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NATIONAL ASSEMBLY

THE HANSARD

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Thursday, 19th October 2023

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

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

(The Quorum Bell was rung)

We may proceed.

COMMUNICATION FROM THE CHAIR

DELEGATION FROM THE COUNTY ASSEMBLY OF TAITA TAVETA

Hon. Deputy Speaker: Hon. Members, I wish to introduce to you a delegation of Members of the Committee on Lands and Human-Wildlife Conflict Resolution from the County Assembly of Taita Taveta, who are seated in the Speaker's Gallery. The delegation comprises the following:

1. Hon. Joseph Mwalegha, MCA – Chairperson;
2. Hon. Nancy Mwakio, MCA – Committee Member; and,
3. Hon. Rose Shingira, MCA – Committee Member.

The delegation is accompanied by three members of staff of the County Assembly. The delegation has visited the National Assembly to present a Memorandum on Human-Wildlife Conflicts in Taita Taveta County to the Departmental Committee on Tourism and Wildlife, which commenced an inquiry into matters of human-wildlife conflicts in the country, *suo moto*.

On my own behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful deliberations.

PAPERS

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

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

1. Reports of the Auditor-General and Financial Statements in respect of the following programmes for the year ended 30th June 2023, and the certificates therein:
 - (a) Infrastructure Finance and Public Private Partnerships Project – Additional Financing (IDA Credit No.6121-KE) – The National Treasury;
 - (b) Infrastructure Finance and Public Private Partnerships Project – (IDA Credit No.5157-KE) – The National Treasury;

- (c) Programme for Rural Outreach of Financial Innovations and Technologies (PROFIT) (IFAD Loan No.814-KE and Grant No.1218-KE) – The National Treasury;
- (d) Rural Kenya Financial Inclusion Facility (RK FINFA) (IFAD Loan No.2000004121 and Loan No.2000004122) – The National Treasury; and,
- (e) Public Financial Management Reforms Programme (Credit Nos. DANIDA FY06, SIDA 51110081, IDA GESDEK-6133-KE, AFD/CKE 1130 & PASEDE CRIS No.041-658) – The National Treasury.

Hon. Deputy Speaker: Next is the Chairperson of the Departmental Committee on Tourism and Wildlife.

Hon. Kareke Mbiuki (Maara, UDA): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Tourism and Wildlife on its Consideration of the Wildlife Conservation and Management (Amendment) Bill, (National Assembly Bill No.3 of 2023).

Hon. Deputy Speaker: Chairperson of the Select Committee on National Government Constituencies Development Fund (NG-CDF). Hon. Osoro, you are distracting the Chairperson of the NG-CDF.

Hon. Musa Sirma (Eldama Ravine, UDA): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

Report of the Select Committee on National Government Constituencies Development Fund on its Consideration of the National Government Constituencies Development Fund (Amendment) Bill, (National Assembly Bill No.13 of 2023).

Hon. Deputy Speaker: The next Order is by Hon. David Gikaria, Chairperson of the Departmental Committee on Environment, Forestry and Mining.

QUESTIONS AND STATEMENTS

STATEMENTS

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Deputy Speaker.

I want to indulge your decision. Yes, we have a response, but it is not satisfactory. We met as a Committee and discussed the given response. If you look at the summary of the response *vis-à-vis* the annexures given, we do not think the response is enough to answer the questions raised by the Member of Parliament for Lamu East, *Mhe. Ruweida*.

I seek your indulgence to allow us to go back to the Ministry and ask for a more sufficient response that can address the issues raised by Hon. Ruweida. I am saying this because the summary indicates that the emissions of the gas from the well are not hazardous. If you look at the annexures, they have given a report that was done by the Ministry of Environment and Forestry and the Ministry of Petroleum and Mining. They are saying that there is no vegetation, livestock, houses or any people living around that place within a radius of one kilometre, and then they say it is not hazardous.

We indulge you to allow us one more week. I hope we will ask the Ministry to give a substantive response next week on Wednesday.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: That is in order. I grant your request.

(Statement deferred)

Deputy Leader of the Majority Party, do you have a statement on the preparedness for *El Nino*?

Hon. Owen Baya (Kilifi North, UDA): Hon. Deputy Speaker, I have two statements. First, are the usual Statements by the Leader of the Majority Party on Thursdays. I wish to present the Statement on sanitary towels first, and then I could go to the Thursday Statements. Is that okay?

Hon. Deputy Speaker: Okay.

STATUS OF AVAILABILITY OF HYGIENE PRODUCTS IN SCHOOLS

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Deputy Speaker.

We have a response to questions concerning the availability of female hygiene products in schools by Hon. Ichung'wah, the Leader of the Majority Party. It is a lengthy Statement, but I will try to get it shortened a little bit.

The Sanitary Towel Programme for girls in public schools was first launched in 2011 under the Ministry of Education, but briefly transferred to the Ministry of Public Service, Youth and Gender Affairs in the 2017/2018 and 2018/2019 financial years with a budget of Ksh470 million, before the programme reverted to the Ministry of Education. However, the programme was transferred back to the Ministry of Public Service, Gender and Affirmative Action during the current 2023/2024 Financial Year. It was to be implemented by the State Department for Gender and Affirmative Action.

The programme has a critical role to play in addressing issues of gender equity in pursuit of the Government's commitment to achieving Sustainable Development Goals (SDGs), the Kenya Vision 2030, and the Constitution of Kenya 2010. The provision of sanitary towels has ensured access, retention, performance and transition of vulnerable girls in the regions across the country. The girls now use hygienic methods to manage their menstrual health. All target schools have designated female teachers in charge. Menstrual hygiene training and information are provided to the girls.

Hon. Deputy Speaker, the Ministry of Education, through the State Department for Basic Education, has been coordinating the Sanitary Towels Programme whose overall project objective is to provide sanitary towers to all menstruating girls both in public primary and special schools through the school calendar across the country.

In the 2022/2023 Financial Year, the Ministry of Education received Ksh470 million for the implementation of the programme. This amount was used to procure sanitary towels for 1,682,492 girls in Class VI to Class VIII in all public primary schools. The Ministry of Education has been distributing seven packets of pads per girl per year. The sanitary towels were delivered on 10th April to June 2023. That will take the girls up to December 2023 when the procurement for the 2023/2024 Financial Year is concluded.

The approval of the 2023/2024 Financial Year allocation for the programme under the recurrent budget of the State Department for Basic Education is Ksh940 million. However, the expenditure to date for contracted suppliers under the same is Ksh63 million, leaving a balance of Ksh876 million to be used to procure sanitary towels for this financial year. The balance is awaiting transfer to the State Department for Gender and Affirmative Action during appropriations for the year 2023/2024 Supplementary Estimates No.1. There is an attached copy of a letter from the National Treasury to the Principal Secretary (PS) of the State Department for Gender and Affirmative Action. Through a Presidential Directive communicated vide a letter (Ref: OP SCAB 13) of 19th June 2023 by the Chief of Staff and Head of Public Service, the functions of the Sanitary Towels Programme were transferred to the State Department for Gender and Affirmative Action.

Next is the distribution by the Ministry. At the primary school level, the programme targets girls in classes VI, VII and VIII. Menstruation for a majority of girls is most likely to commence at that age. Distribution of sanitary towels is done at the county level where primary schools converge at sub-county education offices to collect sanitary towels. The targeted girls are issued seven packets each per year. That corresponds to seven months, leaving five months of the year un-provided, which leads to girls missing school three to four days within that period.

Hon. Dorice Donya (Kisii County, WDM): On point of order.

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

Hon. Dorice Donya (Kisii County, WDM): Hon. Deputy Speaker, he is saying that students converge at the sub-county level to collect the sanitary pads. That is a lie. He is saying that they are given seven packets of pads per year. How many months do we have in a year? What informed that decision?

Hon. Deputy Speaker: Hon. Donya, I get your point of order. Let him finish the Statement. When he finishes the Statement, I will give you the first opportunity to respond to his Statement. Just take notes. Is that in order, Hon. Donya?

Hon. Dorice Donya (Kisii County, WDM): Yes.

Hon. Deputy Speaker: Let him finish so that you can respond to him comprehensively. You may proceed, Deputy Leader of the Majority Party.

(Loud consultations)

Hon. Owen Baya (Kilifi North, UDA): I also want to say that it is very un-parliamentary.

Hon. Deputy Speaker: Hon. Owen Baya, continue with your Statement. You are making your Statement. I am not giving you an opportunity to respond. I have already told her that everyone will have a comprehensive response to your Statement. Stick to your Statement because that is the duty you have been given by your substantive leader. Proceed.

Hon. Owen Baya (Kilifi North, UDA): Hon. Deputy Speaker, I take cognisance of the fact that the Member is new in this Parliament. She does not know that one cannot say that someone is lying in this House. It is un-parliamentary. You may say: "It is far away from the truth".

Hon. Deputy Speaker: It is un-parliamentary for you to respond to an individual Member without seeking the permission of the Speaker. You are also out of order. Proceed with your Statement.

Hon. Owen Baya (Kilifi North, UDA): Since the transfer of the mandate for the Sanitary Towels Programme, the State Department for Gender and Affirmative Action has put the following strategies in place to procure and distribute sanitary towels for girls:

1. The Ministry of Education has officially handed over the management of the programme to the State Department for Gender and Affirmative Action.
2. The Ministry of Education has provided data for all the girls in classes V to VIII in all public primary and junior secondary schools.
3. The State Department for Gender and Affirmative Action has established a secretariat to analyse the data and procure sanitary towels.
4. The State Department for Gender and Affirmative Action has officially requested the National Treasury to formally transfer the funds to the State department to initiate the procurement process.
5. The Ministry of Gender, Culture, Arts and Heritage requests the National Assembly to authorise the National Treasury to immediately transfer the funds

to the State Department for Gender subject to regularisation during the 2023/2024 Financial Year as Supplementary Estimates No.1.

