we enable the counties to continue with their work. Therefore, I want to thank everybody and all members of the Budget and Appropriations Committee, for the good work even when they were called upon in a very short time to ensure that we do this for the nation and to strengthen democracy.

At this moment, I, therefore, request the Leader of the Majority Party...I do not know whether he is ready to do that! Let me request Hon. Osoro to second.

**Hon. Silvanus Osoro** (South Mugirango, UDA): I second.

*(Hon. (Dr) Ojiambo Oundo and Hon. Beatrice Elachi stood up in their places)*

**Hon. Speaker:** Order! Hon. Oundo and Mama Dagoretti, take your seats.

*(Question proposed)*

I confirm that we have quorum to vote on this.

*(Question put and agreed to)*

*(The Bill was accordingly read  
a Third Time and passed)*

Next Order.

## SPECIAL MOTION

### CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES

**Hon. Speaker:** Hon. Members, as I said, I want us to debate this Motion for an average of three hours. It is now about 3.30 p.m. Depending on the interest, at about quarter to seven o'clock, I will call the Mover to reply. Give the microphone to Hon. Muhia.

**Hon. Wanjiku Muhia** (Kipipiri, UDA): Thank you, Hon. Speaker. I want to request that every Member be given, at least, five minutes, so that as many Members as possible can

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speak on the Motion. Hon. Members are consulting and guiding me that three minutes is enough and I agree.

**Hon. Speaker:** Order! Let us start with five minutes and, depending on the interest, we can exercise our discretion to reduce to three minutes. Hon. Donya.

**Hon. Dorice Donya** (Kisii County, WDM): Thank you, Hon. Speaker. When a media personality wants to communicate a headline with 15 words, this will take three seconds. So, three minutes is enough for every member to express themselves. We have so many things we want to say even in one minute. If you tell a woman, “I love you”, what else do you need to elaborate? That is enough.

*(Laughter)*

**Hon. Speaker:** Thank you. Is it agreed that you speak for three minutes each?

**Hon. Members:** Yes.

**Hon. Speaker:** Leader of the Majority Party, can you move the Motion.

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

THAT, taking into consideration the findings of the Committee on Appointments in its Second Report on the Vetting of the Nominees for Appointment to the Offices of Cabinet Secretaries, laid on the Table of the House today, Wednesday, 7<sup>th</sup> August 2024 and, pursuant to the provisions of Article 152(2) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House—

(i) approves the appointment of the following persons as Cabinet Secretaries—

No.	Name	Office
1.	Hon. (Prof.) Kithure Kindiki, EGH	Ministry of Interior & National Administration.
2.	Dr. Debra Mulongo Barasa	Ministry of Health.
3.	Hon. Alice Wahome, EGH	Ministry of Lands, Public Works, Housing & Urban Development.
4.	Mr. Julius Migos Ogamba, EBS	Ministry of Education.
5.	Hon. Roselinda Soipan Tuya, EGH	Ministry of Defence.
6.	Dr. Andrew Mwihi Karanja	Ministry of Agriculture & Livestock Development.
7.	Hon. Aden Barre Duale, EGH	Ministry of Environment, Climate Change & Forestry.
8.	Mr. Eric Muriithi Mugaa	Ministry of Water, Sanitation and Irrigation.
9.	Mr. Davis Chirchir, EGH	Ministry of Roads & Transport.

No.	Name	Office
10.	Dr. Margaret Nyambura Ndung'u	Ministry of Information, Communication & the Digital Economy.
11.	Hon. John Mbadi Ng'ongo, EGH	The National Treasury and Economic Planning.
12.	Hon. Salim Mvurya Mgala, EGH	Cabinet Secretary, Ministry of Investments, Trade & Industry.
13.	Ms. Rebecca Miano, EGH	Cabinet Secretary, Ministry of Tourism and Wildlife.
14.	Hon. James Opiyo Wandayi, EGH	Cabinet Secretary, Ministry of Energy and Petroleum.
15.	Hon. Onesmus Kipchumba Murkomen, EGH	Cabinet Secretary, Ministry of Youth Affairs, Creative Economy and Sports.
16.	Hon. Hassan Ali Joho, EGH	Cabinet Secretary, Ministry of Mining, Blue Economy and Maritime Affairs.
17.	Hon. (Dr.) Alfred Nganga Mutua, EGH	Cabinet Secretary, Ministry of Labour and Social Protection.
18.	Hon. Wycliffe Ambetsa Oparanya, EGH	Cabinet Secretary, Ministry of Co-operatives & Micro, Small and Medium Enterprises (MSME) Development.
19.	Hon. Justin Bedan Njoka Muturi, EGH	Cabinet Secretary, Ministry of Public Service & Human Capital Development.

- (ii) rejects the appointment of Ms. Stella Soi Lang'at as the Cabinet Secretary, Ministry of Gender, Culture, the Arts & Heritage.

Hon. Speaker, having read that, first, allow me to take this opportunity to thank you as the Chairperson of the Committee on Appointments and all the 20 Members, with the exception of Hon. Opiyo Wandayi. For obvious reasons, he could not sit in a Committee that was vetting the nominees as his name was among them.

Hon. Members, as you will note from the bulky Report that I tabled this morning, Hon. Opiyo Wandayi appeared before the Committee as a nominee to be considered for appointment as the Cabinet Secretary for Energy and Petroleum.

Hon. Speaker, the 20 members, including yourself, sat through Thursday from 8.00 a.m. Hon. Members, as you know, we were checking in at County Hall as early as 7.00 a.m., in the morning, and leaving as late as 10.30 p.m.

Hon. Speaker, allow me to take this opportunity to profoundly thank you and all the Members of this Committee for the commitment, diligence and professionalism you showed while considering all the nominees.

The Report I tabled this morning contains all the proceedings of the Committee on Appointments. It includes the approval hearings of the 20 persons nominated for appointment as Cabinet Secretaries of the stated ministerial portfolios in the Cabinet of the Government of Kenya. As forwarded by His Excellency the President and communicated by yourself on Tuesday, 23<sup>rd</sup> July 2024 and Wednesday, 24<sup>th</sup> July 2024. The names are as read out and the Report...

*(Loud consultations)*

Hon. Speaker, please protect me from the loud consultations. The Report states in great detail what we engaged each nominee on. It also has a litany of all that was said, based on what the nominees filled in their handwritten questionnaire, from their educational background, professional background, places they have worked in, work experience and their net worth. I know the question of net worth became very popular especially with our friends and colleagues in the Fourth Estate.

**Hon. Speaker:** Order, Hon. Members. Hon. Deputy Speaker and your team!

*(Several Members stood up in their places)*

*(Hon. Lillian Siyoi stood up in her place)*

Hon. Siyoi, take your seat. Hon. Members, take your seats. If there is a Motion that you require to pay attention to...

*(Hon Catherine Omanyoo stood in the walkway)*

Order, the Hon. Member lecturing others in the walkway. One of the most important constitutional responsibilities that you carry to this House is that the President cannot sit in the State House and nominate persons to offices of cabinet secretaries without your approval.

*(Hon. Kiborek Reuben spoke off the record)*

Order, Hon. Kiborek! This is one of your most important responsibilities to discharge in this country, apart from dealing with appropriations and the budget. I expect nothing less.

*(Hon. David Kiplagat stood in his place)*

Order, Hon. DK. I expect nothing less. Hon. Osoro, you are the Chief Whip! You should be the last one to cause disorder. I want us to hear each other in silence. I want us to hear your views on the people who are going to assist the President to run this country. I want the country to hear you on what you are handing over to the President to work with. We cannot do that by engaging in mini-*kamukunjis* all over the Floor of the House. Hon. Members, the Chair cannot curtail you from consulting. So, I have allowed you to use the Hon. Speaker's Recess Room to go and consult if you wish. However, let us hear the moving and debating of this Motion, with order and a reasonable degree of silence in the House. The country is watching you. If the Hon. Leader of the Majority Party is speaking and nobody is even hearing him, then when you stand to contribute, what are you going to do? Do not degenerate to a level where we would have in this House, when a Motion as important as this one is being debated, a Member standing up to attack his local chief instead of contributing to the Motion.

The Leader of the Majority Party, proceed.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. I was at the point where I was saying that the Committee considered the Curriculum Vitae of all these nominees, which stipulated where they each went to school. On a light note, many people out there, including Members of Parliament, believed that there were some of the nominees who had not attained the requisite academic qualifications. However, I want to confirm to this House that, indeed, all the nominees indicated that they had the requisite qualifications. Our laws do

not stipulate any particular academic qualifications. However, even those who Kenyans had an interesting engagement with...

For example, Hon. Ali Hassan Joho, in a very good manner, exhibited to the country how he was inspired by Prof. Ali Mazrui to pursue education, having not performed well at KCSE or at high school level. I commend not only Prof. Ali Mazrui, but also the latter day Mazrui in Ali Hassan Joho who has become a great inspiration to many Kenyans. Not every other Kenyan who sits for examinations at the KCSE level or at O levels qualifies to join an institution of higher learning. However, right from the example given by Prof. Ali Mazrui to Ali Hassan Joho of today, he has exhibited to our young people that a good proportion and a good percentage of our own constituents sit for KCSE and do not qualify to join university. That does not mark the end of your life. Not qualifying to join the university after Form IV should not mark an end to your pursuit to better yourself and for academic excellence. Hon. Ali Hassan Joho exhibited to the Committee that he is now pursuing a Master's Degree at Harvard University in the Kennedy School of Administration, which is a commendable thing. I commend Hon. Ali Hassan Joho for not just being nominated, but also for exhibiting to Kenyans that he can also serve as an inspiration to younger Kenyans who should now know that you can get on a path for academic excellence even after having not performed so well at KCPE.

Besides considering their CVs, the Committee also invited the public to submit memoranda by way of written statements on oath or affidavits as stipulated in our Constitution and our laws in the Public Appointments Act on the suitability of each of the nominees. To this end, the Committee received a total of 837 memoranda. I thank the many Kenyans who submitted that huge number of memoranda; which tells you that, indeed, public participation was not superfluous or an exercise for the sake of it. One hundred and twenty-three (123) of those were hand-delivered and 714 were submitted by email.

Section 69 of the Public Appointments Parliamentary Approval Act provides that any person may, prior to the approval hearing, by written statement on oath, provide the Clerk with evidence. It is important for Hon. Members and members of the public to note that it must be a written statement on oath or an affidavit and provide evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated. Out of the memoranda submitted, 181 complied with Section 6, subsection 9 of the Act, while 656 were not in the form of affidavits and hence did not meet the requisite threshold as per the law. Again, out of the 656, some were actually in support of the nominees and, therefore, inadmissible because in law, Section 6, subsection 9 expects you to submit a written memorandum in written form and in the form of an affidavit, being evidence contesting the suitability and not supporting the suitability. There are many Kenyans who wrote stating that they supported the appointment or they thought certain nominees were suitable to hold office. A detailed analysis of the memoranda is contained in Chapter 3 of the Report and Members can peruse to see that for themselves. It is also noteworthy that the affidavits were largely on the following issues:

1. The dismissal from Cabinet by the President vide Gazette Notice 8440 of 2024.
2. Allegations of corruption and abuse of power.
3. That the President, by appointing persons from the Minority Party, should not have been allowed and there were memoranda that were submitted on that basis.
4. The list of nominees did not comply with the two-thirds gender rule or gender principle.
5. The list of nominees did not reflect representation from special interest groups.
6. Integrity issues and alleged violation of Chapter 6 of the Constitution.
7. Alleged violation of Articles 103, (1) (e) and 194, 1 (e) of the Constitution.

It is notable that all these issues, as Hon. Members and the public will be able to see from the Report, were exhaustively addressed by the Committee. There is not a single issue of

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the seven or six issues that I have mentioned that have not been exhaustively, as you will see in the Report, addressed. We are obligated to do that by our own statutes and we must address each of the issues that have been raised in the memoranda. Additionally, 163 affidavits contested the nomination of 10 nominees on the grounds that they had previously been dismissed from office and, hence, could not lawfully be re-appointed to the Cabinet.

To this end, the Committee observed that Articles 132 (2) and Article 152 (2) of the Constitution of Kenya vest the power to constitute the Cabinet solely on the President. The Committee also observed that the nominees were not dismissed under the provisions of Article 75 (2) of the Constitution and were, therefore, not disqualified from holding any other State office. That point was conversed in the Committee and even in other fora outside the Committee. It was a finding of the Committee that any of the nominees who has not been dismissed pursuant to Article 75 (2) is not excluded from being re-appointed after dismissal by his Excellency the President. It is important to be clear on that.

The word dismissal is in line with the provisions of Article 152 (5). Hon. Members, the Article says that the President may dismiss or re-assign Cabinet Secretaries. Therefore, there is no option under the current Constitution to suspend or to have a Cabinet Secretary step aside. The President can only dismiss you or re-assign you. When the President chose, as it is stipulated in Article 132, to dismiss the Cabinet, he was well within his powers to do that. So, there is no legal provision that bars the President from re-appointing any person who has been indicted as being unfit to hold office under Article 75 of the Constitution or any relevant law.

In respect of the Attorney-General (AG), the Committee observed that the nominee, Hon. Justin Bedan Muturi, had not been dismissed as the AG, but had resigned in accordance to Section 11 of the Office of the Attorney-General Act in consultation with the President to give the President an opportunity to re-organise his Government as evidenced by Gazette Notice No. 8440 of 12<sup>th</sup> July 2024.

The Committee also conducted background checks on the nominees by seeking references from the Ethics and Anti-Corruption Commission (EACC) on ethics and integrity; the Higher Education Loans Board (HELB) on loan repayments for those who had gone through our public and private universities and were funded from the Exchequer; the Directorate of Criminal Investigation (DCI) on criminal records on each of the nominees; and, the Office of the Registrar of Political Parties (ORPP) on holding office in political parties. As Hon. Members may know, a nominee nominated to serve in the Cabinet should not hold a political party office. Those that held political office like Hon. John Mbadi, Hon. Ali Hassan Joho and Hon. Ambetsa Oparanya had evidence that they had resigned from their political party positions in ODM, the oldest party in our nascent democracy.

We also got information from the Kenya Revenue Authority (KRA) on tax compliance and the Commission for University Education (CUE) on authenticity of academic certificates. That was important. Many people doubted certain degrees. The CUE ascertained that the degrees and degree courses that the nominees submitted before the Committee are recognised in the Republic of Kenya.

In considering the suitability of the nominees for appointment, the Committee paid due regard to the constitutional and statutory requirements relating to the offices in question, and whether the nominees' abilities and experience met the needs of the said offices. Further, the Committee was guided by constitutional and statutory requirements such as our national values and principles of governance, the conduct of State officers, specific qualifications for appointment as Cabinet Secretaries, and leadership and integrity prerequisites.

It is in this light that the Committee recommended all the 19 nominees listed, having looked at their suitability and assessment after scrutiny of their background, academic credentials, professional qualifications, work and professional experience, personal integrity, and performance during the approval hearings.

The Committee observed that out of the 21 nominees whose names were submitted to the House, including the names of former Attorney-General, Justin Bedan Muturi, Stella Soi, Wycliffe Ambetsa Oparanya and Alfred Nganga Mutua... I do not have to repeat all the names in the interest of time and so that I can allow other Members to have adequate time to consider and debate all the nominees, the House should consider the 20 of them for approval, and reject the approval of only one nominee, Ms. Stella Soi Langat.

The 20 nominees are recommended for approval so that they can take office if approved by this House. What the Appointments Committee has done is that it has vetted and considered for approval the 20 nominees and rejected the nomination of Stella Soi Langat, who had been nominated for appointment to the Ministry of Gender, Culture, Arts and Heritage. That lady is a career civil servant who has extensive experience in public service. However, she did not demonstrate adequate understanding of the docket to which she had been nominated. The Committee found her unsuitable for appointment to that docket.

I want to refer Members to Page 238 of the Report on observation Number 8 of the Committee. The Committee noted that the nominee's experience in the Public Service is marked by very frequent job transitions in various roles. All the six different postings ...

**Hon. Speaker:** Give the Leader of the Majority Party five minutes.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Speaker, I was winding up. I was saying that the nominee's experience in the Public Service was marked by very frequent job transitions in various roles. All the six different postings that the nominee has held do not require any long-term strategic planning. As a result, she is not grounded in any specific leadership role in the Public Service. Therefore, it was the feeling of the Committee that if you had a nominee like this one serving in a high office like that of a cabinet secretary, it may not sit well with serving the public in a manner envisaged by our statutes and the expectations of the public.

The nominee failed to demonstrate adequate knowledge of topical administrative and technical issues touching on the Ministry of Gender, Culture, Arts and Heritage to which she had been nominated. For those who were watching the vetting, they may remember a few of the unfortunate mentions of our honourable ladies without husbands. This being a gender Ministry, it was the feeling of many people across the country that she is not suitable to address gender issues in that Ministry.

The nominee is unsuitable for the position that she was nominated because she was unable to respond, in a satisfactory manner, to the queries that were raised during the approval hearing relating to gender, heritage and culture.

I want to close by stating that being nominated to the office of a cabinet secretary is, indeed, a great honour. Once members of the public or even Members of Parliament like Hon. Wandayi, Hon. Mbadi, and former governors are nominated to serve in a high office of a cabinet secretary, it is our solemn duty as Members of the National Assembly to vet them by checking their suitability to hold office.

There may be a feeling that certain nominees may not sit well in certain dockets. In line with Article 152(2) of the Constitution, the prerogative to re-assign dockets is vested with the President. I know there were feelings of, probably, a particular person's qualifications and experience fitting better in another Ministry other than the Ministry they were nominated to. As the Committee on Appointments, it was our feeling that we leave that to the President. It is his prerogative to re-align and re-assign dockets as time demands and as he may find it fit in terms of where he wants his Cabinet to be as he endeavours to deliver to the people of Kenya.

