

**PARLIAMENT OF KENYA****THE NATIONAL ASSEMBLY****THE HANSARD**

Tuesday, 2<sup>nd</sup> March 2020

The House met at 2.30 p.m.

*[The Deputy Speaker (Hon. Moses Cheboi) in the Chair]*

**PRAYERS****QUORUM**

**Hon. Deputy Speaker:** Members, since we do not have the required quorum, I order that the Quorum Bell be rung for 10 minutes. We probably have a lot of Members attending the funeral of our colleague, led by the Hon. Speaker himself.

*(The Quorum Bell was rung)*

Order! Order, Members! We now have the required quorum. Therefore, business will begin.

**PETITIONS****RESETTLEMENT OF EAST MAU FOREST EVICTEES**

*(Loud consultations)*

Order! Order, Member!

Hon. Members, Standing Order 225(2) (b) requires the Speaker to report to the House any Petition, other than those presented by a Member. I wish to report to the House that my office has received a Petition from several residents under the banner of East Mau Forest Evictees led by one Mr. John Njogu Njoroge of Postal Address 264 Elburgon, calling for the resettlement of East Mau Forest evictees.

Hon. Members, in their Petition, the petitioners aver that they constitute a community of over 4,350 people that served as caretakers of 10 forest blocks in Nakuru County for over 70 years before being evicted from the area by the Government in 1988.

Following their eviction, the petitioners claim that people who hail from other counties were resettled in the same forest area, leaving them landless since no alternative land was provided for their relocation.

In their pursuit for justice, the evictees sought the intervention of the Truth, Justice and Reconciliation Commission (TJRC) in 2011 and the National Land Commission (NLC) in 2018, to no avail, and now seek the intervention of this House in securing their resettlement.

Hon. Members, pursuant to the provisions of Standing Order 227(1), this Petition stands committed to the Departmental Committee on Lands. The Committee is requested to consider the Petition and report its findings to the House and to the petitioners in accordance with Standing Order 227(2).

I thank you.

I see a few Members who are interested in commenting on this one. Let us start with Hon. Maanzo.

**Hon. Daniel Maanzo** (Makueni, WDM-K): Thank you, Hon. Deputy Speaker for this opportunity. These types of petitions have been common here and I think this is the fourth one.

It is high time Parliament sorted this matter once and for all, so that there can be a certain way or a policy on how to deal with evictees in the country. From 1988 to now is quite a long time and these evictees must have acquired some rights, even within the law, for having been out of their own land for such a long time. It was at a time that even the land law had not changed and a number of other policies had not come into place. While the Committee looks at this, it will be important that we have a common way of dealing with these sorts of things so that every other day we do not deal with forest evictees.

Thank you, Hon. Temporary Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Okelo Odoyo, do you want to speak to this one?

**Hon. Jared Okelo** (Nyando, ODM): Thank you, Hon. Deputy Speaker.

Human rights are enshrined in law. Whether or not people encroached on government lands, and that is what they have known as their homes, even before any sort of eviction is preferred, this is a matter that ought to be looked into very keenly. We have young children who have to contend with very cold weather subjecting them to diseases that would have otherwise been sidestepped. This is a matter that the petitioners who have presented it before this House together with the relevant departmental committee ought to look at in-depth so that it does not become a recurrent issue. We have handled this matter before in the House and there seems not to be a definite answer from this end.

Thank you, Hon. Deputy Speaker.

**Hon Deputy Speaker:** Thank you very much. Hon. Pukose.

**Hon. (Dr). Robert Pukose** (Endebess, JP): Thank you, Hon. Deputy Speaker. I stand to support the Petition.

The issue about forest evictees has been a very thorny one in this Republic especially where we have people occupying lands that initially belonged to the white settlers and were bordering forests. These lands have LR numbers and IRN numbers. The Government or the Ministry of Forestry decides to gazette such areas as forest and that leads to people being evicted from those areas. They end up with massive loses in terms of livelihoods and properties. This is a very distressing thing. A way must be found by the Departmental Committee on Environment and Natural Resources and the Departmental Committee on Lands so that this matter can be solved once and for all. It is not just them who are affected but there are multiple cases of similar nature.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Sankok.

**Hon. David ole Sankok** (Nominated, JP): Thank you very much, Hon. Deputy Speaker. I support the petitioners.

On the issue of the Mau Forest, it must be conserved because it is not about the community or a person, but about the ecosystem of Kenya. We are directing our anger at the wrong place. The Government is wrong. It has constructed roads and chiefs' camps. It has constructed schools and has seconded teachers to the schools in that forest. So, the Government ought to compensate all the people it has evicted from Mau Forest and any other forest. The Government must accept that it has erred because some of the people who have been evicted have genuine title deeds from the Ministry of Lands. When one has a genuine title deed, there is no prophetic eyes that will know the one which is genuine and one which is not unless the Government says it.