6. The State Department for Gender and Affirmative Action will procure the sanitary towels immediately after the funds are transferred to the State department.

Hon. Deputy Speaker, lastly, the State Department for Gender and Affirmative Action will procure the sanitary towels immediately the funds are transferred to them. That is the information we have received from the Ministry of Gender, Culture, Arts and Heritage, and the Ministry of Education.

That is the end of the Statement.

Hon. Deputy Speaker: Okay. Thank you, Hon. Owen Baya, sitting in for the Leader of the Majority Party.

It is indicated on the Order Paper that you were going to give a Statement on the State of Preparedness and Response to the Impending *El Nino* rains by the National Government. But I indulged you because I know the issue of sanitary towels is a very emotive issue and has been raised severally by Members here.

(Applause)

That is why I let you proceed with it even though it was not on the Order Paper. So, kindly present the copy to the Table.

An Hon. Member: On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Do you have a Statement on *El Nino*?

Hon. Owen Baya (Kilifi North, UDA): We request your indulgence on the *El Nino* Statement, that we present it next Thursday, if you will allow us to do that.

Hon. Deputy Speaker: Okay. Hon. Donya, as promised, I will give you the first opportunity to comment on his Statement.

An. Hon. Member: I also want to comment.

Hon. Deputy Speaker: You can press the intervention button. I am not seeing you. Proceed, Hon Donya. Give her the microphone.

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Deputy Speaker. I have listened to the response and what he is saying is not what is on the ground. They are two different things. They are saying that girls are collecting sanitary pads from the county. I come from Kisii County and I go there twice a month, but I have never witnessed that. At least, I could be having photos of the same. Of late, everything is online. He should clarify his Statement.

Hon. Deputy Speaker, I have sat here and I have been told two lies. You might say that this is not parliamentary language, but I do not know what other language to use. On the 3rd of May, the Cabinet Secretary for Education said that our school going children do not fetch water from the river. I have photos of boys and girls from Emesa Primary School going to fetch water from the river.

(Applause)

I have photos! I want to smoke out the lies! Kenya Vocational Training Centre, a whole Polytechnic, grown men and women, going to fetch water from the river.

Hon. Silvanus Osoro (South Mugirango, UDA): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Let her finish please.

Hon. Dorice Donya (Kisii County, WDM): Can you respect women? I am on the Floor and I want to defend the rights of our girls. Please!

(Applause)

Hon. Osoro, girls are going to the river with 20 litre jerry can to fetch water when they are on their periods. How does it help you when we still do not have water in our schools? We need water, electricity and good roads. Period! You can add sanitary pads for our girls. You are talking of seven packets to last them through their cycles in 12 months. What informed the Ministry of Education to give seven packets? What will seven packets help them with? In fact, they should be given 24 packets. We are eating well and we need two packets per month.

(Applause)

They are giving them half of what they need. A sanitary packet has only seven pieces, and your cycle lasts for five days. What will seven packets a year help you with? And you are comfortably telling us that you have solved the issue of our girls. Everything that you have said is false. This is the second point of information that has not been authenticated properly before the Floor of this House. You are taking Members for masqueraders. That information is not authentic.

Hon. Deputy Speaker: Thank you. Proceed, Hon. Member for Kajiado County. You cannot respond to your own Statement.

Proceed, Hon. Member for Kajiado County.

Hon. Rebecca Tonkei (Narok County, UDA): Hon. Deputy Speaker, I am the Member for Narok County. Thank you very much for giving me this opportunity to talk about the Statement by the Deputy Leader of the Majority Party.

Hon. Deputy Speaker, this is not factual. We have been talking about the issue of sanitary towels for a long time. We are tired of the fact that people keep telling us that it is the Ministry of Education or the Ministry for Gender, Culture, Arts and Heritage that is responsible. I keep wondering what the two Ministries have to do with sanitary towels. When you tell us that those towels are to be procured by the Ministry for Gender, Culture, the Arts and Heritage, and that you are waiting for the Ministry of Treasury and National Planning to initiate the procurement, do the periods wait for the procurement process?

(Applause)

This is something women experience every month and sanitary pads are a basic need. Their procurement should be done like yesterday. Why do we have to keep on waiting for procurement processes that are not starting?

(Applause)

Hon. Deputy Speaker, the last time we visited His Excellency the President, we requested that those sanitary towels be given to the County Women Representatives who know what the girls are going through. We are told today that the girls will receive sanitary towels from the county headquarters. As Women Representatives and Members of Parliament, we all know that those sanitary towels are not there!

(Applause)

Therefore, we want to say that this is a total lie. You may say that it is not parliamentary language, but that is the fact. Can the sanitary towels be given to the County Women Representatives so that our girls can get their rights?

Hon. Deputy Speaker, when we talk about 7 packets... We have all gone through this. All of us have gone through the cycle and we know that you cannot use seven packets in a year. What happens to the rest of the five months? What will these girls do? Hon Deputy Speaker, this is unfair to the women.

(Loud consultations)

Hon. Deputy Speaker: The Member for Nakuru County. Give her the microphone.

(Loud consultations)

Hon. Members, let us make it brief so that everyone gets a chance to speak on this. Hon. Osoro, you have no authority on this topic and so, you will not speak.

(Laughter)

The Member for Nakuru County.

(A Member spoke off the record)

Hon. Liza Chelule (Nakuru County, UDA): Ahsante sana, Mhe. Naibu Spika kwa kunipatia nafasi hii nizungumzie mambo yanayohusu akina mama na wasichana wao. Tumekuwa na shida kubwa sana ya sodo katika nchi yetu ya Kenya. Nilishangaa sana niliposikia taarifa iliyosomwa na Mbunge aliyetoa Taarifa hiyo.

An Hon. Member: Sodo ni nini?

Hon. Liza Chelule (Nakuru County, UDA): Sodo ni *sanitary towels* kwa lugha ya Kiswahili. Alisema kuwa Serikali imeweza...

(Hon. Emmanuel Wangwe spoke off the record)

Hon. Deputy Speaker: Hold on, Member for Nakuru County. Hon. Member, you are out of order. That is a disparaging remark and I will hold you out of order.

(Hon. Emmanuel Wangwe spoke off the record)

You know yourself. You know what you have just said. I heard you. That is a disparaging remark. It is condescending of women and I will not allow you to say that when I am on the Speaker's Chair.

Proceed, Member for Nakuru County.

Hon. Liza Chelule (Nakuru County, UDA): Ahsante sana, Mhe. Naibu Spika. Ni vizuri sana Taarifa hii imekuja kama tuko na wanafunzi na walimu wa mashule mbali mbali katika Bunge hili la Taifa. Ilitangazwa vizuri sana na ikasemekana kwamba mambo ya sodo iwekwe katika Ofisi ya Mama County ama *County Women Representatives* kwa sababu wanajua sana mambo ya akina mama na wasichana. Lakini kwa bahati mbaya, hatujui mahali imepelekwa.

(Applause)

Taarifa ambayo imesomwa katika Bunge hili ni uongo mtupu. Hata namhurumia Mheshimiwa aliyesoma Taarifa hiyo kwa sababu ni kama hajui wanawake na wasichana wanapata hedhi miezi mingapi kwa mwaka. Kwa hivyo, ni mambo ambayo yeye mwenyewe hayajui. Taarifa hiyo ni ya uongo mtupu. Hakuna *sanitary towels* ambazo zimepeanwa kwa mashule kwa muda wa mwaka moja. Walimu wako hapa na wanashtuka. Ni aibu kubwa sana.

Mhe. Naibu Spika, tuko na shida ya sodo katika nchi yetu na ni lazima iangaliwe na Wizara husika. Mimi ni Mhe. Liza Chelule. Nimechaguliwa kutoka katika Kaunti ya Nakuru. Ninawakilisha akina mama na wasichana wengi. Wasichana wetu wako na shida sana kwa sababu wengi wao hawaendi shuleni kwa sababu wamekosa sodo.

Ahsante sana, Mhe. Naibu Spika kwa kunipa nafasi hii ili nichangie Kauli hii. Mabadiliko katika hali ya hewa yameleta shida kwa mzunguko wa hedhi kwa wasichana wetu. Kwa mfano, msichana atapata hedhi mara tatu kwa mwezi kwa sababu ya mabadiliko katika hali ya hewa. Katika hali kama hiyo, pakiti sita au saba hazitoshi.

Ahsante, Mhe. Naibu Spika.

Hon. Deputy Speaker: *Ahsante*. Member for Nairobi County, Hon. Esther Passaris.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Deputy Speaker, for allowing me to contribute to this Statement. The last time we had a transparent and effective but dysfunctional distribution of sanitary towels was in 2018. I was elected into office in 2017. In 2018, sanitary towels were distributed under the Ministry of Gender, Culture, the Arts and Heritage. They had procured sanitary towels and promised to also give us money for distribution, but we never received anything. When we met with the Government officials, we realised that there was a big disparity on how the Government handled this noble cause of providing sanitary towels to our girls.

First, they only provide sanitary towels to children in Standard V to VIII in public schools. They are ignorant that we have girls who go to mission and community-based schools. All those girls require sanitary towels. During the tenure of the late Prof. George Magoha, we invited him to Parliament to answer questions about what happened to the distribution of sanitary towels, considering that the girl-child was not at school due to the COVID-19 pandemic. He said all the girls had received sanitary towels for the entire year in the first two months of 2020. But a fact-check around Nairobi showed that most schools had not received the sanitary towels. If there is a decision to provide sanitary towels, the Government should ensure they are provided to all children, that is, children in community-based, mission, faith-based and public schools. This whole idea that we do not have statistics is not correct. The Government knows the number of students in all schools.

The second thing is this: We said that we cannot provide sanitary towels for girls in secondary schools. Those are the same destitute children that transition from primary school. This country has lost a lot of money through corruption. If we decide to focus, providing sanitary towels is not an area for us to cut budgets. This is where we need a transparent budget allocation to cater to every child. The Constitution does not allow us to discriminate against any child in Kenya.