In conclusion, on behalf of the Committee, allow me to thank all the nominees for offering themselves to serve the country. Martin Luther King Jr. once said that: "Life's most urgent question is what you are doing for others." As leaders, we should always be guided by what is best for the people of Kenya. The House is mandated to either approve or reject the nomination for appointment based on suitability, and the outcome can either be an approval or

a rejection. An approval simply signifies that the Committee established that a person is suitable for the office to which he has been nominated to. In the same lenses, a rejection...

*(Loud consultations)*

*(Hon. Kiborek Reuben consulted loudly)*

**Hon. Speaker:** Order, Hon. Members! Order, Hon. Kiborek.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): In the same lenses, a rejection only connotes a person's unsuitability to the office to which he or she is being nominated and is, in no way, an indictment of the capability or competence of a nominee to perform other responsibilities. I am saying that with all due respect to the nominee, Ms. Stella Soi. Her rejection is not in any way an indictment of her capability or competence to perform other responsibilities. It is only her suitability to hold the position of Cabinet Secretary for Gender, Culture, the Arts & Heritage.

Therefore, His Excellency the President has the prerogative to nominate her to any other position other than what she had been nominated to. The President has also the prerogative to nominate another person from the same region, same area and the same village.

**Hon. Speaker:** Give him two minutes.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): I would encourage the President to nominate another equally qualified candidate from the same region and the same place. As I said, someone with the requisite experience and qualifications and is suitable to serve in that office.

With those many remarks, I now beg to move and ask all the Members, in one accord, to support this Report. We have all put in a lot of man-hours up to late this morning, when we adopted this Report, having considered all the issues that came before the Committee. I am confident that once we adopt this Report as it is, this new Cabinet and those that we will be vetting this Friday, including a replacement for that lady, in the words of Martin Luther King, will serve the people and look at what they can do for others and not for themselves.

I beg to move and take this opportunity to ask all of you to support this Report. I also request my counterpart and good friend, Hon. Junet Mohamed, to second. I am not sure whether he is now the Minority Whip or the incoming Leader of Minority Party.

Thank you.

**Hon. Junet Mohamed** (Suna East, ODM): Thank you, Hon. Speaker, for giving me this opportunity. At the outset, I stand to second the Motion for the approval of the nominees. I also support the Motion because, as you said earlier, it is the constitutional responsibility of this House to make sure that this country has cabinet secretaries (CSs). As you are aware, before this Constitution, the President used to appoint and dismiss Ministers as he wished. But now under this new Constitution, there is a constitutional requirement that any nominee that has been brought by the President must be approved by this House. And today, we are here exercising that constitutional mandate.

I want to urge my colleagues to take this matter of the approval very seriously. The confirmation of cabinet nominees is not just a procedural formality, but a vital process that shapes the trajectory of the governance of our country. You are a veteran politician and lawyer, and you will recall that the President used to nominate anybody he wanted to. Academic qualification and experience did not matter. Even if you had never stepped in a classroom, the President had the prerogative to appoint you as a minister. However, at this point in time in this country, you will be nominated, but Parliament will have to look at your suitability and whether you have the capacity to perform. So, for that reason, those nominees went through a rigorous evaluation and we also looked at their experiences.

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I want to take this opportunity to thank you as the Chairman of the Committee because we put in a lot of man-hours into this matter. We took a lot of time to scrutinise those nominees. All the nominees appeared before the Committee in person. All the questions were put across to those nominees, and majority of them answered satisfactorily as evidenced by the Report of the Committee.

Hon. Speaker, we also need to ask ourselves why we are in this situation at this point in time. Why are we vetting CSs mid-term, when the term of the election has not ended? We are in this situation because of our own making. The issue that brought us to this situation was captured very well in our vetting process: Arrogance, opulence and show-off. We put those questions to the nominees, and majority of them took their time to answer that question. They told us that they are not people of show-offs.

*(Loud consultations)*

**Hon. Speaker:** Members on the Majority side, try and minimise your levels and tones of conversation so that we can follow the proceedings.

**Hon. Junet Mohamed** (Suna East, ODM): Some of the Members in the Majority Side are being disturbed by what happened in the vetting Committee, precisely, the rejection of one of the nominees. We must have a vetting Committee and what it did must be taken very seriously. The Committee spent many man-hours to check on the suitability of every candidate, and the Committee is not doing any victimisation. The Committee did its work in accordance with the Constitution and the laws of the country, like the Parliamentary Approval Act. If a nominee is incompetent, the Committee cannot say anything other than that he or she is indeed incompetent.

*(Loud consultations)*

*(Hon. Gideon Kimaiyo consulted loudly)*

**Hon. Speaker:** Order, Hon. Members. Take your seat, Hon. Junet. Order, Member for Keiyo South! I will give you an opportunity to have your say. This is not a public rally. This is the National Assembly of Kenya. The right for everybody to say what they are saying corresponds with the right for everybody to listen to those who are saying something. Just listen to your colleagues. You will also be listened to in the same decorum. Proceed.

**Hon. Junet Mohamed** (Suna East, ODM): As a Committee, when we say that someone is not suitable for this job, we are not imputing any improper motive on that person. We are just saying that, that person is not suitable for this job, but can do another job elsewhere. We are not in this National Assembly to defend and protect anyone. We are just here to say the truth as it is.

I want to say that the Committee found the majority of the nominees to be suitable for the job they have been given. It is this House that can hold people accountable. We cannot hold CSs accountable outside this House. It is our constitutional mandate to hold people accountable. What is the point of sending someone to a job and after a year or two, you again have to recruit like what is happening now. This time, we must take our job very seriously because the CSs that we vetted at the beginning of this term were assumed to serve their term up to the next general election, but they could not do that. Out of 22 CSs who were in office, ten of them were dismissed. They are at home.

**Hon. Speaker:** Give him another five minutes.

**Hon. Junet Mohamed** (Suna East, ODM): More than half of the Cabinet members that were vetted by this House at the beginning of the term are at home. It is the prerogative of this

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House to decide who will be approved or not. However, we must take the Report of the Committee very seriously. The Committee did public participation and interviewed the nominees. They also looked at their curricula vitae, compliance documents, and physical appearance. I urge this House not to belittle the Report of the Committee. It is as important as the decision we will make here.

We also looked into integrity and accountability issues thoroughly. There were allegations that were raised by certain Hon. Members. For instance, issues of corruption were raised against a nominee, Hon. Oparanya. We clarified that the Ethics and Anti-Corruption Commission (EACC) and the Director of Public Prosecutions (DPP) wrote to Parliament and said there were no charges against him. Based on that, we made a decision. He appeared before us and said if there was any iota of evidence on him regarding the allegations of corruption, he would resign even if he was appointed.

Drugs issues were raised about Hon. Hassan Ali Joho. The former Minister for Internal Security and Provincial Administration, the late Hon. George Saitoti, came here and brought a Report against him. A week later, a Report was brought to Parliament clearing him. We looked into all those issues and cleared all those nominees.

Issues of opulence, sideshows and arrogance were levelled against Hon. Murkomen. We looked at him. On that day, he came with a tie and a suit that did not look very expensive. Going forward, he should not put on another one. He should continue wearing the same one he wore when he appeared before the Committee.

*(Laughter)*

We also looked at their commitment to public service. Most of the nominees showed high levels of commitment to public duty. We saw it from the way they were answering questions. They said that they were willing and ready to serve the country.

In conclusion, there is nothing that stops this House from impeaching any cabinet secretary who does not perform his or her functions. That responsibility is with us here. The day a cabinet secretary nominee does not perform his or her functions in accordance with the Constitution and the wishes of Kenyans, we have the responsibility to remove him from office through an impeachment.

Lastly, I urge the nominees to kindly have in mind what Kenyans expect of them once they assume office. We interviewed the nominee for the Ministry of Interior and National Administration. We told him there were many complaints about deaths that occurred when Kenyans were demonstrating. He has to put into consideration the sanctity of life. Kenyans must not die for exercising their freedoms and rights. Demonstration is allowed in the country, but the rights of other Kenyans must be respected during demonstrations.

We looked at everything possible and concluded that 19 nominees were suitable for office. I am proud of my colleagues whom I was with in the same party, and who have now joined the Executive. It has proved to me that the Raila Odinga Academy School of Politics is the best in this country. Look at the kind of nominees they have donated to the Executive. Hon. Hassan Ali Joho, Hon. Oparanya, Hon. Opiyo Wandayi, and Hon. Mbadi are the best nominees and experts that this country can have. When they appeared before the Committee, it was perplexed. They said they did not know that the Orange Democratic Movement (ODM) had that kind of expertise. We thought ODM only consisted of hecklers, and people who throw stones and make noise in this town. Now we have proved to Kenyans and this House that the best expertise is found in ODM.

With those few remarks, I second the Motion.

*(Applause)*

*(Laughter)*

**Hon. Speaker:** Order, Hon. Members. Take your seats.

*(Question proposed)*

**Hon. Speaker:** Hon. Members, if you are called to speak, we have all agreed that you will do so for three minutes. Therefore, compose your thoughts and deliver your point in three minutes. Hon. Wachira Karani.

**Hon. Wachira Karani** (Laikipia West, UDA): Thank you, Hon. Speaker. I support the Report of the Committee on the consideration of nominees for appointment as cabinet secretaries.

I am particularly impressed by the first candidate, the nominee for the Ministry of Interior and National Administration. I come from Laikipia, where we have a lot of insecurity incidents. Our people live in hell. Since that person was appointed Cabinet Secretary in 2022, he has calmed the area. People used to be killed, animals stolen, women raped, and others maimed, but things have since changed. I am sure that the Members who come from the North Rift will agree with me that things have changed in our regions. That is one Cabinet Secretary who speaks very little, but does a lot. In the previous Government, we had somebody who was very boastful in a similar position. He would talk a lot and shout but, eventually, he would do very little. Things have changed today. I remember a Cabinet Secretary in the previous Government who came to my place sometime back, because people had been killed. He talked very tough. He said such incidents would not happen again because he would bring commandos to work with us. Bandits descended on our area the night the Cabinet Secretary took his plane and went back to Nairobi. They killed seven people and carried many livestock. Things are different today.

Therefore, I support the Motion. Thank you.

**Hon. Speaker:** Hon. Wilberforce Oundo.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Speaker. I stand here to support the Report of the Committee on Appointments. While I may have many reservations about some proposed nominees, it will be utterly unfair to contradict what a Committee mandated by this Parliament and the Constitution of Kenya has done. It has done its job. Of course, some members with dubious academic papers and light academic qualifications have been proposed. That is what the appointing authority wanted. I want to quote what Hon. John Mbadi said here when we were vetting the first Cabinet: "Since he wanted a skunk, let us give him the skunk. I hope he will not have to come back seeking another line of support".

Having read the Report from paragraph 1065 to the end, nobody has an issue with the qualifications of the rejected nominee. When you look at the answers given to very pertinent issues concerning gender, I concur with the Committee. She is not qualified for this assignment. It will be prudent for the appointing authority to consider her for other assignments. Since she has extensive knowledge in public administration, I suggest it would be prudent for the President to swap her with Hon. Bedan Muturi to go and handle that aspect. Hon. Bedan Muturi can come to the other Ministry. There is a very great misconception that gender is about women. Gender is about both men and women, boys and girls. Why is it that they only look for a woman all the time they appoint a cabinet secretary in charge of gender issues? That is why we continue to marginalise the boy child, frustrate the men, and see mental health issues in the country rise. It is time we talked about gender. Let us be gender sensitive and not discriminative.

As I conclude, we are vetting those cabinet secretaries to go and serve the people of Kenya as provided for in the Constitution. Yes, they serve at the pleasure of the President. However, they must know that they are serving the people of Kenya. The people of Kenya are represented by their representatives who are here. We hope they will not go to the office and block Members of Parliament from accessing them to present issues that are affecting the people of Kenya.

With those few remarks, I support the Report.

**Hon. Speaker:** Hon. William Kamket.

**Hon. Kassait Kamket** (Tiaty, KANU): Thank you, Hon. Speaker. I rise to support the Report. The President took the opportunity to re-organise his Cabinet mid-term. Riots in the country presented an opportunity to the President. He is a lucky man. Perhaps, he would have lived with the same group if what happened in this country did not happen and that would be a very dangerous road ahead, as we move towards the next election.

Appointment of cabinet members who include Members of Parliament from the Minority or the Opposition has given this country a fresh impetus and start. Indeed, the President has demonstrated that he listens and that he has a big heart. He has been magnanimous even in victory. He has offered an olive branch to the Members in the Opposition to come and serve with him in the same Cabinet. That demonstrates one thing - we are all Kenyans. We are all Kenyans at the end of the day. We all belong to only one country even if we agree or disagree on anything or any matter - the Republic of Kenya.

I echo what the Member for Laikipia West has said. I want to single out the Cabinet Secretary nominee for Interior and National Administration. The gentleman has done a good job in the North Rift where I come from. Whatever measures he has put in place, I am happy that he has been given a second chance to come and finish the job he has begun.

With those few remarks, I support.

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

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

I also rise to support the Report, but with a very heavy heart. It is always women who are vetted; only to find themselves in the situation that Ms. Soi finds herself in. Having said that, it is important to understand that we are coming from a very delicate situation. I appreciate all the nominees, and I just want them to know that they come at a time when Kenyans felt that those who have gone home had become very proud. Those who were fired never understood who was at the gate. They never understood peoples' challenges. They are human beings. Learn to appreciate your team, starting from even your tea-girl. Know or ask how she is or how he is. Those are the few things or just small values that matter, and Kenyans feel about them. When you get a title, you get entitled and think you have now become beyond the President. They should remember we have a President. Let them go to support him. He has not appointed you to become another President in your Ministry. He has appointed you to serve Kenyans.

Therefore, even as we say we have three minutes to speak to this Report, one thing I will say is that we have to change the Appointments Act and put in very serious questions that we need to ask in this country. When you come and say my wealth is this amount, it is always good to expound so that Kenyans do not start thinking that you have made money for doing tenders with the Government. Just expound. We cannot blame the nominees. We can only blame what our Act provides. It is important to amend it. We will want to know whether you are a member of an association within your neighbourhood. We want to know even how you relate with your neighbours because you are coming to handle people. That is the other thing Kenyans were crying about.

I support. It is time to work. Thank you.

**Hon. Speaker:** Hon. Rindikiri.

**Hon. Mugambi Rindikiri** (Buuri, UDA): Thank you, Hon. Speaker. I rise to associate myself with the Report of the Committee. At the outset, we need to support this Report. I have studied part of the Report and picked two things I was very keen on. One of them is the Cabinet Secretary nominee for Water, Sanitation and Irrigation. After watching Mr Eric articulate issues to do with water, I concluded that he was ready to learn more. He also demonstrated a potential to lead the Ministry. Let him be a good example to other young professional people who are ready to steer this country. He is not a polluted candidate. I support his nomination.

I truly identify myself with Prof Kithure Kindiki. He a Cabinet Secretary who has put his life in danger by visiting all the dangerous zones in this country. We know there are zones with bandits and *Al Shabaab*, among other dangers. If one can take a risk to be at the front in combat, that is a very nice nomination. He is also available. When you call him and he misses your call, he returns it or writes a message to say that he will call back. This is one nominee who welcomes Members of Parliament and the public to his office. When cattle rustling became very intensive in Meru County, he came and held *barazas* himself. He is one person who keeps his promises. As we discuss this nomination, we need to enhance the position of the Cabinet Secretary. As a House, we need to address the operation of the security system. The Inspector-General of Police is a centre of weakness. We have to address that because the weakness many people see in Hon. Kindiki is because of that of the Inspector-General of Police.

Hon. Speaker, with those few remarks, I support.

**Hon. Speaker:** Hon. Zamzam.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Ahsante sana, Mhe. Spika, kwa kunipatia nafasi hii ili nichangie Hoja ya leo ya Mawaziri wateule. Ntoa *support* na kupongeza Kamati ambayo ilifanya *vetting*. Nina furaha kubwa kwa sababu tumepata Waziri ambaye atatusaidia sana katika Wizara ya *Mining na Blue Economy and Maritime Affairs*.

**Hon. Ken Chonga** (Kilifi South, ODM): On a point of order, Hon. Speaker.

**Hon. Speaker:** Yes, Hon. Chonga, what is out of order?

**Hon. Ken Chonga** (Kilifi South, ODM): Thank you, Hon. Speaker. Parliament gives us an opportunity to learn more about language. Is it in order for the Member to use both Kiswahili and English? She says *nataka kupongeza ile 'vetting... Vetting is an English word. Tungependa kujua 'vetting' kwa Kiswahili so that we can learn.*

**Hon. Speaker:** Hon. Zamzam.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Ahsante sana, Mhe. Spika. Lugha zote mbili zinakubalika katika taifa. Mhe. Ken Chonga, wakati tuna mada muhimu kama hii, ambapo tumepata kiongozi jasiri sana, usinzuilie mimi dadako kuzungumzua. Unanitoa *masteam*. Ningependa kusema kuwa...

**Hon. Ken Chonga** (Kilifi South, ODM): On a point of order, Hon. Speaker.

*(Loud consultations)*

**Hon. Speaker:** Yes, Hon. Chonga. What is it?

**Hon. Ken Chonga** (Kilifi South, ODM): Hon. Speaker, I know my sister is a first-timer. But we know that we either express ourselves in English or Kiswahili, but not mix the two languages. If that is the trajectory that we will take, give a ruling on the same.

*(Loud consultations)*

**Hon. Speaker:** Order, Hon. Members

*(Hon. Owen Baya consulted loudly along the aisle)*



Order, Hon. Owen Baya. Hon. Members, take your seats. Hon. Chonga, linguistic development is not limited. When you contribute here, if you start in English, you must finish in English. The same case applies if you use Kiswahili. That is not what he is saying. Picking a word ‘vetting’ and inserting it in a Kiswahili prose does not deviate from the norm of starting with one language and veering off. This is for the simple reason that we even have words like ‘safari’ in English, even though it is a Swahili word. You can speak in English, say safari and somebody stands up, like Hon. Chonga, and says that we have gone into Kiswahili. So, Mama Zamzam is perfectly in order. You can never tell in another 10 years, “vetting” might find itself in the *Kamusi ya Kiswahili*.

(Applause)

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Ahsante sana, Mhe. Spika. Naomba dakika zangu tatu.