When the forests were being occupied for 10 or 20 years, where were the foresters? Where were the land surveyors? The Government must compensate all those people.

**Hon. Deputy Speaker:** Okay. The Member for Molo. Your card seems not to be working. It is on and off.

**Hon. Kuria Kimani** (Molo, JP): Thank you, Hon. Deputy Speaker.

This matter is at the dear heart of the people of Molo Constituency and those of Njoro Constituency. These are people who used to live in Mariashoni, Nessuit and Mauche those years. Some of us including my grandfather, my brothers, uncles and aunties were born in the forest but over the years there are people who have come and occupied that land and now the real people who used to be there or were born there have not been compensated. Therefore, I urge the Committee involved to really look at the historical injustices. When we compensate the Ogiek Community through the Arusha Ruling that was given, let us remember all those other communities that used to live in that forest and let everyone get an equal share in the right for that land.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Member for Marakwet West.

**Hon. William Kisang'** (Marakwet West, JP): Thank you, Hon. Deputy Speaker. I stand to support the Petition.

This issue runs across the country. It will be good if the Committee recommends to the Ministry to do an audit across the country of people who require to be resettled, so that we resolve it once and for all and especially those who were occupying forests.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** We will now go to the next Order. I have given sufficient number of Members a chance to speak.

### PAPERS LAID

**Hon. Deputy Speaker:** On this particular Order, we have the Whip of the Majority Party. Proceed.

**Hon. Emmanuel Wangwe** (Navakholo, JP): Hon. Deputy Speaker, I beg to lay the following Papers on the Table of the House today, Tuesday, 2<sup>nd</sup> March 2021, Afternoon Sitting:

The Quarterly Economic and Budgetary Review for the First Half of the Financial Year 2020/2021 from the National Treasury.

Annual Report for the Financial Year 2018/2019 from the Commission on Administrative Justice.

Performance Report for the period January to June 2020 from the Independent Policing Oversight Authority.

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June 2020 and the certificates therein:

- i) Intelligence Service Development Fund;
- ii) Local Authorities Provident Fund; and
- iii) National Intelligence Service.

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June 2019 and the certificates therein:

1. Sports, Arts and Social Development Fund - State Department for Sports;
2. University Fund;
3. East Africa Tourist Visa Fee Collection Account - The National Treasury;
4. Jomo Kenyatta University of Agriculture and Technology;
5. Revenue Statements of the State Law Office and Department of Justice;
6. Revenue Statements of the Judiciary;
7. Revenue Statements of the Ministry of Lands and Physical Planning;
8. Revenue Statements of the Business Registration Service;
9. Agricultural Information Resource Centre Revolving Fund - State Department for Crop Development;
10. Kenya National Commission on Human Rights Mortgage and Car Loan Scheme Fund;
11. Kenya Yearbook Editorial Board;
12. Parliamentary Car Loan Scheme Fund;
13. Parliamentary Mortgage Scheme Fund;
14. The President's Award Kenya;
15. Intelligence Service Development Fund;
16. Petroleum Development Levy Fund - State Department for Petroleum;
17. Petroleum Training Levy Fund - State Department for Petroleum;
18. Cooperative University of Kenya;
19. The Asian Officers Family Pension - The National Treasury;
20. The Kenya Tsetse and Trypanosomiasis Eradication Council;
21. The Railway Development Levy Fund Holding Account - The National Treasury;
22. The Registration of Certified Public Secretaries Board; and
23. The State and Public Officers Motor Car Loan Scheme.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Let us move to the next Order.

## QUESTIONS AND STATEMENTS

**Hon. Deputy Speaker:** On this particular one, we have Questions. So, we will start.

## ORDINARY QUESTIONS

To start us off is the Member for Mwatate, Hon. Andrew Mwadime.

*Question No. 038/2021*

## INTRODUCTION OF SGR STATIONS AT MTITO ANDEI AND VOI

I have just confirmed right now that the Member had requested for a deferral, and that one is accepted.

*(Question deferred)*

So, we will go to the Member for Bondo, Hon. Ochanda.

**Hon. Gideon Ochanda** (Bondo, ODM): Hon. Deputy Speaker, the matter has been dispensed with.

**Hon. Deputy Speaker:** By who?

**Hon. Gideon Ochanda** (Bondo, ODM): I think there is a little error because it was dispensed with last week.

**Hon. Deputy Speaker:** Okay. So, let us go to the Member for Ruiru, Hon. King'ara.

*(Technical hitch)*

Proceed, Hon. Member for Ruiru. What seat number are you on? Is it working now?