When we met the President, as 47 County Woman Representatives, in his wisdom, he voluntarily talked to us about teenage pregnancies. This is because he is aware there is a relationship between teenage pregnancies and sanitary towels. He suggested that every County Woman Representative should be empowered to find localised solutions to the issue of sanitary towels, even if it is about manufacturing reusable pads or anything else. He understood that when a woman wants to be assisted with sanitary towels for her child, she will not look for her male Member of Parliament but *Mama Kaunti*. That is why the President said *Mama Kaunti* should be tasked with distributing and sourcing for sanitary towels.

One of the biggest dangers that we have had with sanitary towels is by moving the budget from the Ministry of Education to the Ministry of Gender, Culture, the Arts and Heritage. It is a fact that when they go to procure, they end up with procurement challenges. Once they go into procurement challenges, our girl-child are denied sanitary towels. So, I would like us to go back to the drawing board. County Woman Representatives and women leaders should come together to make good decisions on sanitary towels. Girls cannot wait any longer. We are almost at the end of the academic year and yet, girls have not received sanitary towels.

On the water issue, I appeal to all single-constituency Members to ensure that they provide adequate water. The Members have the mandate on NG-CDF to ensure that schools have enough toilets and water for the girl-child. Without water, disposable mechanisms, and adequate toilets for the girl-child, we deny them a dignified way of dealing with menstruation. We should all unite to ensure that the girl-child is provided with sanitary towels not just in public schools, but also in community-based and faith-based schools and even for street families. As a country, we need to make sure that we forge ahead. We are celebrated for coming up with zero-rating on sanitary towels and providing the same to our schools. It is such a shame that since 2018, we do not have a transparent mechanism for distribution of sanitary towels. We have not clearly seen any distribution of sanitary towels in schools.

Hon. Deputy Speaker: Member for Taita Taveta, Hon. Haika Mizighi. I have seen you, Member for Turkana County. Let us be brief so that other Members can have an opportunity. We are almost finishing the debate on this Statement.

(Hon. Omboko Milemba spoke off the record)

You have no authority on this topic.

(Loud consultations)

Hon. Haika Mizighi (Taita Taveta County, UDA): Thank you, Hon. Deputy Speaker, for allowing me to add my voice on this very heated topic of sanitary towels. Before I give my burning comments on this issue, I would like to take this opportunity to welcome Members of the Taita Taveta County Assembly to Parliament. I also welcome the secretariat that has accompanied them. Once again, I welcome you to Parliament. We are aware that you are here on a mission. Congratulations on that. As your Members of Parliament, we will support you. *Karibuni sana.*

On the issue of sanitary towels, as we speak, some teachers in Taita Taveta County have called me to request clean towels to keep school girls in school, especially during this exam period. This clearly shows that sanitary towels did not get to the schools. And if they got there, then they were very few. We are tired of this topic. I appreciate the Statement, but it is not pleasing at all. We want sanitary towels as we had discussed with the President. He was very clear that County Woman Representatives are the ones to distribute sanitary towels. But what comes out of the Statement is matters procurement only. There is nothing on the distribution of sanitary towels. We want sanitary towels now.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Member for Laikipia County.

Hon. Jane Kagiri (Laikipia County, UDA): Thank you, Hon. Deputy Speaker, for allowing me to contribute to this important topic. From the Statement that has been read, I am lost on why we spend Ksh630 billion on education and yet, we cannot ensure that our girls remain in schools. The Statement talks about procurement, which begs the question of whether the person speaking of procurement knows that the menstrual cycle happens every month. As

they talk of procurement, our girls still need sanitary towels. As we speak about seven packets of sanitary towels per year per student, the health of those students should be considered. Do you want one girl to use one sanitary towel the whole day, or what is the plan? We need to ensure that menstrual health of girls is maintained. We also need to ensure that personal comfort is well taken care of. We do not want a situation where a girl is worried about whether she has messed herself the whole day. They need to be given sufficient packets of sanitary towels.

Equally, those girls are the future mothers. We will affect their reproductive health if we do not give them enough sanitary towels. So, we urge the Government to act quickly to ensure our girls have sanitary towels. If distribution by the Ministry of Gender, Culture, the Arts and Heritage is difficult, County Woman Representatives are here and ready to go around the counties to deliver sanitary towels to our students. Above all, it has become difficult for County Woman Representatives to always ask for donations, which is not sustainable in ensuring our girls remain in school. The time for our girls to get sanitary towels is now. We are demanding, not requesting.

Hon. Deputy Speaker: Member for Marsabit County, Hon. Naomi Waqo.

(Hon. Irene Mayaka rose up in her place)

I have seen you Hon. Irene Mayaka.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Deputy Speaker, the response is good, but we are not satisfied. It is not convincing. Women and men know the challenges young girls face in school. Some parents can afford sanitary towels for their girls. However, some have no idea of what their daughters need to have in school. We are looking for equality. We want sanitary towels to be taken to every part of this country. We want our daughters to be given enough sanitary towels.

If a girl misses school for five days every month, you can imagine the number of days that she skips school in a year. People often say that our girls keep missing classes because they do not want to be embarrassed. Do you know how girls in primary school are intimidated in different ways? That is why we want to end the intimidation and shaming of our daughters. We want them to feel free and perform well academically. When we do this as a Government, we will enhance the academic performance of our daughters in school. Denying them sanitary towels will automatically interfere with their academic performance.

The Kenya Kwanza Government is here to transform and touch lives. When we talk of the Bottom-up Economic model, we should consider this first. Let us have enough sanitary towels for our daughters. Let us also empower the Women Representatives so that from our offices, we can reach out to every corner of our counties and daughters to protect them. If we do that, they will always feel free to participate in every action that they are needed.

Our girls do not go to school sometimes. When they have extra-curricular activities out of the school, sometimes, they do not participate. We want to end all that embarrassment. We want our daughters to walk with their heads up, knowing that we are here to defend their rights.

Hon. Deputy Speaker, I support the Statement.

Hon. Deputy Speaker: Thank you. Next, we will go to Hon. Irene Mayaka. As you speak, someone has just sent me a message and said that the seven packets are because of the seven months while they are in school. I wonder if the menstrual cycle stops when they are at home.

(Laughter and applause)

Hon Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker. First, I want to paint the picture for Members like Hon. Osoro, who are wondering whether the seven packs are enough.

(Laughter)

Hon. Osoro, when a woman or girl has her menstrual period, it is the same as opening a tap and water flowing out. You can imagine a girl in school without pads, and blood is flowing like a tap. Firstly, seven packs are not enough. Secondly, when the Ministry of Education tells us that they have provided them in schools and we say it has not been done, it tells us that the teachers are hoarding them. We want to know. I hope that you can rule that the Cabinet Secretary for Education and Cabinet Secretary for Gender, Culture, the Arts and Heritage come to Parliament to respond to us directly on what they are telling us because it is inaccurate and unfair to our girls. We have situations where bodaboda riders convince our girls that if they carry and touch them, they will buy them pads, which is unfortunate.

The Women Representatives who are here and were in the previous Parliament have said that they were able to supply those pads systematically and efficiently. I do not understand why it is so hard to get this back to them to distribute the pads so that even for us who are aspiring Women Representatives can also ensure that our girls have them.

Hon. Deputy Speaker, we should have the two cabinet secretaries here to answer us directly and tell us what is happening. This is unpleasant, unhygienic, unfair and inhuman to the girls.

I submit.

Hon. Deputy Speaker: Hon Irene Mayaka, remember you have the right to send a question through the Speaker's office, and the Cabinet Secretaries will come here.

Member for Kabuchai.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Thank you very much, Hon. Deputy Speaker. The Statement is clearly unsatisfactory. I say this because you cannot bring the procurement procedures, knowing that you cannot procure periods.

(Applause)

We must be told clearly that we have direct methods of procurement. Why do we want to use long procurement methods, knowing this is an emergency? Periods are emergencies. According to what we know, men are the ones who delay the procurement procedures. I wish God made them start flowing so that they can understand why it is problematic.

Even the Ministry is supposed to provide some drugs. Some girls have complications when they are on their periods. Some of them have excruciating stomach cramps. You must go to the level of providing buscopan drugs and talks for those girls. We must be careful. Those are our girls and we must protect them.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Member for Turkana County. Hon. Osoro, I know very well you are up to some mischief. I will exercise my discretion and pay no attention to you. Proceed, Member for Turkana County. This is the only opportunity for the Members concerned with this topic to discuss it. You have no experience or empirical evidence to present to this House, Hon. Osoro.

Proceed, Member for Turkana County.

Hon. Cecilia A. Ngitit (Turkana County, UDA): Thank you, Hon. Deputy Speaker, for giving me this chance to contribute. We always say this is a House of facts. We should make it our way of life or the ordinary course of doing things. It is very hurting and offending to

listen to a Statement that is not factual. The Ministry of Education has said that all the counties have received those pads. However, Members from urban counties are complaining that they have not seen them. You can imagine what happens to far-end counties like Turkana and the northern region.

You have told us that seven packets of pads reflect the seven months those girls are in school. However, we know the bureaucracy in the procurement process of the Government ministries. We know that when those girls are in school, they do not get pads every month. Seven packets of sanitary towels for those months when schools are on is still a joke. We know the quality of pads that the Government usually procures. It is the quality of Flora pads. They are undignified ones that do not hold periods for some hours.

Hon. Deputy Speaker, we are far from giving our girls dignity as a country. Turkana County, most of the northern regions and marginalised counties are still very far. We need to give dignity to those girls. I am looking forward to a moment when we will have a dignity kit containing a sanitary packet, pants and other things for hygiene that come with periods. Girls do not even have pants in some regions. You can give a girl sanitary towels, but she does not have pants. It happens in some of those counties. Let us think of how we can have dignity kits for our girls.