Nachukua fursa hii kumpongeza Rais wa taifa hili, Mhe. William Samoei Rut, o kwa kumteua ndugu wetu wa Pwani, Mhe. Hassan Ali Joho, kama Waziri wa Madini na Uchumi Samawati. Hii ni Wizara ambayo imeshika sana sehemu kubwa na uchumi mkubwa wa taifa. Naamini kuwa ueledi wake wa uongozi, vile tunavyomjua, atahakikisha kuwa madini yanaleta faida kubwa katika taifa na kuhakikisha wale watu wanaokaa sehemu ambayo tunatoa madini wanapata haki yao. Kuna wakati katika taifa hili, Mhe. Hassan Ali Joho alisimangwa. Nampongeza Kiongozi wa Chama cha Wengi kwa kusema kuwa watoto wengi hawahudhurii masomo kwa sababu ya ukosefu wa karo. Pia, kuna mambo mengi ambayo yanatoa watoto wengi darasani ndio maana hawakufanya vizuri katika masomo. Lakini hiyo haikuwa mwisho wa masomo yao.

Nampongeza ndugu yangu, Mhe. Hassan Ali Joho, kwa sababu aligeuza hali yake akajisomesha mwenyewe na sasa anafanya *Master’s Degree*. Nina uhakika kuwa atafanya kazi kwa ueledi na kuongoza taifa la Kenya liweze kwenda mbele. Namwombea Mungu amutangulie mbele. Najua ana nguvu na uwezo wa kufanya Wizara ya Madini na Uchumi Samawati iinuke.

Niruhusu niongee kuhusu huyu dada yetu, Bi. Stella, ambaye amekataliwa. Hii ni Wizara ya akina mama. Inataka Waziri ambaye anaelewa zaidi sababu gani tulipata hiyo Wizara. Ilikuwa dhahiri kuwa hakuelewa *docket* hiyo inahusu nini. Najua ilikuwa inatolewa katika *region* tofauti. Hata wale ambao wametoka kule wanaweza kutuletea mama mwingine ambaye amepigwa msasa vizuri ambaye anaweza kuhudumu katika Wizara hiyo bila kuleta sitofahamu. Kwa hivyo, hii *list* nyingine yote *naisupport*. Namwomba Mhe. Hassan Joho achape kazi na kumhakikishia kuwa tuko nyuma yake.

Mhe. Spika, ahsante sana.

**Hon. Speaker:** Hon. Makilap.

**Hon. Joseph Makilap** (Baringo North, UDA): Hon. Speaker, I rise to support the Report of the Committee. The question we ask ourselves is: Did we see the Committee on Appointments do their job? Did they spend time examining the suitability of the nominees? The answer is yes. In my opinion, I do not think that the time they spent on Sunday when they were supposed to go to church was in vain. It was a time to scrutinise people who will serve Kenya, regardless of where they come from, their colour or religion. That is why you had to do it even on Sunday.

Nominees are vetted and a Report is brought to this House to be approved or rejected. Once they get the favour of the House and are appointed, regardless of where they come from, they will serve all Kenyans. I expect the Cabinet Treasury for the Ministry of National Treasury and Economic Planning, Hon. John Mbadi, to serve the people of Kenya, including Baringo

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County, where we did not have any cabinet secretary. We expect nominee Cabinet Secretary, Hon. Joho, to serve all Kenyans. Cabinet secretaries that shall get the favour of this House shall diligently serve the appointing authority, the President and the people of Kenya. That is underlined: They are not supposed to serve their party leaders but the President, who is the appointing authority, and the people of Kenya.

Cabinet secretaries that showed performance were rewarded. I come from a county that has been ravaged by banditry. Kindiki is a professor of law, but he has excelled in security. Today, the people of Baringo are able to sleep because of the time he has spent in the bush. Most of the time, you will find him across Kenya.

I call upon the cabinet secretaries, if they find favour from this House, to understand the technocrats who work in the ministries. They should not overrun them or ignore the Members of Parliament who have spent a lot of time approving them and later on try to disobey what we present to them. We are the peoples' representatives. We represent the interests of the people. Any Member of Parliament who will go to any office of the cabinet secretary, will no longer be business as usual. The business now is to serve the people of Kenya in a manner that will please Kenya and bring prosperity to this nation. This nation was not thriving, but this is an opportunity to correct all the wrong things, including opulence, so that Kenyans can get the people to serve them.

Finally, the Government is big...

*(Hon. Joseph Makilap spoke off the record)*

**Hon. Speaker:** Give him one minute.

**Hon. Joseph Makilap** (Baringo North, UDA): The Government is big and I ask the appointing authority to find favour because during the vetting, that lady did not communicate properly. Her suitability was not correct, but may the appointing authority find favour to place her in any place in Government so that the people in the region she comes from can continue to have hope because they had seen hope. I ask the appointing authority to find favour and appoint a lady from Baringo so that this country can move forward. Thank you.

**Hon. Speaker:** Hon. Adan Keynan.

**Hon. Adan Keynan** (Eldas, JP): Thank you, Hon. Speaker. Kenya is a representative democracy where the current Constitution confers power to each of the three Arms of Government. Under the current Constitution, pursuant to Article 152, the President nominates and Parliament vets and approves through public participation. What the Committee has done is to put into context the constitutional role of each of the three Arms of Government.

Having said that, we need to reflect on what has happened to the just dissolved Cabinet. Some of the things that I have noted is that when you are appointed to a public office, civility is not a sign of cowardice. One of the things that was missing in the just dissolved Cabinet was civility and humility. One of the former lady Cabinet Secretary always tasked her bodyguard to carry her bag. I ask and plead with my good sisters that in the African culture, that is an abomination and should not be allowed. It is an abuse of office.

Article 1 of the Constitution vests powers...

**Hon. (Dr) Lilian Gogo** (Rangwe, ODM): On a point of order, Hon. Speaker.

**Hon. Speaker:** Hon. Lilian Gogo, what is the problem?

**Hon. (Dr) Lilian Gogo** (Rangwe, ODM): Thank you very much, Hon. Speaker. I want to bring to the attention of my senior that when somebody holds a bag for a woman, it has nothing to do with culture. We are not going to attack women at their places of work. Men do not carry bags. Women do. It could just have been in a state of emergency.

**Hon. Speaker:** Hon. Lilian, what is the issue?

**Hon. (Dr) Lilian Gogo** (Rangwe, ODM): As we discuss the approval of those honourable Kenyans, let us leave women alone.

**Hon. Speaker:** Hon. Lilian Gogo, that is hypersensitivity, honestly. Hon. Keynan did not say that men are given bags by women to hold but, rather, the women are giving men bags to carry for them because they are their security! It is not right. That is his opinion and I do not see that as an assault on women. Go on.

**Hon. Adan Keynan** (Eldas, JP): Thank you, and I really respect my good sister. The reason I say this is because we are Africans and each one of us, both ladies and men, must be respected. The role of a bodyguard is clearly defined in their job description. It is not to carry the bag of anybody, but to take care of the security of that particular individual.

I urge the nominees who are likely to be approved to humble themselves. This House should not be a conveyor belt for cabinet secretaries. When we vet and approve them, we should also hold them to the highest standards of accountability. That is the only way the role of this august House will be respected. It is not just a matter of approving them.

It was difficult to get an appointment from the previous cabinet secretaries. It was equally difficult to get them on telephone, or even see them. It is like they were in another world.

Once we approve this group today, I urge them to desist from such behavior. Otherwise, we will invoke the provisions of the law to bring them down just the way we approve them today.

Having said that, the reason we are doing this is because we have failed in our constitutional pursuit. As we reflect on the changing dynamics, can we think of the Bomas Draft? Do we know the provisions? Why did we lose that sanity, and what happened? Why did we throw away the role of the Member of Parliament? As we do this, I want you to think because Kenya is a dynamic country. Can we think of bringing back the Bomas Draft so that the role of the Member of Parliament, as clearly enshrined in Article 1, is manifested in the management of our nation's day-to-day activities? Otherwise, we are floating.

When the young Hassan Joho was elected in 2007, he was my Vice-Chairman in the Departmental Committee on Defence and Foreign Relations. And I can tell you, regardless of anything that was said, he remained a resilient, highly focused and well-placed individual in anything that he touched. That is one thing he clearly demonstrated when he was my Vice-Chairman.

Once he is appointed, he is no longer a Coast kingpin, Madam Zamzam. He remains a property of the 50 million Kenyans. He should now move away from the coastal politics and contribute to the national well-being of Kenya.

I agree with those who have said that the group that has been appointed are products of a particular school of thought. Each one of us remains persuaded by a particular political thought. But, that notwithstanding, once you have been nominated and approved, you remain the property of the Republic of Kenya. Wherever you are and in whichever ministry you are in, you should serve the interests of the people of Kenya.

I support the list. Thank you.

**Hon. Speaker:** Hon. Nyakundi. You log in and then you leave. Hon. Nicholas Ng'ikor, Member for Turkana East.

**Hon. Nicholas Ng'ikor** (Turkana East, JP): Thank you, Hon. Speaker for giving me this chance to add my voice in support of this list and the Report of the Committee that you chaired.

I have gone through the Report and what I have seen is that all the nominees that the Committee has recommended for approval by this House, are Kenyans who are ready to serve in the respective ministries that they have been nominated to head.

I particularly want to go to specific nominees of different ministries, starting with the nominee for the Ministry for Interior and National Administration. I support the Committee's

Report on this nominee. Having witnessed Professor Kindiki's work firsthand in the North Rift, often referred to as a bandit zone, I can confidently say that he has done a great job there. Since he was appointed to the position, he has done a good job in the North Rift. Having been given a chance to continue in the same docket, he is going to give the people of North Rift what they have been looking for, for all these years on matters security. Looking at the list again, the lady who has been given the docket of Ministry of Defence comes from the pastoralist community. As pastoralists, we work well without supervision. I believe that lady will do a good job in that docket and show the country that she is the right person for that position.

The Cabinet Secretary for the Ministry of Environment, Climate Change and Forestry, Hon. Aden Duale, is now in the....

**Hon. Speaker:** Member for Moyale.

**Hon. (Prof.) Guyo Jaldesa** (Moyale, UPIA): Thank you, Hon. Speaker. First, I want to congratulate the President of the Republic of Kenya, for making a wise decision to have people from across the country in his Cabinet.

Hon. Speaker, imagine a Turkana woman will sit in the Cabinet of Kenya. For a long time, the Ministry of Health has suffered with non-medics at the helm. Today, we have a competent physician to head that Ministry and a lady for that matter. This is the biggest achievement for the Republic of Kenya and the medical fraternity that, a medical doctor will sit in the Cabinet and advance decisions. I see an opportunity for the professionals to influence leadership. As a doctor, she is technically sound, willing to learn and work with the very highly competent medical teams. This will help advance the healthcare system in the country to a higher level. Through her, I see an opportunity for us to achieve the Universal Health Coverage (UHC).

For the former cabinet secretaries who were dropped, some were operating from their private offices. They did not answer peoples' phone calls and this is an opportunity for them to re-think about what they were doing and change. I want to repeat that the President has destroyed the Opposition. He has brought the country together and so, we shall all work as a team. With that, I support the Committee's Report.

As a gynaecologist, I sympathise with the lady who was rejected. How I wish she was not rejected. As a doctor who looks after the welfare of women, she is highly qualified. She is a Director of Administration in the Ministry of Interior and National Administration. Why did she not perform well at the interview? The President knows why he picked her and I hope she will be chosen.

**Hon. Speaker:** Member for Malava.

**Hon. Malulu Injendi** (Malava, ANC): Thank you, Hon. Speaker. I also rise to support this Report and thank the President for what he has done for this country.

In my opinion, the persons nominated are competent enough to serve the country. I urge them to help the President. Some of the cabinet secretaries who were dropped could not articulate Government programmes and policies. I urge these ones since they are competent, to assist the President.

I want to specifically appreciate the President for nominating two more persons from Western Kenya to serve in his Cabinet, Hon. Oparanya and Dr. Mlongo. We appreciate so much because we now have three people in the Cabinet, including the Prime Cabinet Secretary. Hon. Oparanya had an outstanding performance when he was Minister for Planning, National Development and Vision 2030. He did so well. As a Governor, he was ranked the top most. As a Member of Parliament, his National Government Constituencies Development Fund (ND-CDF) was ranked the best in the country.

In Western Kenya, when it comes to the formation of co-operatives, they are weak and not many. The people have not embraced co-operatives. I urge him that, as he serves the entire country, he should also focus on Western Kenya and ensure he sensitises the people on the

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importance of co-operatives and the value of the Hustler Fund. Many communities have embraced that Fund and are benefiting from it.

I want to urge the new cabinet secretaries to consult those who have been reappointed in the Cabinet. They were doing so well and I believe if they consult them, a lot will be done in this country. Some who were dropped were so arrogant. I urge the current ones to be down to earth in terms of their service. They should know their ministries well so that even when they appear before the departmental committees, they know what they are talking about as they present. I support this Report.

**Hon. Speaker:** Hon. Opondo Kaluma.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Thank you, Hon. Speaker. Before the nomination of the last batch of nominees herein, I spoke very passionately about the need for the appointing authority to always comply with the provisions of Article 232 (1)(g) (h) and (i) of the Constitution. As I spoke, I did not know who the President had under consideration. When it came to Homa Bay, across Migori to Nyamira and Kisii, we had only one Cabinet Secretary, Hon. Machogu, and a Principal Secretary, Raymond Omollo, who is for Interior and National Administration. We thank the President for that.

Hon. Speaker, allow me to also thank His Excellency the President for not just ensuring ethnic and regional balance, but for remembering the minorities who are living within Luo Nyanza. For the first time, a person from Luo Nyanza - not necessarily a Luo - has been nominated. If this House approves him, he will be the Cabinet Secretary for the National Treasury and Economic Planning. This is the first time we are holding that ministry and also, if approved, the person in-charge of the energy docket is from that same region.

**Hon. Caroli Omondi** (Suba South, ODM): On a point of order, Hon. Speaker.

**Hon. Speaker:** Order. Yes, Hon. Caroli Omondi. Save his time.

**Hon. Caroli Omondi** (Suba South, ODM): Is it in order for Hon. Kaluma to profile the Suba people as not necessarily Luos?

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Thank you, Hon. Speaker. Hon. Caroli is a Suba and they are minorities living within Luo Nyanza. They are not Luos and that is the fact of the matter. I want to make that very clear.

I thank the President for the appointments within the Luo region. This is in addition to the other nominees whose integrity and competencies we have tested in this House, thus make me very pleased. I also want to thank him for nominating the former Governor for Kakamega County, Hon. Wycliffe Oparanya, who was the best in terms of performance of counties, and also former Governor Joho. Let me end by thanking him for appointing Hon. Murkomen as the Cabinet Secretary for Youth Affairs, Creative Economy and Sports. Kenyans forget, but this was our best striker in Bunge Football Club playing position nine. I am not worried at all because he will do well.

Hon. Speaker, having said that, let me comment on one very important thing. The Committee on Appointments is the most powerful Committee of this House. It is chaired by the Hon. Speaker of the National Assembly, who is the third in rank in Government. When you look at this list, there are people who have been politicians as Members of Parliament, governors or former cabinet secretaries. You may, therefore, forgive those who never appeared to be well composed before the Committee. You know, Doctor Barasa is my family doctor. I saw her look at you and she was very shaken before the Members, initially for the first 30 minutes. However, you saw how she got composure as the vetting went on.

The lady called Stella Soi Langat served as a Divisional Officer or Assistant County Commissioner in my area. Let us forgive if she appears before you, with these serious Members, Hon. Ichung'wah and Hon. Junet. Let us not judge her on failure to define one word called 'femicide' and those others. That lady will deliver.

Therefore, I support, but I am praying for a rejection or a disapproval of this part and this amendment, so that the lady may also be included. In the first Parliament, we rejected Phyllis Kandie and she performed very well. Then Malonza and now it is that lady. What is our issue with ladies that, at every vetting, at least, some woman must be rejected? I pray this amendment be made. Otherwise, I am grateful.

**Hon. Speaker:** Hon. DK.

**Hon. David Kiplagat** (Soy, UDA): Thank you, Hon. Speaker. I want to set the record straight that I support the Report of the Committee on Appointments, with reservations on the rejection of Stella Langat. As we have heard, the lady has been a Director at the Ministry of Interior and National Administration, State Department. The fact that, maybe, during that day, she did not wake up properly to answer the questions does not necessitate us negating. This is because, I also followed her very closely and I can tell that she spoke very good English and she never spoke Kalenjin throughout the interview.

So, I want to urge this House that, as we support our men and women who will be our cabinet secretaries by tomorrow, let us bring an amendment. The way we supported the former Cabinet Secretary Malonza, we also seek the indulgence of this House so that we can save that very beautiful soul.

In our culture, during an initiation ceremony, when a young man or a young woman just comes un-invited and sees the ceremony, then it follows that he or she has to be initiated. So, I also dare say that given that, that beautiful lady has seen the ceremony, let us allow her to serve and from the service, we can determine whether she is able to serve or not.

As I finish, I want to support the nominees, especially my Chair of the Public Accounts Committee...

**Hon. Speaker:** Order, Hon. DK. There is a point of order from Hon. Wamumbi.

**Hon. Eric Kahugu** (Mathira, UDA): Thank you, Hon. Speaker. I want Hon. DK to clarify whether he is supporting the lady because she is beautiful or whether he is supporting her because of her capacity.

**Hon. David Kiplagat** (Soy, UDA): I know the lady. She has a very beautiful brain. She is elegant and can perform. So, as I finish, I know my friend, Hon. Mbadi, Mr. Chirchir, Hon. Murkomen and all the other nominees are going to perform wonders. The only thing we urge the Cabinet Secretaries is to avoid opulence as much as possible, because that is one of the issues that the generation zoomers raised and we do not want to see it going forward. I support the Committee's Report.