*Question No. 054/2021*

## REHABILITATION OF GATONGORA – MACHINANI – KIRATINA – GIKUMARI – JUJA FARM ROAD

**Hon. Simon King'ara** (Ruiru, JP): It is okay, Hon. Deputy Speaker.

Hon. Deputy Speaker, I beg to ask the Cabinet Secretary (CS), Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works the following Question:

- (i) Is the Ministry aware that Gatongora – Machinani – Kiratina – Gikumari – Juja Farm Road is currently in a deplorable and impassable state?
- (ii) When is the road expected to be improved to motorable standards considering that the Kenya Rural Roads Authority (KeRRA) allocated Kshs86.2 million for that purpose?
- (iii) What plans has the Ministry put in place to ensure that the said road is also constructed to bitumen standards soonest, considering its importance in boosting transport network and improving the economy of the region?

This is the second time I am trying to push this Question. I hope it will not lapse again.

Thank you.

**Hon. Deputy Speaker:** Very well. That one will be replied to before the Departmental Committee on Transport, Public Works and Housing. I hope the Committee is seized of this matter so that, at least, they can move with speed to ensure that Hon. King'ara does not have to put this Question another time again.

So, let us proceed. The next one is by the Member for Changamwe.

*Question No. 058/2021*

## CRITERIA FOR RECRUITMENT INTO NATIONAL POLICE SERVICE

**Hon. Omar Mwinyi** (Changamwe, ODM): Hon. Deputy Speaker, I beg to ask the Cabinet Secretary for Interior and Coordination of National Government the following Question:

- (i) Could he explain the criteria used and how the number of persons to be recruited into the National Police Service is arrived at in each constituency and sub-county in the country?
- (ii) What special consideration is given to areas where the recruits do not meet the set standards of academic performance to ensure all areas of the country are covered, and to realize the goal of achieving the face of Kenya concept in the Police Service?

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** That one will be replied to before the Departmental Committee on Administration and National Security.

So, we go to the next one by the Member for Kiambu, Hon. Jude Njomo.

*Question No. 062/2021*OWNERSHIP STATUS OF LAND REFERENCE NO. 6944/2 ON  
KENYATTA ROAD, KIAMBU COUNTY

I doubt if he is around because of the funeral in his neighbourhood of our colleague. I am also told that he has informed us of the same. So, that one is also deferred.

*(Question deferred)*

Let us go to the next Question by the Member for Matayos, Hon. Odanga.

*Question No. 064/2021*

## CONSTRUCTION OF BUSIA – KISUMU HIGHWAY TO DUAL CARRIAGE STANDARD

I see there are quite a number of Members who have made requests to defer their Questions, as I have said, owing to the loss of our colleague.

*(Question deferred)*

*Question No. 065/2021*CRITERIA FOR ENROLLMENT INTO *INUA JAMII* CASH TRANSFER PROGRAMME

I see Hon. Wamuchomba is also not going to be available. So, that one is also deferred.

*(Question deferred)*

So, we go to the next one.

*Question No. 066/2021*

MEASURES TO SECURE LOCAL AND INTERNATIONAL  
MARKETS FOR COCONUT

Is that one for Hon. Aisha Mohamed? Is she in?

*(An Hon. Member spoke off record)*

If that is the case, then we end that particular bit of that Order.

*(Question deferred)*

We now go to the Requests for Statements by the Hon. Member for Molo.

**REQUESTS FOR STATEMENTS**

BAN ON MAIZE PLANTING IN PARTS OF  
MOLO AND NJORO CONSTITUENCIES

**Hon. Kuria Kimani** (Molo, JP): Thank you, Hon. Deputy Speaker. I rise to ask for a Statement on the ban imposed on planting of maize in parts of Molo and Njoro constituencies by the County Commissioner of Nakuru County.

Hon. Deputy Speaker, pursuant to Standing Order No. 44(2) (c), I seek to request a Statement from the Chairperson, Departmental Committee on Administration and National Security, regarding recent ban on planting of maize in parts of Molo and Njoro constituencies by the County Commissioner, Nakuru County.

Close to 90 per cent of the residents of Mariashoni and Elburgon wards in Molo Constituency exclusively depend on agriculture, particularly maize farming to feed their families, and earn a living which includes educating their children.

On 8<sup>th</sup> February 2021, the Nakuru County Commissioner announced a total ban on planting of maize in parts of Nessuit, Sigotik and the larger Mariashoni wards. Notably, these regions feed a huge population of Nakuru County and beyond. This is a precursor to humanitarian crisis in the coming months as the people who have hitherto been having a sustainable food basket, will rely on Government relief for survival.

It is against this background that I seek a statement from the Chairperson, Departmental Committee on Administration and National Security, on the following:

- (i) Explain whether the ban is a Government directive through the Ministry of Interior and Coordination of National Government and what necessitated it?
- (ii) Explain whether banning planting of maize is a sustainable approach to providing security in the pretext that the criminals would not hide in the maize plantations?
- (iii) What actions are being taken to lift the ban and implement sustainable ways of dealing with the intermittent intra ethnic clashes occasioned by long standing land disputes?