It is very unfortunate that in today's society, our girls still fall prey to inhuman practices like sexual favours for pads. That is the lowest indignity to any human being on this earth. Just as condoms are in every dispenser in toilets, we want sanitary towels in all the dispensers in bars and hotels.

(Applause)

We want sanitary towels everywhere, the same way condoms are all over. They are cheaper compared to some of those condoms. This should be the last time we are talking about pads.

I want to support my colleagues on the issue that sanitary towels should be given to Women Representatives and female Members of Parliament because it is the wearer of the shoe who knows where it pinches. We want to be the ones giving our girls sanitary towels because we know the best quality to buy - and not the ones that do not have glue to stick onto the pants.

Thank you.

Hon. Deputy Speaker: Thank you, Hon. Member for Turkana County. You said this is the last time we should discuss it. We have given enough room to ventilate this point.

We will close by giving the Member for Mwatate Constituency.

Hon. Danson Mwashako (Wundanyi, WDM): Ahsante, Mhe. Naibu Spika.

(Hon. Catherine Omanyoo signalled the Deputy Speaker)

Hon. Deputy Speaker: Sorry! Let him finish. I will let you close, Member for Busia County. I had actually seen you earlier.

Proceed. *Lakini* keep it brief.

Hon. Danson Mwashako (Wundanyi, WDM): Ahsante Mhe. Naibu Spika. Nitakuwa mfupi wa maneno. Kwanza, umesema Mbunge wa Mwatate. Huyu ni Mbunge wa Wundanyi.

Kabla niunge mkono yanayojiri hapa Bunge, ninataka kuwashukuru na kuwapongeza Wajumbe wa *County Assembly* ya Taita Taveta, ambao wamekuja Bunge letu la Kitaifa. Tuko na Kamati ya Wanyama Pori na Ardhi ya Kaunti ya Taita Taveta, wakiongozwa na Mhe. Joseph Kennedy, almaarufu "*uncle*"; akiwemo pia Mhe. Rose Shingira na Mhe. Nancy Mwakio, wakiambatana na wafanyikazi wa Bunge la Kaunti ya Taita Taveta. Ninataka nichukue nafasi

hii kuwakaribisha katika Bunge la Kitaifa, na niseme kwamba ile barua walioleta katika Bunge la Kitaifa ni ya muhimu sana. Ni ya masuala ya wanyama pori wanaosumbua kule Taita Taveta.

Niko na mambo matatu peke yake ya kusema kwa suala hili la sodo, ambalo limegonga vichwa vya habari mchana wa leo. Kwanza, Serikali Kuu ipeane kazi ya kugawa hizi sodo kwa akina mama wa kaunti, yaani *Women Representatives*. Hii agenda kwamba Serikali Kuu inataka kufanya shughuli hii kupitia kwa Wizara, lazima tukatae kama Bunge la Kitaifa. *Women Representatives* hawa wapewe nafasi hiyo ya kupeleka hizo sodo kwa shule zetu za upili na msingi mia kwa mia.

Pili, ni uongo sana kwamba wamekuwa wakipeana hizo sodo. Juzi nimekuwa kwetu kule Taita Taveta katika shule ya upili ya Senior Chief Mwangeka Girls. Niliuliza wanafunzi kama wanapata sodo, wakanijibu kwamba hawajawahi pata kwa miaka mitatu. Ni uongo, hazijafikia shule zetu na ni lazima zipatiwe mama wetu hawa waweze kupeleka sodo hizo.

Mwisho, vile vile, katika kila zahanati, ukienda utapata mipira ya kondomu. Na ukienda kila mahali katika mahoteli, utapata mipira hio inapeanwa bure. Lazima tupitishie Mswada ndani ya Bunge hili ili sodo hizi zipeanwe bila malipo. Kila mahali kuna *public facility*, sodo ziwe na zipeanwe bila malipo. Wasichana wetu wanataabika sana.

Ahsante sana.

Hon. Deputy Speaker: *Ahsante*. Member for Busia County.

Hon. Catherine Omanyoo (Busia County, ODM): Thank you, Hon. Deputy Speaker. I want the Ethics and Anti-Corruption Commission (EACC) to quickly investigate the Ministry of Education. We want to know, since 2019, who did the procurement, what quantity, and who they supplied to. I come from Busia County, and every school has approached me asking for sanitary towels.

We also want to know why they only give for seven months. Is it that they do not care about the other months? If you think of providing somebody with sanitary towels, it means they cannot afford them. It, therefore, means that for those additional months, they do not care whether those kids use rags or they get infections. They only care when those kids are seated there.

Those people from the Ministry of Education do not have data on who they have supplied to, and if they have, we want them here. We want EACC to investigate them and give us a report. Every public toilet and hospital you go to, you will find condoms for free and you can pick. Why are they not keen to distribute those sanitary towels to all day schools and public schools in every county, just like condoms?

When we talk of infections, they come because of dampness. Those children cannot afford the classy kind of pads. The Ministry of Education has failed us because Women's Representatives are supposed to be distributing. I am one year old in this Parliament, but the Ministry of Education has never asked me to help distribute the pads. Therefore, who is distributing? We cannot say we are supplying as a Government, but you are just supplying what you call hot air. We want the pads now, not tomorrow.

I have heard that from January, they will start supplying. Does it mean that every woman in Kenya stops menstruating until January? We want the pads today, or we are headed to that office if you do not help. Thank you.

Hon. Deputy Speaker: Thank you very much. I think we have now ventilated sufficiently. Let us move to the next statement. Kindly do not respond to your earlier statement on what has been said about it.

Deputy Leader of the Majority Party, do you have your Statement under Standing Order 44(2)?

BUSINESS FOR THE WEEK OF 23RD TO 27TH OCTOBER 2023

Hon. Owen Baya (Kilifi North, UDA): Hon. Deputy Speaker, I wish to present the usual Thursday Statement.

(Hon. Silvanus Osoro stood up in his place)

Now that I am starting to do this, I request the Whip of the Majority Party to sit down.

Hon. Deputy Speaker: Hon. Osoro, kindly sit down. You are disorderly. You may proceed, Hon. Member.

Hon. Owen Baya (Kilifi North, UDA): Hon. Deputy Speaker, I rise under Standing Order 44(2)(a) to give a Statement on behalf of the House Business Committee, which met on Tuesday, 17th October 2023 to prioritise the business for consideration during the week.

(Hon. Silvanus Osoro and Hon. Jerusha Momanyi consulted loudly)

Hon. Deputy Speaker, protect me from Hon. Jerusha and Professor.

Hon. Deputy Speaker: Hon. Jerusha and Hon. Osoro, you can take it outside. Proceed.

Hon. Owen Baya (Kilifi North, UDA): They can take this discussion to Kisii, and not here.

Hon. Members will recall that the House held a morning Sitting on Tuesday, 17th October, intended to provide time to consider priority legislative business. This included the health sector Bills that are intended to overhaul the operation in the sector as part of the Government's Universal Health Care plans.

I would like to thank Members for their commitment during the consideration of the Bills in all stages. Special mention to the Departmental Committee on Health for timely consideration of the Bills. Hon. Pukose and your team, we want to thank you. Upon assent and implementation, the legislation will ensure access to the highest standards of health services by our Kenyans.

Hon. Members, the President this afternoon assented to those Bills, and now we have a new dawn in healthcare provision.

During the week, the House adopted a Motion extending the mandate of the National Dialogue Committee by a further 30 days, from 20th October 2023. Consequently, the Committee is expected to conclude the proceedings and report to the Kenya Kwanza and Azimio Coalitions and Parliament leadership on or before 26th November 2023.

With regard to business scheduled for Tuesday, next week, the House is expected to consider the following Bills at various stages, some of which are listed in today's Order Paper:

1. Committee of the Whole House on Statutory Instruments (Amendment) Bill, (National Assembly Bill No.2 of 2023),
2. The Conflict of Interest Bill (National Assembly Bill No.12 of 2023), Second Reading.
3. Consideration of the Reports of the Auditor-General on the Financial Statements for the National Government - Constituencies Development Fund for twelve constituencies in Kakamega County.
4. Report on 1970 UNESCO convention on the means of prohibiting and preventing the illicit import, exports and transfer of ownership of cultural properties;
5. Session Paper No.1 of 2023 on Kenya National Population Policy for Sustainable Development;

6. Report of the Kenya Delegation to the 4th General Assembly of the East African Parliamentary Alliance on Food Security and Nutrition (EAPA-FSN) held in Kigali, Rwanda;
7. Report on inspection of various one-stop border posts in the Northern Corridor in the East African Community region;
8. Report on the loans contracted by the National Government between May 2022 and April 2023;

This is a very important Report, Hon. Deputy Speaker.

9. Reports of the Auditor-General on 23 non-compliant state corporations;
10. Reports on the proceedings of the Second Ordinary Session of the sixth Pan-African Parliament (PAP); and
11. Reports on the proceedings of the 2023 United Nations High-Level Political Forum on Sustainable Development.

Chairpersons of committees and individual Members with scheduled business are reminded to be available to prosecute their matters in the House. In the past week, we have had matters coming into this House and either the chairpersons or the deputies are not in the House. We are asking them to be here to prosecute their matters. This will ensure that the House concludes the numerous committees' and individual members' business already listed in the Order Paper.

In accordance with the provisions of Standing Order 42(A)(5) and (6), I wish to convey that the Cabinet Secretary for Interior and National Administration is scheduled to appear before the House on the afternoon of Wednesday, 25th October 2023, to respond to the following Questions. I urge Hon. Members who have Questions listed for that day to be here in person to ensure that these Questions are asked.