**Hon. Speaker:** Hon. Naisula Lesuuda.

**Hon. Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Speaker. I do not want to belabour on the points that Hon. Members have already talked about. One of them is what Hon. Makilap said, that the cabinet secretaries who will be approved by this House, will not be serving their communities, their regions or their political parties. I wonder when other communities who have never had a cabinet secretary in this country, will ever be given an opportunity to show their competence and also suitability to serve.

So, we asked the cabinet secretary nominees whether they will serve their communities and all of them told us no. So, I do not expect the Members of Parliament in this House to go and hold the cabinet secretaries hostage, once they are in office. Let the Cabinet Secretaries work for all of us and for all the people of this country.

Secondly, I asked Hon. Mbadi the question whether he is a skunk. This is because the last time he called all the nominees skunk and he gave the President. He told me: "You will judge me whether I am a skunk once I am in office, according to my work." I want to tell Hon. Mbadi and all the other nominees that, if this House approve you, Hon. Naisula and many people in this House will hold you to account, to all the things that you told Kenyans during the vetting process.

So, we will do our work as the Opposition. I have also heard some people here saying we are now in one Government and there is no Opposition. I want to tell you that some of us who are elected in the Opposition will do our work. When the Government does something good, we will say: "You have done well." When you have not, we will reject.

I also want to call upon Kenyans that, please, let us also give His Excellency the President time to work. He was elected for five years. If you do not like him, please strategise how you will remove him through the constitutional means in 2027, and beat him at the ballot. That is what I also wanted to say.

The cabinet secretaries have to do their work since Members of Parliament do their work. The President should be given time to do his work but, if he fails, we go that route constitutionally. If we go the anarchy way, you have seen Khartoum and you have seen Somalia. Even as an Opposition Member of Parliament, I would not want us to go that way.

We will hold people like Hon. Kindiki to account. We have said Professor has done a very good job. However, issues of abductions and extra-judicial killings have to stop, even in our areas where we come from.

Finally, on the issue of saying that even if a cabinet secretary is weak, he or she should be given a strong principal secretary, the principal secretary does not earn double money to do the work of both. Cabinet secretaries must do their work of policy and leave the principal secretaries to do their work.

**Hon. Speaker:** Member for Murang'a County. Give the microphone to Hon. Betty Maina. You are switching the microphone in the wrong places. Clerk, what is the problem?

**Hon. Betty Maina** (Murang'a County, UDA): Thank you, Hon. Speaker. I rise to support the nominees but this time round, we have to be very clear. As Parliament, we have not come to support leaders or to support regional politics and regional development, but to support every Kenyan at the national level. We have had a problem of supporting leaders in this nation and then they retreat in political and regional cocoons and start supporting ethnic politics.

Allow me to single out one, Professor Kithure Kindiki, In the past, I had not been his great fan but, recently, I am. Professor Kithure Kindiki expressed a lot of wisdom when he was doing his interview. Previously, he did a lot of work to support this Government and he has been on record that he is not a regional but a national leader.

I urge that, as the National Assembly, we only support national leaders. We should not support regional leaders or leaders who want to retreat to their village cocoons. So, I rise to support the nominees.

**Hon. Speaker:** Thank you. Let us have Hon. (Dr) Makali Mulu.

**Hon (Dr) Makali Mulu** (Kitui Central, WDM): Hon. Speaker, I want to add my voice to this important debate. I support the Report of the Committee, but with a number of reservations. The first one is on regional balancing. A number of Members have said they do not know when they will get a cabinet secretary. As we continue to appoint people to that important office, it is important to ensure that there is regional balancing and, more so, the inclusion of persons living with disabilities. I was very keen when I was watching those people who were being vetted. As a country, we have a lot to do in the area of persons living with disabilities, for purposes of inclusion. Most Kenyans are saying there is a problem with inclusion. It is important we bring our brothers and sisters to some of those senior positions.

I have looked at the Report very quickly. The comments by the Director of Public Prosecutions (DPP) and the Ethics and Anti-Corruption Commission (EACC) are a bit worrying. The DPP said he had no case with a particular nominee, but the EACC said they had an issue. Those are departments of the same Government. There is no way both of them can be saying the truth. One must be saying the truth and the other one must be lying to Kenyans. When those cases come up in a vetting committee like the one you chair, we should allow time

to sort out those issues. Kenyans are not stupid to believe one office but not the other one. When the DPP says a nominee has no case to answer and the EACC says he has a case to answer, it is a problem.

Some Members of the Minority Party were nominated for appointment as cabinet secretaries. The truth of the matter is that we cannot have Members of the Majority Party being also in the Minority Party. If you decide to be in the Majority Party, please, switch from the Minority Party, so that we can improve the oversight of this House. It will not make sense to have watchdog committees of this House being chaired by people who claim to be in the Minority Party, when we know very well that they are in the Majority Party. It is very important that we get these things right.

There is also the issue of wealth declaration. A number of Members said that there was appreciation of property and assets. It is very important that we do more work on this matter to determine how that wealth has changed over a short time.

**Hon. Speaker:** Hon. Osoro.

**Hon. Silvanus Osoro** (South Mugirango, UDA): Thank you very much, Hon. Speaker. I also rise to support the Report of the Committee. I want to single out some few nominees whom I watched and learnt something. The nomination of Hon. Ali Hassan Joho is an inspiration to many young people out there who may have lost hope. It does not matter where you come from or the grades you got in high school. If you pursue, persist and persevere, you will achieve your dreams. That was a great inspiration.

On a light note, there are people who are talking about the opulence of some nominees or former cabinet secretaries like Hon. Onesimus Kipchumba Murkomen. I do not know how you will talk about Hon. Ali Hassan Joho, who also has a taste for good things. This should go out there in public. People out there should know that you are not poor because somebody else is rich. You can learn something from a person instead of feeling bad. You are wearing this shirt or putting on a very expensive watch because you took my money. Which money? People should understand they have different tastes. There are people who love clothes or attires, land, big cars, travelling and other forms of excitement. That was a great inspiration from Hon. Ali Hassan Joho.

Secondly, there was also an inspiration for the young people from Mr. Eric Murithi Muuga. He is a young man who appeared before you and even confessed not to have a car. He manoeuvred through the systems and network that clearly shows that your social network is a social net worth. I believe that when he gets his first salary, he will buy a car. So, that is a great inspiration.

Finally, I am also very excited by the nomination of Mr. Julius Migosi Ogamba. Before he appeared before your Committee, Members said that the Ministry of Education required a career educationist. However, the approval of this appointment truly confirms that he is competent in the position he was nominated.

**Hon. Speaker:** Give him a minute to wind up.

**Hon. Silvanus Osoro** (South Mugirango, UDA): Thank you, Hon. Speaker. Sorry, I had missed the point that it was one minute. Mr Julius Migosi Ogamba performed very well. Hon. Members and members of the public said that he exceeded their expectations, being a career advocate of the High Court of Kenya. That again shows that advocates are all round. They can actually do anything like Prof. Kithure Kindiki and so many others.

I really support this Motion. When the nominees assume office, they should not make themselves some demigods and develop what we call in basic language “big heads” because of pride”. They should find a way to relate with every person and serve Kenyans. This House will keep them in check on every action that they take while serving in office.

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

**Hon. Speaker:** Member for Bumula.



**Hon. Wanami Wamboka** (Bumula, DAP-K): Thank you, Hon. Speaker, for giving me this opportunity to contribute. I will start by encouraging my colleagues that our role, as Members of Parliament, is oversight. We oversee as a House but not part of us. It is really sickening when some Members think that they are in Government and others are not. Our role as a House is to oversee.

We should not forget what caused all this. We had a Cabinet that was unable to perform its duties. It let the President and Kenyans down. It gave an opportunity to the President to have a new Cabinet which we hope will help him to serve Kenyans in a better way. We will continue to oversee the Government because it is our responsibility. Some of the colleagues who have joined the Cabinet are Members of this House. We expect nothing but performance and good manners. Kenyans expect them to perform. They were here. They know the things that hurt Kenyans. They should perform and do good for Kenyans.

That was a wake-up call for all of us. Kenyans are still angry. I urge the President of the Republic of Kenya to continue doing more, in ensuring that every Kenyan feels comfortable to live in Kenya. He should ensure that we have regional balance. Every Kenyan, no matter where he or she comes from, must feel part and parcel of this country. I congratulate the Leader of the Minority Party, Hon. Opiyo Wandayi, Hon. Mbadi, Hon. Joho, my big brother, Hon. Oparanya and my sister, the Cabinet Secretary for Health. If we will approve them. I know that they can do a good job. Please, do not let Kenyans down. Hon. Members, Kenyans out there are still watching and looking at us to ensure that we continue to oversee this Government so that we can have a better country for all of us.

Thank you, Hon. Speaker. I wish them all good. *Ahsanteni*.

**Hon. Speaker:** Member for Bura. Give him the microphone.

**Hon. Yakub Adow** (Bura, UPIA): Thank you for giving me this opportunity to add my voice to this very important Motion.

I want to single out some of the nominees before this House today. I want to start with one Hon. Aden Duale, who is a role model to some of us. He was the area Member of Parliament for Dujis. That is when I was completing my high school education. We met in this august House while both of us were representing our great people. He is a man who has served and truly shown his abilities. We are proud of him. We are sure that he is going to serve the nation in his position as the Cabinet Secretary in charge of Environment, Climate Change & Forestry.

I congratulate Hon. John Mbadi as well. He was my Chairman in the Public Accounts Committee. I have never doubted his abilities, skills and expertise. Let him ensure that he is the driver who steers this country in the right direction. I wish him well.

I take this opportunity to also congratulate Hon. Ali Hassan Joho, our regional kingpin as well. It is an inspiration to many of us who came from that far and can someday reach here.

**Hon. Betty Maina** (Murang'a County, UDA): On a point of order, Hon. Speaker.

**Hon. Speaker:** Hon. Betty Maina, what is your point of order? Member for Bura, take your seat. Give Hon. Betty the microphone.

**Hon. Betty Maina** (Murang'a County, UDA): Hon. Speaker, we are not here to pass regional kingpins. We have been having a problem of approving the appointment of leaders who then retreat to regional politics and development, or to their village cocoons. We are here to approve the appointment of national leaders. I want him to withdraw the words "regional kingpin" and apologise.

**Hon. Speaker:** Yes, Member for Bura.

**Hon. Yakub Adow** (Bura, UPIA): Hon. Speaker, I beg to reject her advice and continue with my contribution.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Hoja ya nidhamu, Mhe. Spika.

**Hon. Speaker:** Hold on, Member for Bura. Mhe. Zamzam, what is it?

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Mhe. Spika, nataka nimkosoe dadangu Mhe. Betty kwa haya mambo ya *regional kingpin*. Huyo ndiye *kingpin*. Hajasema kuwa hawezi kufanyia kazi Kenya nzima. Atafanyia kazi Wakenya wote lakini ifahamike kuwa Hassan Ali Joho ndiye *kingpin* wa *Coast Region* na *North Eastern* yote.

Ahsante sana.

**Hon. Speaker:** Order. Member for Bura, carry on.

**Hon. Yakub Adow** (Bura, UPIA): Thank you, Hon. Speaker. I wish to conclude my contribution by saying that we support the nominees. It is in our diversity and regional backgrounds that our strength lies. Once someone is a nominee from a certain area, we are not saying that he will serve the people of that area only. He will serve the people of the Republic of Kenya. We are proud of them while supporting and wishing them well.

I have interacted with some of the nominees, like the one for the position of Cabinet Secretary for the Ministry of Interior and National Administration. His background is in law. However, he has performed exemplary well in that docket. He has done well. He has ensured that all the problems within our regions and boundaries are contained. I thank the appointing authority, His Excellency the President, for listening to Kenyans and enhancing a broad-based government where we see people not through the lenses of regional and ethnic backgrounds. Instead, people get opportunity because of their expertise and skills. I do not have any iota of doubt that all the nominees who have been given the positions, if approved by this House, will serve all Kenyans diligently, and not serve as representatives of regional cocoons and kingpins. Ours is to make sure that they perform well. We are here to support and wish them well.

**Hon. Speaker:** Hon. Members, I want to acknowledge visitors in the Public Gallery before I give you the next chance. They are students of Ngererit Secondary School from Konoin, Bomet County. On my behalf and that of the House, we welcome the students and their teachers to Parliament.

*(Applause)*

Hon. Esther Passaris, proceed.

**Hon. Esther Passaris** (Nairobi City County, ODM): Thank you for giving me this opportunity to contribute to the debate on the list of Cabinet Secretaries who were recently vetted. I commend the Committee, under your leadership and that of the Deputy Speaker, for the good work you have done. I note the transparency of airing it across all media houses, including social media.

When he was speaking, the Leader of the Majority Party said that someone from Rift Valley should replace the nominee who was not approved because she comes from there. I feel that the best person who is suitable for the job should take the seat. When we look at regional balance, we can see that Mount Kenya got the lion's share. Rift Valley had four nominees. North Eastern has only two or one. If we want to have a replacement, we should be looking for somebody who is best for the job. We are also looking for a balance of the various provinces in the country. That is so that everyone from the original eight provinces of the country feels represented.

This country is coming from a very bad place. Many people wonder why the President brought the same people back. Well, the President did not bring back the entire team that he sacked. He dropped quite a number of the previous Cabinet Secretaries. He has formed a broad-based Government. People are saying that you are not going to have the Opposition when you have a broad-based government. Members from the Opposition and the Government sit in committees to offer oversight and make sure that things happen in the right way. The committees ensures that the various arms of the Government deliver services to the people.

The exposé on corruption has challenged us. We, as a House of Parliament, need to really strengthen the Ethics and Anti-Corruption Commission. We need to give them prosecutorial powers. The President has given a chance to every Cabinet Secretary who has been appointed. Those who have come in for the second time and the new ones need to deliver services to the country. You can see that the Gen-Zs are not sleeping. They want a country that will deliver prosperity to everyone in the entire Kenya. They want us to move in the right direction. We know that we have not been moving in the right direction. Let all of us in the three arms of the Government team up and deliver the dreams of our forefathers to the people of Kenya.

**Hon. Speaker:** Hon. Kahangara, Member for Limuru. I am sorry, Hon. Kahangara is the Member for Lari.

**Hon. Kahangara Mburu** (Lari, UDA): I am the Member for Lari. Thank you, Hon. Speaker.

I am in support of the Report by the Committee on Appointments. The President decided to send home his entire team of Cabinet Secretaries due to what we know happened in this country. Having assessed the performance of the Cabinet Secretaries for a period of about one and a half years, I am sure that he was also getting ready to re-organise his Government so that he can get a team that can deliver the plan he promised to Kenyans. With that, I congratulate him for nominating this new team of Cabinet Secretaries. We know that the ones he re-appointed did very well in their various ministries. I can single out one nominee, Mr. Chirchir, who was the Cabinet Secretary for the Ministry of Energy. He has done very well with the electrification in the country. He is going to be the Cabinet Secretary for Roads and Transport. I am sure he is also going to work as hard in the next docket to ensure that marginalised areas like Lari are taken care of in terms of giving us the road infrastructure that we require.

The Cabinet Secretary nominee, Hon. Alice Wahome, has previously worked in the Ministry of Lands, Public Works, Housing and Urban Development. Of course, we all know the kind of corruption that has been going on there. They digitised the records in the Ministry of Lands to put them in the right manner. That is going to solve the many issues that we have in that Ministry. She is amongst the other cabinet secretaries who have worked very hard.

I am one person who has been in support of the appointment of cabinet secretaries from the National Assembly, or people who have served as politicians. I am glad that we have 13 Members of the Cabinet, inclusive of the President and the Vice-President, who have passed through the National Assembly. This will bring some synergy between the Executive and the Legislature to ensure that we formulate solid public policies. Politicians know how to communicate to people. They will be able to take the message to the people on what the Government is doing on the ground, and I am sure they will be able to do a good job.

I congratulate all of them and wish them well in their various ministries. However, I caution them against displaying opulence and encourage them to provide services to Kenyans across the board, so that everyone in this country can develop a sense of belonging. That way, we can realise development across the board.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Susan Kiamba.

**Hon. Suzanne Kiamba** (Makueni, WDM): Thank you, Hon. Speaker, for giving me time to contribute to this very important Motion.

As we look at these nominees, we must look at the backdrop that necessitated a second selection of the Cabinet's membership. In my opinion, the major challenge we are facing as a country, which the President clearly declared, is that we had a Cabinet that was incompetent. There was also the issue of exclusion, which came out very clearly.

As I sat here listening to the debate on the Committee's Report, I wondered, as a specialist in issues of technical and capacity building, how capacity and competence was actualised by the over 70 per cent of the Cabinet in less than a month. So, I really feel very cheated, as a Member of Parliament, by the fact that within less than a month, 70 per cent of people who did not have competence gained it. I really want us to explore the tools. My concern is that we need to explore the tools.

**Hon. Elisha Odhiambo** (Gem, ODM): On a point of order, Hon. Speaker.

**Hon. Speaker:** Order, Hon. Susan. Yes Hon. Elisha.

**Hon. Elisha Odhiambo** (Gem, ODM): Thank you, Hon. Speaker. What comes to my mind is when the Member on the Floor is talking about competence. There are two things: Competency and competence. What does she mean?

Thank you.

*(Laughter)*

**Hon. Suzanne Kiamba** (Makueni, WDM): Hon. Speaker, I will not apologise. I am neither an Englishman nor an Englishwoman. I am a Kamba. I know he understands what I mean.

Hon. Speaker, the other point is the issue of inclusivity and, in particular, the inclusion of the youth. When we appoint only one seemingly youthful person, is that inclusion? I think we are being selfish as adults. When the youth complain, we do not include them, especially when 50 per cent of the population of this country comprises of the youth. I think it is not....

*(Loud consultations)*

Hon. Speaker, can you protect me? I cannot contribute because of un-necessary noise. When we look at the population of Kenya, we have over 50 per cent as youth. When all the old men and few women get all the Cabinet slots, are we genuine? That is still exclusion of the youth. I do not see the inclusion for that category of Kenyans.

Secondly, Hon. Speaker...

**Hon. Owen Baya** (Kilifi North UDA): On a point of order, Hon. Speaker.

**Hon. Speaker:** Order, Susan. There is a point of order from Hon. Owen Baya.

**Hon. Owen Baya** (Kilifi North UDA): Hon. Speaker, I have heard Hon. Susan say that 80 per cent of the Cabinet has no competence or competencies or whatever. Then she comes and tells us that we are being selfish because we did not nominate the youth – the youth who, in her words, do not have the requisite competences. That contradiction does not speak for the Kamba community. They have higher competencies than that.

*(Laughter)*

**Hon. Suzanne Kiamba** (Makueni, WDM): I do not understand his point. I stated very clearly that the President said he was disbanding the Cabinet because it was incompetent. When 70 per cent of them are brought back, it is assumed that they have developed competences. I am just wondering the tools that were used to check that competence that came up within a month. I feel this is more of a political manipulation than what we are looking for as Kenyans.

**Hon. Speaker:** Your time up, Suzanne. Let us have the Women Representative for Tharaka-Nithi.

**Hon. Suzanne Kiamba** (Makueni, WDM): Give me a minute to wind up, Hon. Speaker.

**Hon. Speaker:** Okay, give her one minute to finish.

**Hon. Suzanne Kiamba** (Makueni, WDM): Hon. Speaker, I represent one of the few dissenting voices, which have not been given time.

I have been into an integrity class. Lacking integrity does not mean that you must have been accused of breaching the law. Even when people doubt you and what you stand for on matters of trust, it is an integrity issue. We have a case where somebody was accused by the Ethics and Anti-Corruption Commission of being corrupt and people brought evidence. Even by that doubt itself, according to Chapter Six of our Constitution, that person is already disqualified.

Lastly, in the Cabinet nominations that we are dealing with, I see political manipulation by combining the numbers of UDA and ODM in Parliament to get a super majority. The nominations are not guided by a genuine concern to give Kenyans competence.

Thank you, Hon. Speaker.

**Hon. Speaker:** Go on, Member for Tharaka-Nithi County.

**Hon. Susan Ngugi** (Tharaka-Nithi County, TSP): Thank you, Hon. Speaker, for giving me a chance to contribute to this very important Motion. First of all, I thank the Committee on Appointments for burning the midnight oil and bringing such a ....

*(Loud consultations)*

**Hon. Speaker:** Order, Members! Hon. Suzanne, after you speak, you also have to listen to others speak.

Go on, Member for Tharaka-Nithi County.

**Hon. Susan Ngugi** (Tharaka-Nithi County, TSP): Thank you, Hon. Speaker, for protecting me. I thank the Committee on Appointment for burning the midnight oil to vet the President's Cabinet nominees and bringing to us this list.

I thank the President for considering almost everyone. I find inclusivity in this list. The President considered social class, religion, different backgrounds, gender and the youth. This list shows people with great integrity.

I congratulate mostly Prof. Kithure Kindiki, a gentleman that I have known for the last over 30 years since his early childhood. He is a very selfless, committed and dedicated man. I wish and pray that even the other nominees, if approved by this Hon. House, will follow his steps.

I also congratulate the young man from the farthest corner of Meru region, Eric Muriithi Mugaa. He is a humble man that I have known for some time. He is a young Adventist man from Amwamba Seventh Day Adventist Church. The Seventh Day Adventist is one of the minority denominations in the Eastern Region, but the President looked for him and considered him for this position. The Adventists in the entire region of Meru have really appreciated this nomination.

I agree that, occasionally, we make mistakes. I know the entire nation is watching. People serving in the Executive, the Judiciary and the Legislature make mistakes. Our God is a God of forgiveness, He gives us a chance not twice, not thrice, and not ten times. We pray that we give our President a second chance by approving this list of nominees. We are where we are because public participation in this country is not effective. Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Atandi.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you, Hon. Speaker, for giving me this opportunity. Let me begin by supporting the Report from the Committee on Appointments.

The Constitution says that the Cabinet should reflect regional and ethnic diversity. I agree that the nominees that are before us truly reflect the face of Kenya in the area of regional and ethnic diversity. I am one of the people who prodded the President to make certain

appointments. I am happy that my friend, Hon. John Mbadi, is going to be the Cabinet Secretary for the National Treasury and Economic Planning.

The cabinet secretaries come from certain regions, but they are not supposed to work only for those regions. The Cabinet that was dissolved had some cabinet secretaries who were notorious for turning their offices into their ethnic enclaves such that if you visit a cabinet secretary's office, you would find him or her very busy with people from their villages. I urge the new cabinet secretaries who are coming on board that, even though they come from particular regions, they must understand that they are going to serve the people of Kenya. We had a particular Cabinet Secretary from my region whom, every weekend, would distribute relief food from one village to the next. I asked him to ensure that he serves the people of Kenya. I am happy that, that Cabinet Secretary has not been retained. The cabinet secretaries who are coming on board should ensure that they serve the people of Kenya.

Secondly, talking of opulence and wealth declaration, Kenyans have said the vetting process did not question the nominees about their sources of wealth. They only came and said: "I am worth Ksh500 million." We know most of the nominees, how they lived and how they have been living. If tomorrow they begin to have a certain lifestyle we do not understand, then we will have to question them. We know some of the cabinet secretaries who have been removed from the Cabinet. They were people who were just eating *omena* and *madondo* with us but, suddenly, they began to eat at Serena Hotel and dress expensively upon being appointed to the Cabinet. That is the question that we need to ask as a House.

Lastly, the President took some of our Members into his Cabinet. I want to agree with my party leader that some of the Members who were taken from our side are experts. We watched the vetting exercise live and I am convinced that the four Members from the Orange Democratic Movement Party demonstrated capability and competence. I know that they are going to serve Kenyans well. I wish them well as they take over those ministries.

Thank you.

**Hon. Speaker:** Hon. Bowen.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Thank you, Hon. Speaker, for giving me this opportunity to support the Report of the Committee Report. I want to...

**Hon. Speaker:** Just a moment, Hon. Bowen. Hon. Members, because the interest is overwhelming, can I encourage you to speak for two minutes?

**Hon. Members:** Yes!

**Hon. Speaker:** Each Member will speak for two minutes, starting with Hon. Bowen.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Thank you, Hon. Speaker, for giving me this opportunity. I support the Committee's recommendation on all the cabinet secretaries. I want to specifically talk about Hon. Kindiki, who has worked very hard in Kerio Valley to make sure that we have peace there, even though we still have some challenges of insecurity.

I also want to thank His Excellency the President for nominating Hon. Murkomen once again. Hon. Murkomen was condemned and yet, the Ministry of Roads and Transport has the highest pending bills. It was very difficult but I want to tell you that he really tried. Even as he moves to the Ministry of Youth Affairs, Creative Economy and Sports, I am very sure that Hon. Murkomen is going to excel in that field.

I want to also thank the President for nominating my good friend, Hon. John Mbadi. With all the skills and experience he has shown in this House, I am sure that by going to the Treasury, he is going to use his knowledge, as a serious accountant and expert in finance, to turn around the economy of this country and make sure that it grows.

I want to talk about the nominee who was rejected. It was very unfortunate. I wish the Committee would have shown us the marks so that we know who scored the highest and why she scored the least. It was wrong to condemn the lady because of what Hon. Junet said – that,

part of the consideration was the physical looks. I hope she was not dropped because of that comment. Anyway, we ask His Excellency the President to consider her in another position.

Thank you.

**Hon. Speaker:** Hon. Farah Maalim.

**Hon. Farah Maalim** (Dadaab, WDM): Thank you very much, Hon. Speaker. This Cabinet is the most representative in terms of form, substance, equity and diversity since we got Independence. I commend the President for looking at the four corners of this country and making sure that we are looking for the best.

I have been around for quite a long time. I remember how the first Cabinet of this country was, all the way to the one we have here now. This country is better united and more cohesive today with this kind of Cabinet than it has ever been since we attained Independence.

I am also confident that these nominee cabinet secretaries, if approved, will do a good job. Just taking a cursory look, I see a number of good people who have previously done some good. I see the likes of Hon. Kindiki, Hon. Davis Chirchir and Hon. Duale, among others. I also see some very good and powerful fresh blood like Hon. Mbadi, who has been in the Public Accounts Committee since the 10<sup>th</sup> Parliament. He knows exactly what goes on in the Government.

Hon. Speaker, can I have one more minute? He knows exactly what happens in the Treasury inside out. I am sure he will do a very good job. Let us give this Cabinet space and support. Let us also support our President because this country has to be kept together. To those running around the country with calls for demonstrations and the rest, I tell them that I have seen what a failed state looks like.

**Hon. Speaker:** Done. Hon. John Waluke.

*(Hon. Farah Maalim spoke off the record)*

I added you a minute. Give him one more minute.

**Hon. Farah Maalim** (Dadaab, WDM): Thank you. Hon. Speaker, I have seen what a failed state looks like. People were laughing yesterday because Bangladesh civilians took over the State House. As we speak, Bangladesh is under military rule. Watch what is going to happen.

The same thing we are seeing here is what happened in Sudan, with young students. My daughters went to school in Sudan. They were going out chanting: "Revolution! Revolution! Revolution!" What do we have today? Fifteen million people are displaced while over a million people have died. That country has no hope of recovering for the next 30 years. Let us save our country and give our President sufficient space. This is the first time we have had a President who is willing to reach out to every sector of the society and debate with them, and we are calling him all sorts of names. That is not fair. Let us give him a chance. Let us see how this country can be pulled out of where it is and how we can take it to the next level.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. John Waluke.

**Hon. John Koyi** (Sirisia, JP): Thank you very much, Hon. Speaker, for giving me a chance to also contribute on this Committee Report.

I thank the President for the nominations. The new proposed Cabinet has a national outlook because, at least, one person has been chosen from every part of the country. The cabinet secretaries who have been nominated by the President should help him work effectively for this country. As a country, we have gone back by about a year or so in terms of the economic gains we have had because of what happened recently. Therefore, these nominee cabinet secretaries should be very keen.

Hon. Speaker, I am happy with the President for appointing Hon. Opiyo Wandayi and Hon. John Mbadi. I hope they will show their competence because if they fail, they will have failed us as their colleagues and the House as well. This country needs unity. All of us should come together and forget our political differences, so that we can help the President to effectively carry out the mandate that is bestowed upon him by Kenyans when he was elected into office.

I thank the other side of the House for joining us so that we can work together as a team and support this country. Let us put our country first.

**Hon. Speaker:** Your time is up. Member for Malindi Constituency.

**Hon. Amina Mnyazi** (Malindi, ODM): Ahsante sana, Mhe. Spika. Nimesimama hapa kuunga mkono haya majina yote ya watu ambao wameteuliwa na Rais William Samoei Ruto ili wawe mawaziri. Tunashukuru kama wanawake kwa sababu wanawake watano wameweza kupatiwa nyadhifa kubwa mbali mbali. Hii ni haki yetu sisi kama wanawake. Vile vile, tunashukuru kwa sababu tumeona kijana moja ambaye ameteuliwa kuongoza Wizara ya Maji. Sisi kama vijana pia hili jambo limetufurahisha.

Ningetaka kuwaambia wale mawaziri ambao wameteuliwa mambo mawili. Jambo la kwanza ni kwamba hatutaki watu wa 'Yes, Sir'. Tunataka watu ambao wataketi na Rais na kumsaidia ili Kenya iweze kusonga mbele. Hawa watu watakuwa karibu sana na Rais na hawafai kuwa watu wa 'Yes, Sir.' Wanafaa wawe watu ambao watamsaidia Rais.

La pili, ni kwa wale mawaziri ambao wamekuwa ofisini kwa miaka miwili lakini, kwa sababu ambazo hazingeweza kuepukika, wameachishwa kazi, hata hawa ambao wamepatiwa kazi wajue kwamba Wakenya wako chonjo na wasipofanya kazi yao vizuri, Wakenya wataanguka na wao.

Ahsante sana, Mhe. Spika.

**Hon. Speaker:** Hon. Mwengi Mutuse.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCP): Thank you, Hon. Speaker. At the outset, allow me to support the Report of the Committee on Appointments as relates to the approval of the 19 cabinet secretary nominees and the rejection of one. As the foremost political leader of Maendeleo Chap Party (MCCP), allow me to thank His Excellency the President for retaining our founding party leader, Hon. Dr. Alfred Mutua in his second Cabinet as the Cabinet Secretary for Labour and Social Protection. I said so being well aware of the role of Parliament under Article 94 of our Constitution, and the role of the National Assembly under Article 95 of the Constitution. Part of our mandate is to raise the concerns of our people.

Hon. Speaker, I want to address the cabinet secretary nominees, whose appointment we are approving today. I want them to appreciate the fact that their work is cut out. We are churning out three million young people every year into the job market, and those young Kenyans want jobs. It is the role of the Cabinet to, very urgently, create jobs for those young people. In order for that to happen, the economy must grow by a double digit. Therefore, they have no time for luxury. The role of Parliament is to oversee them, making sure that no corruption takes place and that the cabinet secretaries do not slumber in their comfort zones. They should not sit in their offices and fail to move around the country to do what they are supposed to do. We want to encourage them, as they do their job, to also understand that Parliament must do its job so that all of us can serve the people of Kenya.

With those remarks, I beg to support with the rider that Parliament will do its job so that Kenyans are served to the maximum.

**Hon. Speaker:** Hon. Irene Mayaka.

**Hon. Irene Mayaka** (Nominated, ODM): Thank you, Hon. Speaker. I also rise to support the Report of the Committee on Appointments.

Firstly, I want these particular nominees to know that some of them have been given a second chance against the wish of the public. Therefore, we want them to make sure that they



do a good job. Secondly, I acknowledge the fact that from our end, we donated our experts to the President. I want to wish Hon. Mbadi, Hon. Joho, Hon. Oparanya and Hon. Opiyo the very best of luck. Thirdly, the public has witnessed how the great Omugusii Community also gave one of our sons. He is a lawyer, but he did show that he is competent in the ministry which he has been nominated.

Finally, some of us are not blind to gender. We saw what transpired and, therefore, support the Committee on the rejection of the nominee for Cabinet Secretary for Gender, Culture, Arts and Heritage. We would like to ask the President to give us another competent nominee. As it has been said before, the Gender, Culture, Arts and Heritage nominee does not have to be a woman. Even someone like Hon. Wanjala can be a very good cabinet secretary for gender, culture, arts and heritage.

*(Laughter)*

Hon. Speaker, we want to have competent people. I want the cabinet secretary nominees to know that we are approving their appointment but, if they do not do their work well, we will make sure that we come back here and impeach them. We wish them the best of luck for now.

Thank you.

**Hon. Speaker:** Hon. Tandaza.

**Hon. Kasim Tandaza** (Matuga, ANC): Ahsante Mhe. Spika kwa kunipa fursa hii.

Kwanza, ningependa kusema kwamba siungi Ripoti hii mkono pekee, bali naiunga pamoja na miguu, kichwa, nywele, macho na kila kitu changu. Kwa sababu hakuna siku ambayo Kamati imeweza kufanya kazi nzuri kama hii na kutoa Ripoti yake bila kushawishiwa na mtu kuona kwamba huyu anafaa ama hafai. Yule ambaye wanakamati waliona hafai, walitamka hivyo.

Nachukua fursa hii kumshukuru Rais kwa kumteua kwa mara ya pili aliyekuwa waziri mstahiki Gavana wa kwanza wa Kwale Mhe. Salim Mvurya. Kutokana na kazi ambayo aliifanya, nina amini kuwa katika zile memoranda ambazo zilipelekwa, hakukuwa na hata moja ambayo ilikuwa inamkashifu Waziri Salim Mvurya.

Licha ya kuwa alikuwa amehudumu kama waziri kwa kipindi cha karibu miaka miwili, pato lake bado liko chini ya Ksh200 milioni. Hili limekuwa jambo la kushangaza kwa Wakenya. Wanajiuliza, wakati mawaziri wengine kwa muda huu mfupi wameweza kujilimbikizia Ksh300 milion na zaidi, mbona yeye bado hajapata hata zaidi ya Ksh100 milioni? Na hili linaweka wazi kwamba yeye ni mwadilifu, anafanya kazi kwa kutambua Wakenya na hilo ndilo jukumu la mawaziri.

Pia, nichukue fursa hii kushukuru kuteuliwa kwa Mhe. Hassan Joho, ambaye amepatiwa ile wizara changa, lakini ina matumaini makubwa katika kuboresha uchumi wa Kenya. Siyo watu wa Pwani peke yao walio na Bahari Hindi, lakini ina nafasi ya kuajiri na kuleta fedha nyingi katika hii nchi ya Kenya. Vilevile, nina imani kwamba Waziri aliyeteuliwa ana tajiriba ya kuweza kufufua wizara hiyo na kuleta mapato makubwa.

Ahsante, Mhe. Spika.

**Hon. Speaker:** Hon. Member for Lugari.

**Hon. Nabii Nabwera** (Lugari, ODM): Thank You, Hon. Speaker. First, I want to thank the President for finding it fit to pick experts from my party, and especially Hon. Oparanya who is known for being a performer in his work.

Hon, Speaker, I want to appreciate the Committee. I think in the life of Parliament, the vetting was done in a transparent manner. I have gone through the Report. It is very exhaustive on every nominee.

I want to plead with my brothers who feel that the rejected candidate should be given a chance; that, please, there are better people in that community and there are more competent

women in this country. That is not the way to go. The way to go is that Gen. Z's were asking for good governance, competence, people of valour and value. So, let us give them those people.

Finally, let the Cabinet be on notice that, as we sit here, we will continue to do oversight to ensure that Kenyans get value for money.

I thank you, Hon. Speaker.

**Hon. Speaker:** Member for Garissa.

**Hon. Dekow Mohamed** (Garissa Township, UDA): Thank you, Hon. Speaker, for giving me this opportunity to add my voice to the debate on the Motion.

First, let me congratulate the Committee on Appointment for the good work they have done, and for the extensive report they have produced. I support the Report with reservations, especially on the last nominee who was rejected.

Having said that, as Members from the Northern Kenya Region, I thank the President for appointing our former Member of Parliament, Hon. Aden Duale. There is no doubt about his competence, together with all those who have been reappointed — Hon. Chirchir, Hon. Miano, Hon. Soipan and Hon. Kindiki. Hon. Kindiki has been said to be one of the best performers.