1. Question by Private Notice No.012 of 2023 by the Member for Mathioya Constituency, Hon. (Dr) Edwin Mugo MP, regarding the disappearance of Ms. Esther Ruguru, a resident of Mathioya Constituency.
2. Question by Private Notice No.13 of 2023 by the Member for Nakuru Town East Constituency, the Hon. David Gikaria MP., regarding the death of a minor Yasmin Njoki at Mbaruk Centre in Gilgil Constituency.
3. Question by Private Notice No.14 by the Member for Kinango Constituency, the Hon. Gonzi Rai MP., regarding the status of the investigations into the death of Nyaya Ngalaa Chamtu, a minor.
4. Question by Private Notice No.15 of 2023 by the Member for Nyakach Constituency, Hon. Aduma Owuor MP., regarding the security situation in Sondu within Nyakach Constituency.
5. Question by Private Notice No.16 of 2023 by the Member for Lamu County, Hon. Monica Marubu MP., regarding the frequent attacks in Witu, Salama, Juhudi, Ziwa la Taa, Bobo and Roka within Lamu County.
6. Question by Private Notice No.17 of 2023 by the Member for Mwingi Central, the Hon. Gideon Mulyungi MP., regarding the apprehension of suspected armed bandits terrorising the residents of Wukasi and Waita areas within Mwingi West Constituency.
7. Question by Private Notice No.143 of 2023 by the Member for Kanduyi Constituency, the Hon. John Makali MP., regarding the accessibility of registration services within Bungoma County.
8. Question by Private Notice No.197 of 2023 by the Member for Mombasa County, the Hon. Zamzam Mohammed MP., regarding the dismantling of juvenile criminal gangs operating within Kisauni, Likoni and Old Town in Mombasa County.

9. Question by Private Notice No.198 of 2023 by the Member for Mwingi North Constituency, the Hon. Paul Nzengu MP., regarding the status of investigations into the death of Mr. Muuo Muthengi.
10. Question by Private Notice No.201 of 2023 by the Member for Kitutu Masaba Constituency, the Hon. Gisairo Clive Ombane MP., regarding the status of investigations into the gruesome murder of Mr. Edward Murema Nyangechi and Mama Grace Murema.
11. Question by Private Notice No.203 of 2023 by the Member for Ndhiwa Constituency, the Hon. Martin Peters Owino MP., regarding the sub-division of the constituency into three operational and adequately staffed administrative sub-counties and corresponding divisions.
12. Question by Private Notice No.24 of 2023 by the Member for Kinangop Constituency Hon. Kwenya Thuku MP., regarding the status of investigations into the death of watchmen in various schools by gangs in Kinangop Constituency.
13. Question by Private Notice No.265 of 2023 by the Member for Kitutu Chache South the Hon. Antony Kibagendi MP., regarding the measures by the Ministry to address the widespread abuse of drugs and banned substances in the country.
14. Question by Private Notice No.266 of 2023 by the Member for Endebess Constituency the Hon. (Dr) Robert Pukose MP., regarding the status of the investigations into the death of Provincial Commissioner (PC) Emmanuel Kiprop from Endebess Constituency who was killed by a mob in Kakanje Market of Tharaka Nithi County.
15. Question by Private Notice No.270 of 2023 by the Member for West Pokot County, the Hon. Rael Kasiwai MP., regarding the efforts of the Ministry to address the conflicts on boundaries within West Pokot County.
16. Question by Private Notice No.344 pf 2023 by the Member for Wajir West Constituency the Hon. Yussuf Mohamed MP., regarding the status of investigations into the death of two minors namely Abdisalan Hussein Issack and Monazil Adow on 4th May 2023 and 4th June 2023.
17. Question by Private Notice No.345 of 2023 by the Member for Kisumu West Constituency the Hon. Rozaah Buyu MP., regarding the status of the investigations into the death of a minor by the name Marion Atieno on 3rd June 2023.
18. Question by Private Notice No.389 of 2023 by the Member for Gilgil Constituency the Hon. Martha Wangari MP., regarding the changes made to the National Police Service (NPS) Medical Scheme.
19. Question by Private Notice No.454 of 2023 by the Member for Lamu East Constituency the Hon. (Cpt.) Ruweida Obo regarding the apprehension of *Al-Shabaab* militants in Lamu County.

In conclusion Hon. Deputy Speaker, the House Business Committee (HBC) will reconvene on Tuesday, 24th October 2023 to schedule business for the rest of the week. On behalf of the HBC, I take this opportunity to wish Members a happy Mashujaa Day. I now wish to lay the Statement on the Table of the House.

Allow me to thank the women of this House for standing with the young girls in school about pads or *sodo*. It is disheartening to find that our girls suffer the inhumanity of staying without sanitary pads. I urge the women in this House and those not in this House to stand with women and girls continuously. I am a father of girls and I know what it is like to be in that situation where there are no pads for our young girls. I would not wish anybody to be in a situation where they cannot provide their girl child with sanitary pads. As an MP I can afford

them for my daughter but there are many other people who cannot afford them for their daughters. It is disheartening. I, therefore, ask the ministries involved to ensure, as promised by the President, sanitary towels are provided for the full 12 months that a girl needs them. That way, we will liberate our children and ensure that there is equal opportunity in education for both girls and boys. I submit and thank you.

Hon. Deputy Speaker: Thank you, Hon. Owen Baya for that magnanimous response. Allow me, before we proceed to the next Order, to recognise students from Kongoni Primary School, Lang'ata Constituency, Nairobi County and Mawingu Secondary School, Kipipiri Constituency Nyandarua County. They are seated in the Speaker's Gallery.

(Applause)

Seated in the Public Gallery, I wish to recognise the presence of students from University of Embu, Manyatta Constituency, Embu County.

(Applause)

I can see the Member for Manyatta Constituency is very excited. Also, Timboroa Secondary School, Eldama Ravine Constituency, Baringo County. Lastly, Kenyatta University, Roysambu Constituency, Nairobi County.

I will allow the Member for Manyatta one minute to welcome the guests.

Hon. Gitonga Mukunji (Manyatta, UDA): Thank you, Hon. Deputy Speaker. On behalf of all Members, I wish to welcome our visitors to this House, especially Chama Cha Kiswahili Chuo Kikuu Cha Embu (CHAKIE) Club. I know many Members are not aware of the University of Embu. Interestingly, it has been ranked twice in a row as one of the best-run parastatals, in this country. Also, Embu University has appeared in newspapers many times for its research in agriculture. The university's findings have been published in various journals all over the world.

When young people come to see what we do here, I get encouraged especially as the Chairperson of the Kenya Young Parliamentarians Association (KYPA). Indeed, future generations are seeing and admiring what we do and also want to be part and parcel of what is going on in this House. I also want to welcome Kenyatta University (KU) students on behalf of KU Alumni led by my very good friend Hon. Kimani Kuria, Hon. Karemba, Hon. Ndindi Nyoro, Hon. KJ, and the Deputy Leader of the Majority Party who were students there. Finally, I also take this opportunity to wish Members a happy Mashujaa Day.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Next Order.

BILL

Second Reading

THE INSURANCE (AMENDMENT) BILL
(National Assembly Bill No.18 of 2023)

(Moved by Hon. Kimani Ichung'wah on 18.10.2023 – Afternoon Sitting)

(Debate concluded on 18.10.2023 – Afternoon Sitting)

(Question put and agreed to)

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

MOTION

ADOPTION OF REPORT ON THE FINANCIAL STATEMENTS FOR THE NG-CDF FOR CONSTITUENCIES IN KAKAMEGA COUNTY

Hon. Deputy Speaker: Mover. Proceed Hon. Mulyungi

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you, Hon. Deputy Speaker.

I beg to move:

THAT, this House adopts the Report of the Decentralized Funds Accounts Committee on its consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for twelve constituencies in Kakamega County for Financial Years 2013/2014, 2014/2015 and 2015/2016, laid on the Table of the House on Thursday, 27th July 2023.

Hon. Deputy Speaker, oversight of national revenue and expenditure is amongst the roles of the National Assembly as stipulated under Article 95(4)(c) of the Constitution of Kenya, 2010. Further, Article 226 of the Constitution provides that an Act of Parliament shall provide for the designation of an accounting officer in every public entity at the national level who is accountable to the National Assembly for its financial management. In addition, Article 229(8) of the Constitution mandates this House to debate and take appropriate action on audit reports from the Auditor-General.

Hon Deputy Speaker, in fulfilment of this constitutional provisions, the National Assembly Standing Order 205B establishes the Decentralised Funds Accounts Committee whose mandate is to examine the reports of the Auditor-General for the National Government Constituencies Development Fund (NG-CDF), the National Government Affirmative Action Fund (NGAAF) and the respective governing boards.

The Committee, which was established in the 13th Parliament, received a backlog of audited reports dating back to the Financial Year 2013/2014 from 228 constituencies. It is important to note that the previous Special Funds Accounts Committee had examined audited reports from 62 constituencies in Kisumu, Kiambu and all coastal region counties during the 12th Parliament. Given that each constituency is audited independently, the Committee audited a strategy of examining reports from constituencies in each county for three financial years concurrently.

The Committee held 11 sittings and received written evidences from the Chief Executive Officer (CEO) of the NG-CDF Board being the accounting officer of the NG-CDF as provided under Section 67(1) of the Public Finance Management (PFM) Act, 2012. The Committee also engaged the fund account managers, both present and former, from the 12 constituencies namely; Lugari, Butere, Likuyani, Malava, Khwisero, Lurambi, Navakholo, Shinyalu, Mumias West, Matungu, Mumias East and Ikolomani. It was to clarify various issues raised by the Auditor-General during their tenure in office given the critical role they played as the Authority-to-Incur-Expenditure (AIE) holders as stipulated under Section 12(4) of the NG-CDF Act, 2015. The oral and written submissions received formed the basis of observations, findings and recommendations of the Committee as outlined in the Report under each audit query. These are also contained in the minutes and *Hansard* Reports of the Committee proceedings.

The Committee also undertook inspection visits to various NG-CDF projects in some selected constituencies to verify information submitted by both the accounting officer and the fund account managers on the completeness of multiple projects and their benefits to the constituencies.