However, I have an issue with that because in my region, there is a problem of abductions of people, which the Cabinet Secretary has failed to address.

On the objection I have regarding the rejection of nominee Ms. Soi, having read this Report, I feel she is one of the most competent persons. I have never met Ms. Soi. I do not know her but she is one of the competent people in terms of documents and integrity. There is no memorandum on her on this thing. The only thing I see is that she was judged on was the issue of public speaking – and the inability to address issues. This Cabinet nominee has served in this country. She is one of the only nominees who has served over the last 30 years in many ministries and state departments in this country. There is no logic in telling us that the lady does not meet the expectations of the Committee.

**Hon. Speaker:** Hon. Jehow.

**Hon. Fatuma Jehow** (Wajir County, ODM): Thank you, Hon. Speaker. I take this opportunity to thank the President of this great nation for listening to Kenya's Gen-Zs, and the citizens of this country generally, and for accepting to reconstitute his Cabinet. I equally thank the Rt. Hon. Prime Minister, our *Baba* – the only *Baba* we have in this nation – for donating five experts to the President. Indeed, the nation saw *Baba* donate five experts. I thank the man of the moment, Hon. Hassan Ali Joho, who was once described as an academic dwarf, but who has since become an academic giant. I applaud him. Indeed, academics do not matter. He is now a Harvard student pursuing a Master's Degree in Leadership. We are waiting for his Doctor of Philosophy (PhD). Professor Ali Hassan Joho, we are waiting for that doctorate.

*(Applause)*

I thank the President for nominating again our kingpin, Hon. Duale. There is no apology about that. He is the kingpin for North Eastern province. The only...

**Hon. Speaker:** Hon. Rebecca Tonkei.

**Hon. Rebecca Tonkei** (Narok County UDA): Thank you, Hon. Speaker, for giving me this moment to congratulate the nominees for the cabinet secretary positions. The Committee on Appointments did an excellent Report. I stand to support the approval of the 19 Cabinet Secretary nominees.

I thank His Excellency the President for nominating Hon. Soipan once again, for appointment as Cabinet Secretary. That lady did an excellent job and that is why I support her. Hon. Mbadi was once the Chairperson of the Budget and Appropriations Committee. He did

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an excellent job and is going to serve us well. Once appointed, the nominees will do an excellent job, which Kenyans are longing for. We are not supporting anybody because of the region they come from, but because of how we believe they will serve this country. I know the youth, Mr. Eric Muriithi, who has been nominated for the position of Cabinet Secretary for Water, Sanitation and Irrigation. He will do an excellent job because he performed well in the interview. This shows that he knows what he is doing.

With those remarks, I support the Report.

**Hon. Speaker:** Hon. Members, take your seats. Member for Lurambi.

**Hon. Titus Khamala** (Lurambi, ODM): Thank you, Hon. Speaker. I stand to support the Report and applaud the Committee on Appointments, which you Chair, for the great work. On Sunday, I had an opportunity to sit in the gallery during the vetting of Hon. Wycliffe Oparanya. I saw the intensity in the room and how you scrutinised everything during the exercise. For that, I applaud you.

Let me add my voice concerning the issue of Madam Soi. I do not know her in person, but people are talented differently. Judging from her history, she is a career civil servant. I think she was judged harshly. Therefore, as a prayerful man, I hope she will get an opportunity. Even in church, you can have a preacher who does not know how to speak or preach well but, when he or she touches people, miracles happen.

*(Hon. Shakeel Shabbir consulted loudly)*

Hon. Speaker, protect me from Hon. Shakeel. I pray that it works out for her. Once again, I thank you for the good work you have done. I wish all the cabinet secretary nominees well as they get into their new offices.

Thank you, Hon. Speaker.

**Hon. Speaker:** Member for Molo. Hon. Members, can we reduce the time further? We are coming to the end.

Go on, Hon. Kimani.

**Hon. Kuria Kimani** (Molo, UDA): Thank you, Hon. Speaker. Having watched the proceedings of the vetting exercise, I applaud you. We learnt a lot from you as you chaired the Committee. You gave everyone a chance to be heard. You allowed the nominees ample time to elaborate on the questions they were asked. You also allowed Members to ask questions.

I want to single out CPA Hon. Mbadi, the Cabinet Secretary nominee for the National Treasury and Economic Planning. The Departmental Committee on Finance and National Planning will work very closely with him. One of the issues that were raised during public participation on the Finance Bill, 2024 was the possibility of considering various ways of ensuring that we have a predictable tax environment to ensure that we do not cripple our economy, while financing our budgets. This time round, we need to separate the various statutes instead of having one omnibus Finance Bill. Perhaps, he and his team need to craft a Tax Procedures (Amendment) Bill, an Income Tax (Amendment) Bill, a Value Added Tax (VAT) (Amendment) Bill, an Excise Duty (Amendment) Bill and a Miscellaneous and Fees (Amendment) Bill. That way, Kenyans will have ample time to deliberate on these matters separately. Many of us are not tax experts. So, the confusion that came about led to the aftermath of the Finance Bill, 2024.

I would like to congratulate Dr Margaret Nyambura as a nominee from my home County of Nakuru and Engineer Eric Murithi, who is going to be the youngest cabinet secretary. His nomination means that the President has space for young people and he is willing to mentor them to be great leaders in this country. Allow me...

**Hon. Speaker:** Your time is over. Hon. Beatrice Kemei.

**Hon. Beatrice Kemei** (Kericho County, UDA): Thank you, Hon. Speaker, for giving me this opportunity. From the onset, I want to thank the Committee for a job well done under your chairmanship. I appreciate the work they have done. However, I am so disappointed with the rejection of nominee Stella Soi. Looking at her curriculum vitae, she is a well-read lady. She has done a lot, having risen to the position of a district commissioner. She has championed for women empowerment and talked about HIV and AIDS. Maybe, she was not eloquent according to the Committee, but I want to believe, just like some of the Members have said, that there are other ways through which one can communicate. I feel sad because she had the opportunity. I am praying that she gets another position. I asked myself if her rejection was because she was the last one to be vetted, when the Committee was tired and felt like she was not the best. I feel that she can still be given another chance. Former Cabinet Secretary, Phyllis Kandie was rejected, but when the Committee brought its Report to the House, she was saved. What is it that we can do to save that honourable lady? The fact that she transited from one job to another is not a yardstick to say that she is not able. That is just to tell us that she can work in this position and many other positions. Otherwise, I want to say that Stella Soi can still be given that opportunity.

Thank you.

**Hon. Speaker:** Hon. David Mboni, Member for Kitui Rural.

**Hon. David Mwalika** (Kitui Rural, WDM): Thank you, Hon. Speaker, for giving me this opportunity to also say a thing or two about this Report. At the outset, I support the Report. Let me thank the President for nominating Hon. Mbadi to be the Cabinet Secretary for National Treasury and Economic Planning. I know Hon. Mbadi as a very honest and hardworking man. He is going to bring changes in the National Treasury.

This country is facing bad economic policies, bad tax measures and poor financial management. The first thing that Hon. Mbadi should do is to bring a reasonable budget. I believe the budget we have been getting is too high in such a way that we have to do a lot of taxing which negatively impacts the lives of the people. I believe the budgets we have been having can work with 30 per cent reduction and we still do well.

I also believe that we need to subject the budget estimates to public participation the way we do with the Finance Bill. There is a lot of wastage. We need to introduce austerity measures and fiscal consultation so that we can reduce the budget and wastage. Things like tea, flowers, conferences and trainings should not be in a budget.

I believe Hon. Mbadi is going to reintroduce the Passat cars which were there during the reign of the former President Uhuru, when he was the Minister for Finance.

**Hon. Speaker:** Hon. Owen Baya

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Speaker. The office of a cabinet secretary is a high office. Any person that this House approves to sit as a cabinet secretary must rise above board. They must rise above politics and all other prejudices that they have to serve the country. They must also be loyal to one centre of power. They must be loyal to the people of Kenya and not themselves. They have to drop all other things about themselves and serve this country. The reason we found ourselves in this space today is because cabinet secretaries that we vetted in this House served as individuals. They looked for fame, wealth and things that did not help us to unify this country.

However, this Cabinet, as put together and that, we will vote for in a few minutes, represents national unity. It must bring the country together so that Kenya prospers as one. I pray that as we approve these nominees to the Cabinet, they will work for Kenyans and not for their stomachs, tribes or their families. They are going in as cabinet secretaries of the Government of Kenya for the State of Kenya and they must serve this country indiscriminately. As we take our vote, I want to cast my vote today knowing that I am voting a Cabinet that will unify and serve the country. They should stop corruption, opulence and individualism and serve

our country Kenya. That is why I will vote today to pass this Cabinet. I hope everybody here does that. We vote so that we consolidate the...

**Hon. Speaker:** Next is Hon. Mbeyu.

**Hon. Gertrude Mwanyanje** (Kilifi County, ODM): Thank you, Hon. Speaker. I take this opportunity to thank the President's advisors for coming up with this Cabinet. We thank all stakeholders who were involved in the coming up with this Cabinet. I also thank your Committee for vetting the nominees. I speak because I am a victim of the Ministry of Gender, Culture, Arts and Heritage in this House. I will not speak about Stella. I saw how she went through the vetting. She did not have much information about the Gender, Culture, Arts and Heritage docket. As a leader, just because I am a lady, I would not support a lady who would not lead. We were really ashamed of this.

My advice to Kenyans is to let the advisors look for a person living with disability to take over the Gender, Culture, Arts and Heritage docket. The Cabinet would be fully and constitutionally formed because we have the youth, women and men. I congratulate our team from the ODM, Hon. Hassan Ali Joho, Hon. Mbadi, Hon. Wandayi and Hon. Oparanya, for being the best in the vetting. You saw the eloquence, firmness and confidence that Hon. Hassan Joho had during the vetting. We want to congratulate him. He has our support. We will support all the members of the Cabinet today and we say 'yes' to all the vetted nominees.

Thank you, Hon. Speaker.

**Hon. Speaker:** Order, Hon. Members. Take your seats. I thought I would exercise discretion to extend, but I am advised that this Motion takes three hours; which have elapsed.

*(Several Members spoke off the record)*

Order! That is what I said, but I have been advised differently and I take advice. I thought it was an ordinary Motion, but it is a Special Motion, which takes three hours. You passed a Resolution at the beginning of the Session. I was given and I approved an amendment to the Motion by the Member for Vihiga County. She has since come to the Chair and told me she has no intention of prosecuting it. I just want her to confirm.

**Hon. Beatrice Adagala** (Vihiga County, ANC): Thank you, Hon. Speaker, for giving me this opportunity. Before I prosecute what you have said about me bringing up an amendment, I also want to congratulate those who have been approved.

**Hon. Speaker:** Order, Hon. Beatrice. I only wanted one thing from you.

**Hon. Beatrice Adagala** (Vihiga County, ANC): I oblige. I wish to withdraw the amendment that I wanted to make.

**Hon. Speaker:** That being the case, I now call upon the Mover to reply.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker.

*(Loud consultations)*

There are quite a number of Members who are asking me to donate time to them to speak but procedurally, I am not allowed to donate at the conclusion of debate. Therefore, I want to beg that you allow me to reply.

As I thanked the Committee in moving, I forgot to thank our staff of the Parliamentary Service Commission who diligently worked with us at the Committee stage and throughout the sittings from Wednesday evening to this morning. We have very diligent staff members. Some did not even sleep for two days. Indeed, we would have tabled this Motion on Tuesday, but we could not because we had to allow our staff members to, at least, take a break on Monday afternoon. I must take this opportunity to thank them profoundly for their sacrifice, under the able leadership of one of our deputy directors, Mr. Nicholas Emejien. They put in a lot of time

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to make sure that we had the Report ready in time. Allow me to also thank all the Members who have contributed in support and even the differing opinions to this Motion for approval of the nominees that have been proposed for approval and for the rejection of the one nominee, who I said in moving that it is not an indictment as to her ability to serve in any other capacity. I would encourage His Excellency the President, that should he find another position that Ms. Stella Soi can serve in, and since she is still an officer in the Government, he has the prerogative to allow her to serve in any other capacity.

Let me also note that for the first time, we vetted the nominees throughout the weekend. It was not just throughout the weekend as is customary; I know Members are accustomed that when we are working over the weekend, we retreat to hotels. But Hon. Speaker, you will recall that we committed to the country that upon completion of the Bunge Tower, we would utilise more of the space that we have in Parliament.

Hon. Speaker, allow me to thank you as the Chairperson of the Parliamentary Service Commission, for leading by example in line with austerity measures that are being instituted across all the Arms of the Government. For the first time, a Committee chaired by none other than the Chairman of the Parliamentary Service Commission, who happens to be our Speaker, and one where both the leadership of the Minority and Majority sit in and, at least, another four chairmen of committees, besides the other ranking Members, sat throughout the weekend at County Hall. County Hall Mini Chamber became our home throughout the weekend. We prayed and worshipped there. On Friday, we had a room where our Muslim brothers were praying from. On Sunday, for those of us who are Christians, Hon. Speaker had his morning mass at 7.00 a.m. at the County Hall and I had mine, a 15-minute break, at 10.00 a.m. This is the new spirit that we want to set for the other arms of Government. We can have austerity measures where we all retreat and work within the precincts of Parliament and facilities in the other arms of Government. There are many Government institutions that we can take advantage of in order to save on the unnecessary expenditure that we incur.

Lastly, I thank all these nominees, including the gentleman, Member for Ugunja Constituency and the Leader of the Minority Party, Hon. Opiyo Wandayi. Hon. John Mbadi is now destined to take over our National Treasury upon the approval by this House. These are extraordinary times that call for extraordinary men to the service of their nation. Hon. Opiyo Wandayi and Hon. John Mbadi are our colleagues here. If we approve this Motion, these two Members will join the Executive. I would like to speak to Hon. Wandayi, and Hon. John Mbadi who are here.

When you get to the other side, remember this is a House that vetted you, and approved your nomination. You will not go to the Executive to serve these Members of Parliament who represent Kenyans. Please, go and serve Kenyans diligently and fairly. Ensure that the Last Mile Connectivity Programme is rolled out across the country without favour or discrimination. Know where you have come from, Hon. Wandayi. Know that there are parts of this country that have been marginalised over the years. Know it may be fashionable for the Leader of the Majority Party, because of the region I come from, to speak about one man, one vote and one shilling. However, as I speak about it, remember there are corners of this Republic where young children and even people who are my age have never seen electricity in their homes.

*(Applause)*

Kikuyu Constituency, which I represent, is at 85 to 87 per cent connectivity. Baringo County, as a whole, is at 35 per cent connectivity. In Marsabit County and parts of Luo Nyanza, people have never seen electricity.

*(Loud consultations)*

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I have been to parts of Luo Nyanza where there is no electricity. In Suba North and Suba South constituencies, the first inch of tarmac was only seen in the recent past. These are injustices that Hon. John Mbadi, who comes from Suba South Constituency, must end. We must serve this country as leaders who know we are serving one people in one indivisible country. We must never allow parochial politics to divide our people again. We were a colony of the British. If you see what is happening in the United Kingdom today, dear Kenyans, you will know that any country can get lost at the fraction of a second.

**Hon. Mohammed Adow** (Wajir South, ODM): On a point of order, Hon. Speaker.

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Speaker, when Hon. Junet wants to inform me...

**Hon. Speaker:** No, it is not Hon. Junet. Hon. Adow has a point of order. Hon. Adow.

**Hon. Mohammed Adow** (Wajir South, ODM): Thank you, Hon. Speaker. The words of the Leader of the Majority Party are really touching. However, is that the reality on the ground in Kenya? Inequality or lack of equity is there. Let us not just make it lip service.

**Hon. Speaker:** What is out of order?

**Hon. Mohammed Adow** (Wajir South, ODM): That is my point of order, Hon. Speaker.

**Hon. Speaker:** That is not a point of order. Yes, Hon. Junet.

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Speaker, I am very happy that the Leader of the Majority Party has allowed me to inform him. He has said that the cabinet secretaries must serve the country. We are suffering in this country. We have a Deputy President who is serving only one region. The region I come from is almost thinking of having their deputy president also. Can we have people who are serving the country in totality?

*(Applause)*

**Hon. Speaker:** Order.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Cabinet secretary nominees, if approved by this House, must serve the people of Kenya.

This morning, I had an engagement with a relative from the United Kingdom who was telling me that what we are seeing happening there today could happen to any country. That is the point I was at before Hon. Adow interrupted with a point of order. Let us not take it for granted that we have a country that stands united. Let us never take it for granted that we have one people who are indivisible, save for our politics. We must never allow our politics to divide our people. People in the UK are not sleeping today; neither do they feel safe. Whether you are a Muslim, a Christian, from Asian or African descent, for the first time, I have seen the Kenyan Embassy in London UK give an advisory to Kenyans there. This has happened for the first time since I became a grown-up. I do not know whether it has ever been done before.

I plead with us to support this Motion and send out the ladies and gentlemen to serve the people of Kenya. As they do so, they should remember to embrace the highest degree of integrity, decorum and respect to the people of Kenya.

I beg to reply and ask for your support.

**Hon. Speaker:** Order, Hon. Members. Hon. Bedzimba, take your seat. Whom does she want to inform? The debate is over.

Hon. Members, I now want to put the Question. Before I do that, let Hon. Mbadi and Wandayi stay at the back if they are in the Chamber. We will allow them in after the vote. They cannot vote in their own cause. Two, you will have two votes. The first one is on the nominees from number 1 to 19 and the second one is on rejection. They do not go together.

*(Applause)*

*(Loud consultations)*

**Hon. Speaker:** Order.

*(Several Members stood at the entrance of the Chamber)*

Hon. Members at the Bar, take your seats. Take the nearest seats. Hon. Ngunu, that is not the nearest seat that you are going to. Order Hon. Members

Is Hon. Mbadi in the House?