Hon. Deputy Speaker, during the 11 sittings the Committee held, it received written evidence from the CEO of the NG-CDF Board and fund account managers, both present and former, from the 12 constituencies namely; Lugari, Butere, Likuyani, Malava, Khwisero, Lurambi, Navakholo, Shinyalu, Mumias West, Matungu, Mumias East and Ikolomani. The Committee observed the following cross-cutting issues:

1. There were incidences of non-presentation of issued bursary cheques to institutions and delays in presentation of acknowledgement documents upon receipt of the bursaries.
2. Some fund account managers implemented projects and re-allocated funds without seeking prior approval from the NG-CDF Board.
3. Pending on-going projects were dominant due to inadequate allocation and late disbursement of funds by the National Treasury.
4. There was poor coordination between the office of the Auditor-General and fund account managers, particularly regarding the timely response to audit queries.
5. Some fund account managers did not avail documents that were subject to examination by the Auditor-General for verification at the time of audit.
6. Fund account managers experienced challenges in adopting to the International Public Sector Accounting Standards (IPSAS) framework in the preparation of financial statements.

As mentioned earlier, the Committee undertook inspection visits to various projects in some selected constituencies, namely, Lurambi and Mumias West constituencies, to verify information submitted by both accounting officers and fund account managers on the completeness of various projects and their benefits to the constituents of Mumias West Constituency.

On nugatory dispensary expenditure, the dispensary was constructed at a cost of Ksh2.7 million as per the audit query, yet it remained unutilised and was declared inhabitable by the Public Health Office. During the field visit by the Committee on 9th May 2023, it observed that the building was done to the required standards and was habitable. Secondly, the Fund Account Manager handed over the facility to Kakamega County as per the Committee's direction and submitted the hand-over report. The query was adequately addressed and resolved.

In Lurambi Constituency, construction of the Lurambi National Government Constituencies Development Fund (NG-CDF) office in Kakamega County had stalled. The visit was occasioned by an audit query. When the Lurambi Constituency Fund Account Manager appeared before the Committee, we noted that the audit issue was not satisfactorily responded to. Therefore, the Committee instructed the Fund Account Manager to provide additional information and documents to the auditors.

Subsequently, the Committee undertook a field visit on 10th May 2023 and observed that the roof had been fitted on the second floor. However, external walling for the first and second floors had not been done, and the ground floor currently accommodates the Lurambi NG-CDF office. Members were satisfied with the works done so far through the stewardship of the current Member of Parliament, who ensured that the ground floor offices were being utilised. The Committee recommended that the Lurambi NG-CDF Board should source more funds to complete the building to realise value for money.

Having deliberated on the audited financial statements and examined the reports, the following general observations and recommendations were made, which cut across the 12 constituencies.

First is on bursary funds. The Committee observed some incidences of non-presentation of issued bursary cheques to institutions and delays in presenting acknowledgment documents upon receipt of bursaries. Hon. Temporary Speaker, you will recall that there was an alarming report in the news that over Ksh2 billion was lost in bursary allocations. That report was erroneous because the bottom line was that there were no acknowledgment documents presented to the NG-CDF. If an NG-CDF office is in Lamu and you write a cheque to Kisumu, you cannot take the cheque to Kisumu and collect a receipt to keep in the office.

Therefore, the Committee recommended that the NG-CDF Board should develop an overarching bursary policy framework with a mechanism for both manual and electronic funds transfer in the disbursement of bursary cheques. Beneficiary institutions should issue acknowledgment documents upon receipt of the cheques. In addition, the Committee directed auditors to verify bank statements for transactions where receipts are unavailable.

Second is on reallocation and use of emergency funds. The Committee observed that some projects funded using emergency funds did not meet the threshold set out in Sections 6(2) and 8 of the NG-CDF Act of 2015. The Committee recommended that the NG-CDF Board should ensure that fund account managers comply with provisions of Sections 6(2) and 8 of the NG-CDF Act of 2015.

Third is on pending ongoing projects. The Committee observed that the critical cause of pending ongoing projects, which was common in all constituencies, was inadequate allocation of funds for projects with the hope of completing projects in subsequent financial years. The Committee recommended that:

1. The Board should, with immediate effect, discourage the partial allocation of funds to projects and ensure that all projects are completed within two financial years. Further, the NG-CDF Committee should ensure that proper costing of projects is done in consultation with the relevant Government departments to ensure realistic cost estimates.
2. The NG-CDF Board should come up with a realistic policy framework for costing projects for each constituency by the end of the First Quarter of the Financial Year 2023/2024. That should be informed by the cost of materials and transportation, taxes, the topography of each constituency, and the reports from the relevant Government departments.

Fourth is on the link between the office of the Auditor-General and fund account managers. The Committee observed that there was poor co-ordination between the office of the Auditor-General and fund account managers, particularly regarding timely response to audit queries. The Committee further observed that there was need for the NG-CDF Board to inform fund account managers across the country to promptly respond to audit queries.

While examining the reports, we realised that some fund managers were responding to queries of the 2012/2013 Financial Year when we summoned them in 2023. The Committee further observed that fund account managers did not avail some documents that were subject to examination by the Auditor-General for verification at the time of audit. The documents not availed for audit included cash books, bank statements, payment vouchers, project completion certificates, procurement records, and bills of quantities.

[The deputy speaker (Hon. Gladys Boss) left the Chair]

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

Hon. Temporary Speaker, you will note that in the event of misappropriation of NG-CDF funds in the constituency by the fund account manager, the Member of Parliament is put

on the spot and not the fund manager, the Chief Executive Officer (CEO), the NG-CDF Committee or the Project Management Committee (PMC).

Therefore, the Committee recommended that:

1. The Board should ensure that fund account managers comply with provisions of Section 6(2)(1)(b) and (c) of the Public Audit Act No.34 of 2015.
2. The NG-CDF Board should issue an administrative circular directing fund account managers to comply with provisions of the Constitution of Kenya, 2010, the Public Audit Act No.34 of 2015, the Public Finance Management Act No.18 of 2012, and the Public Procurement and Asset Disposal Act No.33 of 2015.
3. The NG-CDF Board should also ensure that fund account managers maintain the original Project Management Committee file at the NG-CDF office while the duplicate is maintained by the Project Management Committee at the project site to ensure that documents are available to auditors when they visit the office.
4. The NG-CDF Board should ensure that constituency committees employ qualified accountants for constituency offices beginning Financial Year 2023/2024 within the 6 per cent administrative allocation to the NG-CDF Committee. That will strengthen maintenance of books of accounts and preparation of financial statements.

The NG-CDF Act, 2015 designates fund account managers as accounting officers thus creating 291 centres of power. That is not appropriate. That is why many Members are experiencing problems with fund account managers. The CEO has no control since the Act stipulates that the fund account manager is the accounting officer for the constituency. I will, therefore, propose an amendment to remove fund account managers as the designated Authority to Incur Expenditure (AIE) holders by law and give that mandate to CEOs to appoint fund account managers as AIE holders. The law as it is has created 291 accounting officers. In my view, that is a lacuna in the law.

Finally, I commend the CEO of the board for ensuring that a majority of the Fund's managers prepared their responses on time and presented to the Committee as scheduled. I also commend project management committees in constituencies for engaging the public in project identification, ensuring that priority projects that had the most significant benefits to the communities were implemented. The majority of these projects were on infrastructural development in various public schools and utilities.

Hon. Temporary Speaker, I express appreciation to your office and the Office of the Clerk of the National Assembly for the enormous support you gave to my Committee. As I conclude, I also thank the Members of the Committee. They made time to attend and participate in Committee deliberations during the consideration of the Report.

Finally, I thank the Auditor-General's Parliamentary Liaison Office, the National Treasury, and the Committee Secretariat for facilitating the Committee in the production of this Report. Your invaluable contribution greatly enriched this Report.

I now call upon Hon. Muthoni Ikiara, nominated Member of Parliament from Meru County, to second the Motion. I urge the House to adopt the Report. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Who is seconding? Please give the Hon. Member a microphone. There is one around you there.

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

I rise to second this important Motion. I wish to reiterate the words of the Chairperson that, indeed, oversight over national revenue and expenditure is amongst the laws of the National Assembly under Article 95 of the Constitution. In fulfilment of this law, the

Committee deliberated on audited financial statements for the National Government Constituencies Development Fund (NG-CDF) for 12 constituencies in Kakamega County.

It is important to note that the Chair has given a majority of the observations we made. However, it is important to note that the Committee observed some very crucial issues cutting across all constituencies. One among them is the reallocation and use of emergency funds. The Committee observed that some of the projects funded using emergency funds did not meet the threshold set out in Section 6(2) and Section 8 of the NG-CDF Act of 2015. We went further and recommended that the NG-CDF board should ensure Fund Account Managers comply with the provisions of Section 6(2) of the Act.

The other very emotive issue we observed that is still cutting across in a majority of constituencies is that most of the land that was bought in these constituencies, and properties and motor vehicles purchased by the board or the fund managers did not have ownership documents. It is important to note that land is very emotive. The Report we are presenting today draws back through 2013/2014, 2014/2015 and 2015/2016. Because we are auditing this Report at this time in 2023, we have observed that the land bought then still does not have the requisite papers to prove it belongs to the institutions the fund managers claim.

It is also important to note that some of the vehicles procured then are not operational to date. They still could not provide the documents to prove ownership. Therefore, our view is that these documents should be provided to prove that this money, which is public money, was properly utilised.

We were able to visit some of these constituencies physically. It is also important to note that the Committee observed a majority of pending and ongoing projects remain incomplete. We saw that some projects drawing back to the years we are mentioning are still incomplete. Particularly, I want to mention the constituency of Hon. Malulu who is seated next to me. We went to his constituency. He has completed incomplete projects. It is for this reason the Committee recommended that these projects should be funded and completed so that we can have proper utilisation of public funds.

On top of that, some of the projects completed in those years remain unoccupied. That means these projects are going to waste because the priorities of projects done at that time have now shifted. For this reason, the Committee has recommended that the NG-CDF board should, with immediate effect, discourage partial allocation of funds to projects and ensure that projects are completed within two financial years. Further, NG-CDF committees should ensure proper costing of projects, especially at a time like now when the prices of materials have gone up. There should be proper consultation with relevant government departments to ensure realistic cost estimates are done to avoid pending projects that are partially done and not completed.

Hon. Temporary Speaker, the NG-CDF has made significant impact with various constituency development projects being implemented throughout the country. The success and model of the NG-CDF have been linked to the bottom-up approach because NG-CDF projects touch communities. Therefore, this is a very good initiative. I urge and laud Members of Parliament because a majority of these projects go directly to the local level and have helped local communities. If you go across our constituencies, you can account for what the NG-CDF has done in this country as opposed to other Funds that go to constituencies.

I thank the Committee and urge honourable Members to support this Committee so that, at the end of the day, public resources given using this avenue can be properly utilised.

Thank you, Hon. Temporary Speaker. I second.

The Temporary Speaker (Hon. Omboko Milemba): Very well.

(Question proposed)

Hon. Members: Put the question.

The Temporary Speaker (Hon. Omboko Milemba): No. Let us have some people have a bite on this. I will follow the list. The first one is Hon. Moses Malulu Injendi.

Hon. Malulu Injendi (Malava, ANC): Thank you, Hon. Temporary Speaker, for giving me this chance to say something about this.

Malava is one of the constituencies that the Committee looked at in its reports. I thank the Committee for the good work. It is, indeed, good. I also appreciate them for the approach they adopted of getting into a county and looking at all the constituencies within that county. However, if you look at these reports, they are very old. They range from 2013/2014, 2014/2014 and 2015/2016. Those are three financial years, but they are very old. I would request that when you get into a county, instead of looking at only three very old years, they focus on all the years that we have had a report on. For example, up to maybe the last financial year. As much as we get these reports, in my view, they are stale. If I can give an example from the report, particularly for Malava, there was an issue on cash and cash equivalents. The Committee, because of the audit reports that were talking about 2010, 2011 and 2012 issues, had to ask the Fund Manager about some receipts of those years. Among them, there was an issue affecting the 2006.

We have a report before us for the 9th Parliament, because of the year 2006. If you look from 2010 to 2013, that is the 10th Parliament. For me who is sitting in the 13th Parliament, those are very old years. Some of the Members of Parliament, who were serving then and who were directly under NG-CDF, have passed on. This report then, does not really become very useful to us who are serving in the present, who would really want to understand. Members of Parliament now are not really part of the NG-CDF. We would also want to know how our fund managers are performing.

On this, I thank the Committee because from its report, Malava has been given a clean bill of health. All issues raised, like emergency money being used on projects that are not meant for emergency, and where land has been purchased but then there is no title to prove that it was purchased, were clarified. I thank my Fund Manager, who was not there then but ensured that all these items were availed for verification.

The Secunder of the Motion congratulated me because I was one of the constituencies that ensured all projects that I found progressing, were completed. I really suffered. For three financial years, I committed funds just to complete projects of my predecessor. The Board should look at this and inform strictly that if there is any project that *Mheshimiwa* or NG-CDF Committee is coming up with, it must be completed within the term of that Parliament. I also understand that the Board allows a particular phase of a project to be completed. I want to give an example of Lurambi Constituency, but My brother is not here. There was a huge project of four-storeyed building. The Member of Parliament who was there only did a part of it. Two Members of Parliament who have been there have not been able to complete because the kind of money required there is the whole of NG-CDF funds. I would wish that before they approve a project, they must ensure that it will be completed within the term of that Parliament, for this case 13th Parliament. If it is a *ghorofa* of three floors, then it must be completed within that period.

I thank the Committee for this nice report. This is like a mirror; we should look at ourselves through it because it projects what we are doing. If people from Malava are listening to this, I want to tell them that Malava Constituency got a clear scorecard.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Temporary Speaker. First and foremost, I want to thank Hon. Gedion Mulyungi and his Committee for taking time to cut across the country, particularly Kakamega County's 12 constituencies, to see what we have so far done in NG-CDF. I have been the Member of Parliament for Navakholo, which is

also part of the 12 constituencies, since 2013 when we began it. I was the first Member of Parliament and I have won it all through to date.

I thank the Committee, especially for the cross-cutting issues they have raised. I want to be very particular and look at the issues they have raised. They noted that there was poor coordination between the Office of the Auditor-General and fund account managers regarding timely response to audit queries. This is an issue that affected my constituency and it was raised, but later after the queries had been put forward and Auditor-General raised it for subsequent review, I can see the Committee has reported that the necessary documentations were filed, reviewed and given a clean bill of health. This is very true. Being a new constituency, we had a lot of reconciliations to hand over from Lurambi to Navakholo. In the process of handing over, receiving and commencing a new constituency, there were issues which are now being touched on in the audit. I thank the Committee and my Fund Manager that he, indeed, endured time, and made the necessary submissions. Today, as I speak on the Floor, my constituency is cleared. There are no issues that were outstanding, rather than presentation of papers to justify the expenditures.

Another cross-cutting issue that I would like to look at is the fund account managers experiencing challenges in adapting to the International Public Sector Accounting Standards (IPSAS). Unless you get a qualified accountant, any other person might not understand these standards, and my constituency also experienced the same. In their recommendation, the Committee is asking us that in the 2023/2024 Financial Year, we need to employ accountants. In 2017, upon seeing what was happening in accounts, I engaged a certified accountant in my office who is doing the reports. We are already compliant. I thank the Committee for picking it up. For those colleagues who have not done so, the Committee is telling you that in 2023/2024 Financial Year, you have to do that.

I thank the Committee very much for highlighting the cross-cutting issue of incidences of non-presentation of issued bursary cheques, where cheques are issued, but are not presented for one reason or another. This is a cross-cutting issue across our constituencies. Mine was not spared. That is when you end up finding that there are balances in bursaries. When the query was raised, the schedules were filed with the Auditor-General. As we speak, my constituency is cleared of that and I am very happy with the Fund Account Manager who handled this audit. What I see in general is that, the Report of the Committee is a true reflection of what is on the ground. The committee has reported as if it sits in the offices that we seat in. That is a good thing.

There is a case that was picked from my constituency. When I was a new Member of Parliament, I had to put up a new office for the Deputy County Commissioner (DCC). The office was co-funded with funds that were in Lurambi Constituency and topped up with funds that were in the Navakholo Constituency account. That mingling of funds raised an audit query on where we got the funds from pocket A and pocket B. Upon the justification of where we got the money belonging to the larger Lurambi Constituency, the query was sorted and the matter settled. I want to thank the Committee very much for picking up such small issues that represent true facts on the ground as they happened. This is a wonderful Report. I want to thank the 12th Parliament for having thought it wise to have this Committee in place to oversight our constituencies from within. I want to thank, Hon. Mulyungi and his Committee for this Report.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Kuria Kimani. I know you did not get a chance to speak to the previous business that concerned issues of ladies.

Proceed.

Hon. Kuria Kimani (Molo, UDA): Thank you very much, Hon. Temporary Speaker. You know, I really wanted to contribute on the earlier debate on provision of sanitary towels to our girls. However, it is already done. If you may indulge me, let this be the last time we are

speaking about sanitary towels. Two weeks ago, we spent a whole afternoon talking about sanitary towels for girls. This House has already appropriated money for that. We should really not talk about it.

Back to the subject matter before I am not ruled out of order for being out of topic, the genius of the NG-CDF and how it is run, makes it as the only Fund that you can go to constituencies across the country and identify projects that have been done at a low cost, completed and have an impact to the people. Sometimes when you compare a classroom constructed through the NG-CDF with a classroom constructed by the Infrastructure Fund by the Ministry of Education, you will find that the one done by the Ministry costs double the amount of money that the NG-CDF one costs and their quality is not even comparable.

I have said severally on the Floor of this House that I am a product of the NG-CDF bursaries. The patron then was the former Member of Parliament for Molo, Hon. Mukiri Macharia, Wakili. If it were not for that bursary fund, I would never have seen my way through secondary school and through my bachelor's degree at Kenyatta University. Therefore, I doubt that I would have ever seen myself being in the 12th Parliament and the 13th Parliament. I laud the Report that has been done by the Committee. I like the recommendation they have made of the Chief Executive Officer (CEO) of the NG-CDF board to be made the accounting officer of the Fund. When auditors come to audit and verify whether the bursary cheques have been cleared and paid up in schools and find that their receipts are not available and they do not take time to go through the documents, the papers in the Report allude to the fact that it is the Member of Parliament of that particular constituency who is assumed to have misappropriated the funds. It is very important to put on record that the role of a Member of Parliament is to provide guidance on how that Fund is supposed to be spent, especially to provide oversight as the patron of the Fund. That is something that is being done by the Special Funds Accounts Committee through the Report that it has done on this Fund. The assumption the members of the public have is that Members of Parliament have a cheque book of the NG-CDF which they can use to issue out anything to anybody.

I laud the Report and its recommendation that projects being done by the NG-CDF should be done to completion. When I was elected as a Member of Parliament in 2017, most of the projects in Molo were being allocated peace-meal funds. A project will be allocated money that is not sufficient to finish it. Consequently, more money will be appropriated in the following financial years for the same project. If you look at the overall import of that arrangement, it is misguided because there is no value for money. If you go to audit such a project and find out how much money was spent on it, you will realise that it has very many grey areas. At the NG-CDF Committee of Molo Constituency, we have agreed that for the projects that we will fund, we will do them from start to completion. We would rather have fewer projects that are complete and available for use by users and get value for money than having too many small projects scattered around the constituency that are not complete.

Through the NG-CDF in Molo, we have completely transformed the education sector including having two tertiary institutions. We have the Molo Technical and Vacation Training College that has now trained over 800 students from across the country. This project was started and completed through the NG-CDF. We have a Kenya Medical Training College (KMTC) that we are pushing the Nursing Council to give us license to teach nursing courses at the school. The school has a population of more than 500 students drawn from across the country. When students come and study in Molo, it is not just for them to get education but it also spurs the economic growth in town.