**Hon. Members:** Yes.

**Hon. Speaker:** Where is he? We said we will call them in after the vote. He will hold on out there.

*(Question put and agreed to)*

**Hon. Members:** Division.

**Hon. Speaker:** Order! It is clear there are no numbers to claim a Division. Hon. Members, you may now call in the colleagues who exited the Chamber of the National Assembly.

*(Hon. Wamboka Wanami stood up in his place)*

Order! Take your seat, Hon. Wamboka. Hon. Mbadi and Hon. Wandayi, you may now enter the Chamber and take your seats.

*(Hon. Opiyo Wandayi and Hon. John Mbadi were ushered into the Chamber)*

*(Applause)*

*(Loud consultations)*

**Hon. Speaker:** Order! Order, Hon. Members!

We have a precedent on this. Having taken the vote, this House will from this evening lose two Members to the Executive. As we did last time with our colleagues, Hon. Duale and Hon. Alice Wahome, I will give each one of the two an opportunity to say something to the House. Each one will have no more than five minutes. I will start with Hon. Wandayi.

*(Applause)*

**Hon. Opiyo Wandayi** (Ugunja, ODM): Thank you, very much Hon. Speaker. Hon. Members, allow me, following the Communication by the Hon. Speaker, to say a few things as I hand over the instruments of the Office of the Leader of the Minority Party to the new office holder. My tenure as the Leader of the Minority Party of the National Assembly in the 13<sup>th</sup> Parliament under Article 108 of the Constitution has now come to an end.

It is important that I do some reflection, for the time I have been in this House, which is now close to 12 years. Let me share with you one of my most epic moments during my service in this House as a legislator. You will recall - and I am sure - that in the 11<sup>th</sup> Parliament,

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during my first term, I was actually suspended from the service of this House on the 31<sup>st</sup> March 2016 for the remainder of the session.

Those days, of course, even up to now, sessions used to begin from 1<sup>st</sup> January to the end of December. So, I was suspended for the remainder of the session on 31<sup>st</sup> March 2016. I rushed to the courts for refuge and sought a judicial review of the decision of the House. Now, this prompted the House - that is the most important point - to re-examine the provisions of our Standing Orders. Following extensive consideration of the matter by the Committee of Powers and Privileges, and incorporating the guidance of the courts, it was recommended that the National Assembly's Standing Orders be reviewed to accord a Member accused of breach of parliamentary privilege, fair hearing, and to cure the unequal treatment of the same offense at different times of the session.

Consequently, Standing Order 110B was introduced to provide for an elaborate process for appeal against suspension, and Standing Order 111 was amended to provide for a maximum period of suspension of 90 days. Therefore, on a positive note, this incident has significantly contributed to the jurisprudence of this august House. For close to two years of my service as the Leader of the Minority Party in this Parliament, I have continuously championed the minority position on issues under consideration. I have helped to some extent to contribute to the legislative process through open engagement. From time to time and whenever necessary, I have had to consult and strike compromises with the Majority Party in the best interest of the public.

Indeed, as with any other office holder, during the discharge of their duty, milestones have been achieved. My shoulders have been rubbed, sometimes the wrong way, and challenges have been experienced. I wish to acknowledge the immense support of the parliamentary staff during my approximately 12 years of service in this House.

Hon. Speaker, your Office and that of the Clerk, Mr. Samuel Njoroge, have been very instrumental in the legislative process, through impartial professional guidance and administrative facilitation.

For this, I will forever be truly indebted to those offices and the very hard-working officers. In addition, I wish to appreciate my able staff who have worked closely with me. I wish them all the best and I will forever remain indebted for their support. *Ahsanteni sana*. Former President John F. Kennedy of the United States of America (USA said during an address in the Assembly Hall at the Pulse Church in Frankfurt in 1963 and I quote: "Change is the law of life and those who only look to the past or the present are certain to miss the future".

Hon. Speaker, allow me to express my special gratitude to my Party Leader, the Right Hon. Raila Amolo Odinga, *Baba*, for enabling my appointment as the Leader of the Minority Party on September 2022. I am also grateful to the membership of the Minority Party for their support and co-operation during the close to two years of service as their Leader of the Minority Party. I cannot end without thanking the President of the Republic of Kenya.

*(Applause)*

Do I repeat?

**Hon. Members:** Yes!

**Hon. Opiyo Wandayi** (Ugunja, ODM): Okay. I cannot end without thanking the President of the Republic of Kenya, His Excellency Dr. William Samoei Ruto, PhD, for granting me this historic opportunity to serve my country as a Cabinet Secretary in the Ministry of Energy and Petroleum.

I wish to reiterate that this country is much bigger than each and every one of us. We have a duty and obligation to protect and nurture it for the present and future generations. I take this opportunity to congratulate my very able successor, Hon. Junet Mohamed MP, as he takes

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over the Office of the Leader of the Minority Party. You will agree with me that Hon. Mohammed, who completes his tenure as the Minority Party Whip today has, with legendary humour and wit, effectively discharged his role to the House and the Party. To you now, this is not an opportunity for you to fill my shoes. It is an opportunity to take this role to greater heights in different shoes, if need be. I wish you all the best in your new assignment.

Hon. Speaker, finally, allow me to hand over.

**Hon. Speaker:** Hold it.

**Hon. Opiyo Wandayi** (Ugunja, ODM): Okay, fine.

Hon. Speaker, as I conclude, allow me to thank all my colleagues and Members from both sides of the divide for the immense support and co-operation you have accorded me. I want to assure you that, as I transcend to the Executive, my doors shall remain open. We shall continue to engage one another as we, together, build this country and protect it from any attempts to sabotage it by whosoever! I want to conclude by thanking all of you. *Ahsanteni sana.*

**Hon. Speaker:** Hon. Mbadi.

**Hon. John Mbadi** (Nominated, ODM): Thank you, Hon. Speaker. Mine may be a little longer because I have been here longer than Hon. Wandayi. Allow me to start by saying that today, as I make this final contribution on the Floor of this House, with a lot of humility, gratitude and honour, I want to give special thanks to the Almighty God who gave me the energy and the noble commitment to stay focussed on my role as Suba South Member of Parliament for nearly two decades. Like all Members who have spoken in this House on this wonderful debate approving our nominations, it is going to be a great wrench to leave the House. As the book of Ecclesiastes 3:1-8 says:

“For everything, there is a season and a time for every matter under heaven...”

Today comes that day to say goodbye to the Legislative Assembly.

As you are all aware, two weeks ago, His Excellency the President, (Dr.) William Samuel Ruto, nominated me as the Cabinet Secretary for the National Treasury and Economic Planning, an appointment which I heartily accepted. Consequently, I have since been vetted by the Committee on Appointments and approved by this House to assume the new role. I want to thank you Members who have approved my nomination.

By extending this hand of co-operation, may I exceptionally thank His Excellency the President, for the trust he bestowed upon me to sit at the top-most decision-making organ of the country. I am humbled by the warm gesture and remain mindful of the aspirations and expectations of Kenyans, as I assume the Office as the Cabinet Secretary, National Treasury and Economic Planning. Simply put, the people of Kenya are entrusting me with their granary.

At the backdrop of this long political journey, I wish to acknowledge my party leader, (Rt.) Hon. Raila Amolo Odinga and the entire Orange Democratic Party fraternity who imparted the foundations of knowledge and skills in leadership, as well as trusting me with party leadership positions. I am equally indebted for the space to ride on the same party ticket to Parliament for a record 17 years, priding myself as one of the longest-serving Members of this House.

*(Hon. Shakeel Shabbir spoke off the record)*

I have said one of the longest! Hon. Shakeel Shabbir is complaining! But I have said one of the longest serving Members of this House. The opportunity to serve as an Assistant Minister during the Grand Coalition Government, the Leader of the Minority Party in the 12<sup>th</sup> Parliament, Chairman of the Public Accounts Committee and the Chairmanship of the ODM for a decade. I honestly appreciate your immense support, contribution and encouragement. Your valuable contribution will always remain treasured in my heart forever.

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On the social aspect or social dimension of this undertaking, have been answered to my family, beginning with my late parents, for their blessings that I carry with me today to greatness. To my beloved wife, Rhoda Mbadi and my children, I am forever indebted to you for being my sounding board, always encouraging and pushing me to excel and be the best father and husband. Your full-time prayers, guidance, wisdom and knowledge in the entire political journey gave me the zeal to proceed even during my lowest moments - and there were many. To my brothers - and that is where I am going to end my family issues - may God bless you for your relentless efforts to support my academic journey and upbringing. Always stepping in for our parents. Exceptional appreciation will go to two of my brothers - Stephen Ogola and Maurice Ogalo. If it were not for you, I would have dropped out of school. My brother, Stephen Ogola, I will never forget how you braved the harsh cold weather of Kericho Tea Plantations, denying yourself the basics, to get me school fees from your meagre savings. I salute you. How I wish our late parents were alive to witness this historic moment. They have always wanted the best for us. May God rest their souls in eternal peace.

*(Applause)*

To the people of Suba South, I am deeply conscious of the fact that the thrust of dynamic debates and my parliamentary standing on the relevant issues was planted in me at a time of curious and unrelenting search for leadership position by you, my constituents, for three terms. I am grateful for the opportunity to serve you as your Member of Parliament for 15 years. Thank you for your support, organic love and for ensuring that I won with increased majorities over the years.

As a community, we did exceedingly well, utilising the NG-CDF to ensure that our children continue to access quality education by strategically renovating and expanding our educational infrastructure and bursaries to cope with the number of students enrolling in schools. We leveraged the participation of our people in meaningful development to transform lives through bigger, broader, better managed and well-resourced constituency projects. We enhanced participatory approaches within the constituency and ensuring judicious use of public resources and many more. Thank you once again for the opportunity to be your Member of Parliament.

Now to my fellow Kenyans. I am overwhelmed by the messages of goodwill you sent before, during and after my vetting. My heart is elated with the heartwarming compliments and well wishes I have received so far. This demonstrates the level of confidence and hope Kenyans have in me.

And I now come to the Members of the National Assembly. Dear colleagues, I have never shied from playing my role as a Member of this House. I have diligently performed my legislative functions to the best of my knowledge for the last 17 years. To this day, I will cite a few. I have represented my constituents and special interests in the National Assembly as required. I have participated in deliberations and resolutions of issues of concern to the people. I go on record as the only Member of this House who, after meticulously analysing the budget, managed to discover a fictitious computer error of Ksh10 billion in the Budget Estimates for the Financial Year 2011/2012, which the Ministry later acknowledged.

I have participated in the enactment of the legislations in accordance with the Constitution, notably being part of the legislative taskforce that drafted the Public Finance Management Act, 2012. As a Member of the Constitutional Implementation Oversight Committee (CIOC), I actively participated in the actualisation of the Constitution of Kenya 2010, especially the enactment of legislations envisaged in the Fifth Schedule of the Constitution. Hon. Speaker, you were with me in the 10<sup>th</sup> Parliament, and you will remember that being in CIOC was very lucrative in the sense that people really respected you. Even

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Ministers were fighting to be in that Committee. I got the privilege to be in that Committee, and I served diligently.

In 2013, I am proud to have brought an amendment to the VAT Act on basic commodities from being standard-rated to either zero-rated or exempted completely, which, at least, helped in lowering the cost of living. I have diligently participated in appropriation of funds, as you all know, but I have outstandingly played my role in overseeing the national Government expenditures. I have also participated in the development of policies of national importance, just to mention but a few.

As I take over as Cabinet Secretary for the National Treasury and Economic Planning, I am acutely aware that we are at the centre of a storm; a tax storm, a debt storm and an economic storm. Nonetheless, we must forge forward.

*(Applause)*

Hon. Speaker, I am aware of the very important relationship between the Cabinet Secretary of the National Treasury and Economic Planning and this House. I cannot achieve any mandate without the support of Parliament as a whole. Therefore, from the onset, I want to plead for the support of this House in the work that we are going to do.

Hon. Speaker, I am aware that the Finance Bill 2024 was very controversial. I am also cognisant of the fact that the Bill had some positive pro-*mwananchi* proposals, which I propose to salvage.

*(Applause)*

Firstly, I am aware that the Bill contained provisions to make the Housing Levy and post-retirement medical contributions deductible. This would have elevated the pain on the paylips of salaried employees.

Secondly, the Finance Bill 2024 proposed restoring the provision of relief because of doubt or difficulty in recovering tax. This provision is important because it allows the Commissioner-General to deal with the difficulty in collecting taxes due to unavoidable circumstances on the taxpayer's part. However, I am also aware that Hon. Members have expressed dissatisfaction with the unfettered discretion of the Commissioner-General. We can harmonise those two positions to benefit the *mwananchi* and stem the abuse of the tax abandonment provisions.

Additionally, the Bill was also amended by the Committee of the whole House or proposed for amendment to extend the tax amnesty programme as was contained in Section 37(e) of the Tax Procedures Act for a further one year. This is a quick win for both the taxpayer and the Government, which would continue to recover uncollected taxes.

**Hon. Speaker:** Give him the microphone.

**Hon. John Mbadia** (Nominated, ODM): I am almost done, Hon. Speaker. I have one and half pages, if you do not mind.

Further, the Departmental Committee on Finance and National Planning had proposed amendments to make the Electronic Tax Invoice Management System (eTIMS) workable for small-scale farmers and businesses. We have the opportunity to leverage on that good idea.

Finally, we need to devise methods of expanding the tax base to collect taxes from the traditionally hard-to-collect sectors, in line with the National Tax Policy. This is an important strategy to protect existing businesses from over-taxation. We must protect the goose that lays the golden egg as we find other geese to lay more eggs.

I am also aware of the concerns about the difficulty of doing business in this country. I intend to work with the State Department for Economic Planning, other Government

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departments, and all the relevant stakeholders to review data and legislation to enhance the ease of doing business in Kenya.

I am very passionate about the management of the Kenya Revenue Authority (KRA). The first and most important aspect is that we must employ the principles of corporate governance in the management of KRA, just like any other corporate body. There should be a distinction between the role of the Chairperson of the Board, the Board as a whole, and the Commissioner General as the Chief Executive Officer (CEO), and the management officers of KRA. Additionally, during the vetting, I spoke about the recruitment of competent officers at KRA. I favour the policy where graduate trainees are recruited and trained both in class and on the job. We need to restore the policies that have worked at KRA before.

This is my last page, Hon. Members. It is about Article 223 of the Constitution, which I have been very vocal about. As you are aware, I proposed an amendment to the Public Finance Management Act to establish some checks and balances on the use of this Article. The Bill was not passed. However, I intend to ensure the prudent use of Article 223 of the Constitution in the overall fiscal framework. I am convinced that, if we manage our debts and the application of Article 223 of the Constitution, we will have better-balanced budgets. We may not need to overtax Kenyans because we will have a reduced expenditure side of the budget. This Article will not be misused during my tenure at the National Treasury.

Hon. Speaker, I seek the support of this House as we strive to improve the economic environment for the betterment of all Kenyans. As I exit the place I have called home for the last 17 years, I leave with my head held high, that I left an indelible mark in the history of this House. The strongest feeling I have today in this last speech is gratitude for the opportunities that I have had and for the many people I have served with. Most importantly, I express gratitude for the many moments of connection and witness to the lives of others, which I believe is the deepest privilege of public life.

Before I say my final word, I thank all of you. I interacted with almost every Member of this House in one way or another. I enjoyed working with Members of Parliament from across the aisle. I have very strong opinions, and Members know it. However, we do it with decorum and respect because Kenya belongs to all of us.

*(Applause)*

I thank the Leader of the Majority Party, Hon. Kimani Ichung'wah, who is my friend and professional colleague. Although we did not always agree, we were always friends outside the Chamber. He is the only person who knows where I live, my children and my wife because we are friends. Hon. Owen Baya, you have learned a lot from me. You will continue to learn. I wish you and, of course, the Whip of the Majority Party, whom I got from the streets and mentored him to become who he is today, also join the Executive when I leave it.

*(Laughter)*

From the Minority side, Hon. Opiyo Wandayi, who is my successor as Leader of the Minority Party, has done well in that office. I thank you, and even though it was very difficult to work with someone who has succeeded you, we managed to strike a balance. I want to thank all of you. Of course, Hon. Junet Mohamed, we have come a long way. You know what we have gone through, and I would not want to disclose it in this House. But we have faced many challenges.

Hon Speaker, I want to express my gratitude to you once more. We have interacted a lot. We started working together in the Opposition. Of course, I found you in the Government. Then we worked in the Opposition. When we were facing a lot of frustration, Hon. Speaker,

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you remember one time I had to save you up there when some MPs wanted to kill you. Hon. Speaker, I did my best to save you. But today, interestingly, we are finding ourselves somewhere again.

**Hon. Speaker:** Strangely, one of those who attacked me is in this House. Moreover, it is a lady. I must say that she is my very good friend.

(Laughter)

**Hon. John Mbadi:** Let go in the spirit of forgiveness. I want to conclude with a parting shot. I kindly ask for forgiveness if I, by any chance, offended any of you, all Members, through my actions. Equally, for all those who wronged me, I forgive you. By the way, I do not even see any enemy. None of you actually wronged me. If there is anyone who I may have forgotten, I forgive you. Thank you very much. It is a very emotional moment. Imagine a place you have called home for 17 years, continuously, and now you are leaving for other uncharted waters. May God bless Kenya and the National Assembly of the Republic of Kenya.

Thank you.

**Hon. Speaker:** Hon. Members, I do not want to open any debate on this. On behalf of the House, I will give a chance to the incoming Leader of the Minority Party two minutes and the Leader of the Majority Party two minutes. We will take long if we open debate. Each one of you has accolades for your colleagues.

**Hon. Patrick Makau (Mavoko, WDM):** On a point of order, Hon. Speaker.

**Hon. Speaker:** We will come to that. What is your point of order, Hon. Commissioner Makau?

**Hon. Patrick Makau (Mavoko, WDM):** Hon. Speaker, with all due respect to Hon. Opiyo Wandayi and Hon. John Mbadi, I listened to their beautiful speeches. In the 12<sup>th</sup> Parliament, those of us who were in this House from the Wiper Democratic Movement supported Hon. John Mbadi as the Leader of the Minority Party in this House. We have supported Hon. Opiyo Wandayi. In their speech, they did not even mention or appreciate the Members of Parliament from the Wiper Democratic Movement who have been here and supported them relentlessly.