We pride ourselves in having other great institutions like the legendary St Andrew's School, Turi a very high performing school; Mary Mount Secondary School; Molo Academy Primary School and Molo Academy Secondary School. We also have good performing day secondary schools like Njenga Karume Secondary School, Elburgon D.E.B Secondary School

and Elburgon Secondary School among others. These institutions have made us attractive as an education destination in Nakuru County. Most parents across the county want to bring their students to study in Molo. During school visiting days, you will find businesses thrive like the Mama Kevin's Hotel in Molo Town.

We have used the NG-CDF to enhance dignity in our public schools. Recently, we carried out renovations in several primary schools, including my former primary school, Mwangi Michuki Primary; Mukinyai Primary School; Mariashoni Primary School and Turi Sulgwita Primary School. It was amazing that when we put tiles in the classrooms of these schools, the students did not want to go back home because they felt that the classrooms are better than their homes. I told them that is a sign that if they work hard, they will also live in tiled homesteads in future. We did that to enhance the dignity of the pupils and make them feel that they are not children of a lesser God. They will now study in an environment that has the correct infrastructure.

For secondary schools, - I will really urge other Members of Parliament to take note of this - the Ministry is not keen in funding laboratories in terms of construction and equipping science laboratories in secondary schools. We have a bigger problem when it comes to Junior Secondary Schools. The challenge in this is that those students who cannot afford to go to the big secondary schools that have this infrastructure will be limited when it comes to the science subjects. When you have a student going to sit for the Kenya Certificate of Secondary Education (KCSE) examination and that is the first time they are seeing a burette or a pipette, you do not expect them to compete competitively with students from other schools like Alliance or Starehe. Having gone through a day school, I have made a point of making sure that all the day secondary schools in Molo constituency have a complete and equipped science laboratory. We are 98 per cent there. I want to urge other constituencies to do the same so that our schools have the correct infrastructure.

The Kenya Kwanza administration talks about the digital highway as the next frontier of spurring economic growth. This is not just a Kenya Kwanza administration manifesto. It is a global thing. The Kenya Kwanza administration talks about digital highway as the next frontier in swerving economic growth. It is not just a Kenya Kwanza administration manifesto but it is a global thing. I meet people all the time who live here in Kenya but actually work in the United Kingdom or the United States of America. They probably have to travel physically to the office once a quarter or even once a year. We should enhance digital skills and computer literacy of our students by constructing ICT laboratories in schools. We have attempted to build a pilot one in a few secondary schools in Molo and having ICT hubs across the wards, as the Hon. John Kiarie, the Chairperson of the Departmental Committee on Communication, Information and Innovation, is encouraging us to do. We have started building one at Sachangwan and Huduma Centre in Molo town, and we hope that the first floor is going to be an ICT hub. Enhancement of digital skills is going to make sure that learners get the skills that are required globally. This will ensure that once they clear primary school or high school, they are able to compete for global opportunities. This world has now become a global village thanks to the digital superhighways and the use of ICT for information dissemination.

With that, I beg to support this Report and urge the House to adopt it as proposed by the Chairperson of the Special Funds Accounts Committee. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well.

Hon. Members, Supreme Care Academy, Kiamba in Kiambu County are seated in the Public Gallery. I want to acknowledge their presence and wish them well as they continue watching the proceedings of this House.

Next to speak on this matter is Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Temporary Speaker, for this opportunity. I join my colleagues...

Hon. Julius Rutto (Kesses, UDA): On a point of order.

The Temporary Speaker (Hon. Omboko Milemba): What is your point of order? Hon. Makali Mulu, just take your seat.

Hon. Julius Rutto (Kesses, UDA): Thank you very much, Hon. Temporary Speaker. Being aware that tomorrow is a public holiday and from the look of the number of Members present in the House, the quorum is wanting. We should ensure that we have enough quorum to proceed as far as the Standing Orders are concerned.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): You are aware that you have to mention the Standing Order on which you are rising. Hon. Makali, proceed.

Hon. Julius Rutto (Kesses, UDA): Standing Order 35.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Temporary Speaker. Before that unnecessary interruption, I join my colleagues in saying congratulations to this Committee led by my friend, Hon. Gideon Mulyungi. Upon listening to him and reading this Report, I think if we start discussing the success story of NG-CDF it will take a whole year for this House to conclude that discussion. If you travel to every part of this country, you will see evidence of what NG-CDF can do in changing the lives of Kenyans, more so in a positive way. When I listened to Hon. Gideon Mulyungi present this Report and try to isolate the few areas where we need to improve, I really want to say congratulations to the Committee.

A number of observations and recommendations have been made by this Committee and I want to single out a few just to explain what is happening. First is a situation where projects are started by Members of Parliament and when there is change of leadership, those projects are never completed. What the Committee is saying is, it is important that the NG-CDF Board makes sure that all projects being funded are completed within the timeframe of a particular Member of Parliament. If you do proper public participation in your constituency, you will realise that the projects which are being funded are actually proposed by the voters in that particular constituency. The issue of not completing a project because the person you succeeded lost an election does not make sense at all. As patriots, we really need to stick to that recommendation and make sure that it is implemented. This will ensure that when a project is started, it is completed for the benefit of the constituents irrespective of who the sitting Member of Parliament is.

Second is the issue of bursary checks. The Committee says there are bursaries issued but there is no supporting document to show that the money reached the school. I would like to support a recommendation by one of the earlier speakers that when you go to a county it would be good to do a report from 2013 to date because most of the recommendations cut across. It would be good to get updated reports so that we move to the future and ensure we do not have to go back to that county again and start from 2016. The further back you go, the report becomes irrelevant. It is important to fully sort one county and proceed to another until we sort it fully.

I want to agree with Hon. Kimani Kuria on the matter of bursaries, when he says that a majority of the youth would not have gone to universities or secondary schools were it not for bursaries. That is why Members of Parliament need to take this issue seriously. Bursaries have transformed families and individuals. You realise that a family could not have afforded fees, but because we have managed to support one or two students, that family picks up and moves forward. When the Auditor-General goes out there, it would be important to take their time and look at whether the money reached the school before they start saying accounting documents are not there. If the money reached the school and it is only the document which is not available, we can ask for it to be provided. Otherwise, it would be very unfair to have reports which show

that money was never accounted for when in reality students have benefited. I want to confirm to this House that bursaries have played a huge role in my election as a third-term Member of Parliament for my constituency. As we support students, they really appreciate. We have transformed lives and that is the reason they think the leadership is adding value to their lives. Therefore, they vote for you when election time comes.

On the issue of managers being the accounting officers, I totally agree with Hon. Mulyungi when he says that we are creating parallel centres of power, where you have the accounting officer at the headquarters and another at the constituency level. To some extent, this has created situations where Fund Managers are no longer answerable to the headquarters. Thereafter, they become rogue Fund Managers because at that low level, Board members are not able to control them. I have shared experiences with most of my colleagues here and some have changed their Fund Managers more than four times since they became Members of Parliament. This is because those Fund Managers did not realise that their work is to facilitate operations. They interfere with implementation of projects and harass locals, forgetting that this is a political position and there is always need to balance politics and technical work. Money must be accounted for, but at the same time projects must be seen to be implemented. There are situations where there are unnecessary delays in implementation.

Even as we support this Report, this House takes seriously the recommendations that have been put forward by the Committee. Immediately we adopt this report, the Committee on Implementation should take action and make sure that these good recommendations are not lost and are implemented for the benefit of Kenyans. As I conclude, the wisdom of this House in creating this Committee was very good. With 290 constituencies and 47 counties, I am wondering whether they will have enough time to sort out what has been done in the 13th Parliament. I wish that this Committee can be more facilitated by improving their budget to enable them to go out there more. This will enable us look at all these special funds in the 13th Parliament and then come up with recommendations, and resolve this matter once and for all.

With those many remarks, Hon. Temporary Speaker, I once more appreciate Hon. Mulyungi for what he has done. This is just a taste of what we have in Kitui County. This is the kind of leaders we have there. I can assure you that as we move to the future, we will see more of these kinds of reports from this Committee. I congratulate and wish you well.

Thank you very much, Hon. Temporary Speaker, for giving me the opportunity to contribute.

Hon. Timothy Kipchumba (Marakwet West, Independent): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): What is your point of order?

QUORUM

Hon. Timothy Kipchumba (Marakwet West, Independent): Hon. Temporary Speaker, I rise pursuant to Standing Order 35 on quorum of this House.

(Loud consultations)

I have a right to raise this point of order.

(Loud consultations)

The Temporary Speaker (Hon. Omboko Milemba): Thank you. Clerk-at-the-Table, confirm whether we have quorum.

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

(Loud consultations)

Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

(Hon. Members stood in their places)

Order Hon. Members. Take your seats. *Mwalimu mwenzangu*, take your seat. We are still in the House. Let us just follow the procedure and see if we shall raise the quorum. Thank you.

(Loud consultations)

(Several Hon. Members walked out of the Chamber)

Hon. Members, remember you cannot leave the House now. Serjeant-at-Arms, take your place. The Members who are raising other points of order, remember the House is frozen. You cannot raise them now. Let us wait for 10 minutes. Thank you.

(The Quorum Bell was rung)

(Louds consultations)

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Members. You may take your seats, please.

A Member rose in his place and drew the attention of the Speaker to Standing Order 35 on the issue of quorum. We have since affirmed that there was no quorum at that particular time, and have proceeded to have the Quorum Bell rung for ten minutes. Until now, we still do not have quorum. Therefore, Hon. Members, you may rise.

ADJOURNMENT

Hon. Temporary Speaker (Hon. Omboko Milemba): Hon. Members, the time being 4.52 p.m., this House stands adjourned until Tuesday, 24th October 2023 at 2.30 p.m.

The House rose at 4.52 p.m.

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