(Laughter)

**Hon. Speaker:** You have made your point.

**Hon. Patrick Makau (Mavoko, WDM):** Is it possible to give them a second to appreciate members of the Wiper Democratic Movement in this House?

**Hon. Speaker:** Order, Hon. Patrick Makau. Honestly, Commissioner Patrick Makau, take your seat. First, in law, we say *expression unius exclusion alterius*, meaning to specify one is to exclude another. So, for them not to have mentioned you is neither here nor there. Do not solicit to be mentioned. Order Hon. Shakeel Shabbir. Take your seat. Hon. Junet Mohamed, you have two minutes.

**Hon. Junet Mohamed (Suna East, ODM):** Thank you, Hon. Speaker. Today is a heavy day for me because the people this House is losing who are going to the Executive are people I have worked with very closely. Hon. Mbadi was our Leader of the Minority Party in the 12<sup>th</sup> Parliament, and I was his Minority Whip. Hon. Wandayi is the outgoing Leader of the Minority Party, and I have been his Minority Whip as well. These are two gentlemen that I have worked with very closely in the House and at the party level. I am very sad because we will miss their leadership and guidance as the Minority Side and at the party level.

These two Members of Parliament have mentored many Members of Parliament on our side. I want to wish them well and tell them we will hold *forte* in the House as they leave us behind.

Hon. Mbadi is an amazing person. He has been the Chairman of our party for the last 10 years, and he has guided the party so well that there have been very few disputes. For members of a huge national party like the Orange Democratic Movement (ODM), having faith in someone means a lot. It tells the kind of leader he is.

Coming to the Leader of the Minority Party, whom I have worked with in that capacity for two years, I can say without fear of contradiction that he is a resolute leader. He is a very consultative man. He is a leader who consults on every issue before the House and knows how to interact with his members. When he appeared before the Committee on Appointments, my heart skipped a beat because I realised that I would be lonely in this House as the Minority Whip. Having said that, they have to go and serve Kenyans. I felt very proud when the nominees from ODM appeared before the Committee on Appointments. From the way they answered the questions, how they understood the dockets they had been nominated to, and how they understood the challenges Kenyans face, I am very happy because I am sure that we are sending a team that understands what is expected of them. They are experts in their own fields, know what they want to achieve and have a vision. They will also ensure that our party and people are highly regarded.

**Hon. Speaker:** Wind up.

**Hon. Junet Mohamed** (Suna East, ODM): I want to conclude by assuring them that, now that we are remaining here, we will make sure that we do our work. We will continue from where they have stopped. We wish them well and want them to serve Kenyans irrespective of their communities, parties, and where they come from. I also want to tell them that those who are remaining will take care of our party.

Lastly, I am very proud of my party and Party Leader. He has nurtured and brought up very serious leaders. These are people who have grown under his wings. I know what I am talking about, and they themselves know what I am talking about too. I am a very proud Kenyan today because it is good for a leader to nurture people to the extent that Hon. Mbadi and Wandaiki have reached. Kudos to my Party Leader, Hon. Raila Amollo Odinga, who is fondly referred to as *Baba*.

*(Applause)*

With those few remarks, I congratulate and wish them well. Thank you, Hon. Speaker.

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. On behalf of the House, I would like to first convey my congratulations to our two colleagues, Hon. John Mbadi and Hon. Opiyo Wandaiki.

As Hon. John Mbadi has said, indeed, we are friends. When I joined this House in 2013, Hon. John Mbadi was a member of the Public Accounts Committee (PAC), and I happened to be elected as the Vice-Chairman of PAC in my first term. Being professional colleagues, we had a lot to learn from each other. I had much to learn from him, having been my senior and joined the House five years ahead of me. He succeeded the late Hon. Nyenze as the Leader of the Minority Party. We worked very well together when he was the Leader of the Minority Party, and I was an ordinary Member and later Chairman of the Budget and Appropriations Committee. He also served me as a member of the Budget and Appropriations Committee, and we immensely benefitted from his knowledge of public finance matters, having been one of the architects of our Public Finance Management Act, 2012.

Indeed, without contradiction, Hon. John Mbadi is a Member who has served this House, his constituency and this country with diligence and commitment. I wish you well, my brother, as you go out to serve. As he said, he is my friend. I have been to his house numerous times. I have had meals at his house. The only place I have yet to visit is his house in Suba. I plan to do so soon, even as I oversee his work as the Cabinet Secretary for the National Treasury and Economic Planning. I will visit him.

My brother, Hon. Opiyo Wandayi. We joined this House together back in 2013. As first-time Members of Parliament, we got to know each other. By coincidence, we were both nominated by our respective coalitions and parties to be Leaders of the Majority and Minority parties, respectively. We have worked very well with my brother, Hon. Opiyo Wandayi, and not to forget Hon. Robert Mbui, Hon. Junet Mohamed, and the Minority Whip, Hon. Mwenje.

We, indeed, hold divergent views across the political aisle but, ultimately, we serve the same people in one country. We must, at all times, remember that. I must thank these two leaders because it has never been lost to them that everything we do here is in the best interest of the people of Kenya. As Hon. Opiyo Wandayi has said, it is true that we have sometimes consulted, agreed to disagree, and done so respectfully. At times, we have agreed to agree and push business on the Floor of this House very well. I congratulate and welcome my brother, Hon. Junet Mohamed, as the new Leader of the Minority Party in the House. I look forward to working with him in the best interest of the people of Kenya.

As these two Hon. Members depart from this House, one after 17 years and the other after 12 years, and go out to serve in the Executive, we shall remain here as your friends, but to oversee you. Please go out and serve the people of Kenya but, remember, we represent the people you are going to serve. We shall oversee you without fear or favour, whether you came from this House or you are among those of your colleagues who are coming from the private sector.

As I conclude, allow me to take this opportunity to thank His Excellency the President for seeing beyond our political divide, and putting the nation ahead of all our political inclinations.

*(Applause)*

Economically, we are living in difficult times that are similar to the ones that the rest of the world is experiencing. As I previously stated, the whole world appears to be in turmoil, if you look at all corners of the world, from Asia and the Far East, to Europe and the United Kingdom (UK). It calls for great leaders like His Excellency Dr. William Ruto and the Rt. Hon. Raila Amollo Odinga to see beyond their regions, political inclinations and parties, and put the nation ahead of every other consideration.

*(Applause)*

How I wish and pray that those of us here as leaders and even those outside this House always put our country ahead of our selfish and parochial interests and politics at times and put the nation first.

With those few remarks, allow me, on behalf of the House, to wish Hon. Opiyo Wandayi and my brother, Hon. John Mbadi, all the best. At the Alliance High School, we say: "Strong to Serve." Serve the nation diligently.

*(Applause)*



**Hon. Speaker:** Thank you. Hon. Members, we are coming towards the end of this Session. Hon. Milemba, you wanted to say something, but I have passed it. Allow me not to give it to you.

## COMMUNICATION FROM THE CHAIR

### CHANGES TO THE MINORITY PARTY LEADERSHIP

Hon. Members, I have a Communication in furtherance of what we have done. This is on changes to the Minority Party leadership.

Hon. Members, Standing Order 21 provides for the election of a Member as the Leader of the Minority Party by the second largest party or coalition of parties in the National Assembly. Additionally, Standing Order 20A provides for the designation of parliamentary parties, leaders and whips.

Hon. Members, pursuant to the provisions of Standing Orders 24 and 20A (5), I wish to inform the House that I have received a letter from the Minority Party Whip communicating that the Azimio Coalition held a Parliamentary Group Meeting on 6<sup>th</sup> August 2024 in Committee Room No. 12, Main Parliament Building. In that meeting, they considered the election of the Leader of the Minority Party and the Minority Party Whip in the National Assembly. The letter conveys that the meeting, which was attended by members of the Coalition in the National Assembly and the Senate, elected Hon. Junet Mohamed CBS, MP, as the Leader of the Minority Party in the National Assembly and Hon. Millie Odhiambo, MP, as the Minority Whip in the National Assembly.

Hon. Members, the Minority Party Whip has also attached the minutes of the meeting, thereby complying with the provisions of the Standing Orders and the precedents set by the House in such matters.

In this regard, and pursuant to the provisions of Standing Order 24, I wish to convey to the House the changes in the leadership of the Minority Party. The changes take effect today, 7<sup>th</sup> August 2024, and affects all the other offices and committee memberships designated for the Leader of the Minority Party and the Minority Party Whip. This includes the House Business Committee, Committee on Selection, Committee on Appointments and Liaison Committee.

Hon. Members, on behalf of the House and, indeed, on my behalf, I take this opportunity to congratulate Hon. Junet Mohamed CBS, MP and Hon. Millie Odhiambo, MP, on their election to the respective parliamentary leadership offices. I wish them well in their new roles. I also take this opportunity to sincerely thank Hon. Opiyo Wandayi, EGH, MP, for diligently and effectively carrying out his duties as the Leader of the Minority Party since 2022. We wish him success in his future endeavours as he serves the nation.

The House is accordingly guided.

Lastly, on behalf of myself, the Office of the Speaker and, indeed, the entire Parliament, I wish to congratulate Hon. Wandayi and Hon. John Mbadi for the enormous responsibility now placed on their shoulders, together with the rest of their colleagues who this House has approved. They should carry out the duties of helping the President and the entire Cabinet to move this country forward. As everybody has said, you are not the cabinet secretaries of any party. You are the cabinet secretaries of the Republic of Kenya, and you are going to work for the people of the Republic of Kenya. I want to see you in Turkana, Lamu, Kwale, Kiambu, Narok, Trans Nzoia and everywhere, so that the country can feel and appreciate you.

Lastly, having been in this House and interacted with your colleagues, I would be the saddest Speaker in the country's history to hear Members come to me to complain that you

cannot open your doors for them, take their calls, return their calls, or even attend to the issues that they bring to you.

This is because you, more than anybody else, know what Members of Parliament go through and what to do in response to issues they require. Go out there, set the pace, and mentor the cabinet secretaries who have not had an opportunity to come to this House to learn how to deal with Members of Parliament. Mend those cabinet secretaries who have not had the opportunity to come to this House and discuss how you can all deal with Members of Parliament as they legislate, represent and oversee you. Thank you very much, and I wish you well.

From here, I advise you to go to whichever offices you came from, write your letters of resignation as Members of Parliament, and deliver them to the Office of the Speaker. I wish you well.

*(Applause)*

Hon. Wandayi, you can now hand it over to Hon. Junet without much drama.

**Hon. Opiyo Wandayi** (Ugunja, ODM): Thank you very much, Hon. Speaker. My singular duty now is to do the handover. I had reserved this other aspect for this particular moment. I want to heartily thank the people of Ugunja for having bestowed on me the honour of, indeed, being their maiden Member of Parliament and electing me three consecutive times to serve them. I pray that the Almighty God will guide the people of Ugunja in identifying my successor moving forward.

Let me, therefore, take this chance to hand over this file to the incoming Leader of the Minority Party as his starter-pack. It carries, among other items, a brief detailing of the pending business in this House and the business that came from this House, but is now pending in the Senate. The pending business in the pack includes eight bills conceived by the National Dialogue Committee (NADCO) for Parliament's consideration, currently at different stages in the two Houses. I acknowledge that the Independent Electoral and Boundaries Commission (Amendment) Bill, 2024, has since been assented to and is now an Act of Parliament. I urge the House to fast-track the consideration of the remaining Bills to ensure that all the issues of concern presented to the NADCO by the people of Kenya are comprehensively addressed.

Thank you.

**Hon. Speaker:** Thank you, Hon. Members.

*(Hon. Opiyo Wandayi handed over the documents to Hon. Junet Mohamed)*

That ends that session of Order No.11. Clerk, call the next Order.

## MOTION

### ADOPTION OF REPORT ON THE INSPECTION VISIT TO SEMI-AUTONOMOUS INSTITUTIONS OF THE EAC IN UGANDA

THAT, this House adopts the Report of the Committee on Regional Integration on its consideration of the Inspection Visit to the Semi-autonomous Institutions of the East African Community in Uganda, laid on the Table of the House on Wednesday, 29<sup>th</sup> November 2023.

*(Moved by Hon. Wanjiku Muhia on 6.8.2024)*

*(Resumption of debate interrupted on 6.8.2024)*

Hon. Members, at Order No.12, the Mover has 16 minutes to go. Hon. Wanjiku Muhia, continue.

**Hon. Wanjiku Muhia** (Kipipiri, UDA): Thank you, Hon. Speaker. Allow me to take this opportunity, on behalf of my Committee on Regional Integration, to congratulate our two colleagues, Hon. Mbadi and Hon. Wandayi. I wish to escort Hon. Wandayi with a hashtag that we normally use in Kipipiri. We say: “Lighting up Kipipiri.” So, I want to tell him, as the Cabinet Secretary for Energy, to have the same and say: “Lighting up Kenya.” I wish them success. I am sure they will put this country where it should be.

Hon. Speaker, I moved this Motion. However, in a nutshell, this is just to bring Members up to speed by refreshing their memory. The Motion was about the visit to EAC semi-autonomous organs. I want to speak about the institutions that the Sub-Committee visited. They were the High Commission of the Republic of Kenya in Uganda. We practise that in every partner State that we visit.

The other main institutions the Sub-Committee visited were the Inter-University Council for East Africa in Kampala, Uganda; the East African Development Bank in Kampala, Uganda; the Civil Aviation Safety and Security Oversight Agency (CASOA) in Entebbe and the Lake Victoria Fisheries Organisation in Jinja. I know Members tend to confuse the Lake Victoria Basin in Kisumu with the Lake Victoria Fisheries Organisation in Jinja. They are similar in functions but different in structure.

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

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

The purpose of that visit was to appreciate the operations of East African Community (EAC) organs that facilitate EAC integration and to establish the basis for creating awareness in the EAC region on the role of the Parliament in the integration process.

The other purpose is to enhance the mutual relationship and sustainable networking between the National Assembly and the EAC organs and institutions. It also aims to get feedback and recommendations from those institutions and organs on areas of policy support and advocacy that may be required from the National Assembly.

The Committee made several observations and, among them, it found that the lack of legal framework for the elimination of non-tariff barriers due to the delay in finalising the amendment of the EAC elimination of the Non-Tariff Barriers Act of 2017 and its regulation is still lagging behind the EAC in terms of integration.

Intra-trade in EAC has remained low for a number of years. It is estimated to be about 10%, while international trade is driving it to almost 90%. This should not be the case. We should trade more with each other, noting that we are close to 500 million citizens, especially after DRC Congo joined the community.

There is a disparity of privileges accorded to the community's organs and institutions, depending on the host partner State. The ratification of the protocol on privileges and immunities would address this challenge. As we know, in EALA, Bills emanate from the council. The Council of Ministers, and in this case, this National Assembly, can only ask its own Minister to consider this and put it to EALA, where it would be worked upon.

Some services, particularly those in the telecommunication and air transport sector, continue to be unreasonably expensive, despite agreements at various levels to make the services affordable. You would know that flying to Dar-es-Salaam is more costly than flying

to Dubai. This has been going on despite the discussions. All national assemblies with EALA on board should consider this so that the airspace is opened and transport can be available.

In the same spirit of regional integration, the EAC region deserves to develop one regional airline. It worked very well when we were young or before some of us were born. However, after the collapse of the EAC, that single airline, East African Airways, also collapsed. We hope it can be recommitted. However, the Committee notes the clamour by partner States to have national airlines, which is likely to create more confusion and losses in the aviation industry. Some partner States are yet to ratify important regulatory documents under the Open Skies Initiative. For instance, only the Republic of Kenya and Rwanda have signed and ratified that protocol. Different fuel licensing fees make air travel in this region very expensive. While we speak of expensive air travel, even if we sing about the free market, trading and inter-trade from morning to evening, it cannot thrive under those harsh circumstances.

The traceability system initiated by Lake Victoria Fisheries in Jinja is instrumental in successfully marketing fish to the European Union, because it enables consumers to trace back the fish marketed in Europe to landing beaches in the country of origin. A similar mechanism does not exist for regional and domestic fish, giving it a unique and attractive avenue for fish consumers, particularly in Europe. That is because they can already trace the origin, and ensure they conform to their standards. The efficient management of lake resources has the potential to attract industrial development. More than 17 industrial processing plants in the Republics of Uganda, Kenya and Tanzania are already processing fish from Lake Victoria. This is because the three partner States have that common lake, while the other partner States, Rwanda and Burundi, do not.

## QUORUM

**Hon. Ken Chonga** (Kilifi South, ODM): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Yes, Hon. Member. What is your point of order? Is that Hon. Ken Chonga?

**Hon. Ken Chonga** (Kilifi South, ODM): Hon. Temporary Speaker, I am wondering whether the Standing Orders of this House allow us to continue with this business. Looking at how empty the chairs inside here are, do we really have the quorum to conduct this business? Kindly give directions.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. That is Standing Order 35. A Member has risen in his place under Standing Order 35. Indeed, I can observe and see that we do not have the requisite quorum in the House. Therefore, I ask the Serjeant-at-Arms to ring the Quorum Bell for 10 minutes.

*(The Quorum Bell was rung)*

*(Several Members walked out of the Chamber)*

Order, Hon. Members, including Hon. Chonga. You cannot leave the House.

**The Temporary Speaker** (Hon. Omboko Milemba): The 10 minutes are done. Therefore, the Quorum Bell can stop. We may rise, Hon. Members. A Member rose from his place under Standing Order 35 to raise the question of quorum. As required by our Standing Orders, I ordered that the Quorum Bell be rung for ten minutes, which has been done and ended. I can confirm that we still do not have the requisite quorum in the House.

**ADJOURNMENT**

**The Temporary Speaker** (Hon. Omboko Milemba): The time being 7.42 p.m., this House stands adjourned until Thursday, 8<sup>th</sup> August 2024, at 2.30 p.m.

The House rose at 7.42 p.m.

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