Hon. Deputy Speaker, I wonder whether if Al-Shabaab resides in forest, we should clear the forest so that we prevent them from hiding there.

With that, I thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Very well. That is referred to the Departmental Committee on Administration which we expect to respond within two weeks. Is the Chairperson of the Committee in the House?

Let us proceed to the next one. What is it, Hon. Koske?

**Hon. Gideon Koske** (Chepalungu, CCM): Hon. Deputy Speaker, I am just wondering how the Government can tell people not to plant what they depend on? Maize is for food security. You cannot tell people not to plant maize unless the Government is going to provide them with alternative food to eat. This is a sensitive issue.

**Hon. Deputy Speaker:** Whereas you make your point clear, you can appear before the Committee and pursue that. Eventually when the response is made, probably, you will have an opportunity to make sure that you have your point heard.

What is it, Hon. Okelo Odoyo?

**Hon. Jared Okelo** (Nyando, ODM): Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Is it on the same issue?

**Hon. Jared Okelo** (Nyando, ODM): No, this is on a different issue, if you allow me.

**Hon. Deputy Speaker:** Which one is this?

## POINT OF ORDER

### DELAY IN DISBURSEMENT OF NG-CDF BY THE NATIONAL TREASURY

**Hon. Jared Okelo** (Nyando, ODM): Hon. Deputy Speaker, I need your indulgence pertaining to the inordinate delay by the National Treasury to submit the National Government Constituencies Development Funds (NG-CDF) to our accounts.

*(Applause)*

Hon. Deputy Speaker, we are staring at the end of this financial year. We are barely three months to the end of it. Up to now, Nyando Constituency, for instance, and I believe most of my colleagues here, has only received Kshs16 million out of Kshs137 million. We committed several contractors to work on projects by the NG-CDF...

**Hon. Deputy Speaker:** It is only that I can understand that this is an issue that is very popular with the Members, but the mode of approach that you have followed is not correct.

**Hon. Jared Okelo** (Nyando, ODM): Hon. Deputy Speaker, just allow me to explain.

**Hon. Deputy Speaker:** Okay. Just finish it then we will see.

**Hon. Jared Okelo** (Nyando, ODM): I thank you very much, Hon. Deputy Speaker. So, as I was saying, we have committed contractors on the ground that are doing NG-CDF projects. They have sent their invoices to our offices, and are pestering us to respond to them. However, up to now, we have not received money equivalent to what has been committed. Now we have children going to schools, but most of them are now staying at home because we promised to pay their school fees by way of bursaries which we have always done, but up to now, we are unable to pay for the bursaries for those children who are stuck at home.

Together with so many other commitments that we have made with our offices, up to now, we are unable to serve our constituents.

**Hon. Deputy Speaker:** What is your point of order, Hon. Omulele? I can see you are extremely agitated.

**Hon. Jared Okelo** (Nyando, ODM): He is on a point of order when I am on a point of order.

**Hon. Christopher Omulele** (Luanda, ODM): Yes, yes. It is extremely important that the Member for Nyando wears his mask. He is speaking right behind me here and I am very careful about it. He is talking about a good thing, but let him talk about a good thing in a good way. Let him wear his mask.

*(Laughter)*

**Hon. Jared Okelo** (Nyando, ODM): I thank you, honourable uncle. I have responded.

*(Hon. Jared Okelo put on his mask)*

**Hon. Deputy Speaker:** Now you see, you are putting your uncle's life at great risk.

**Hon. Jared Okelo** (Nyando, ODM): Well, and vice versa.

So, Hon. Deputy Speaker, this is an important matter that will need your direction. We understand that the National Treasury, due to COVID-19, has recorded a reduction in its revenue streams. However, we see programmes of the Executive running as usual yet this very important aspect of our constituencies is lagging behind. So, I need your direction over this matter. If it will call for censure of the National Treasury to respond to this, it is okay. Most of our projects cannot take shape.

I thank you very much, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Okelo, you see, it will be difficult for me to issue any directions one way or the other because the way you have approached this matter is not in the normal way that is accommodated in our Standing Orders. The only thing that we can do is to have some little ventilation on it. We expect that the relevant authorities will be listening to this but I can assure you that I am not going to issue any directive because the only way I can issue a directive is when you formally approach the House in the manner that is stipulated. You have not asked for a Statement. There is no Question here. So, it is actually something that you are raising as a matter of public concern. I will give chance to the Leader of the Minority Party and, maybe, three other Members to just have their say and then that will be it.

**Hon. John Mbadi** (Suba South, ODM): I thank you, Hon. Deputy Speaker. Indeed, the issue that Hon. Okelo has raised is very important. I have been in this House for 13 years plus. This is the first time, since I came to this House, that we are in March and we have not received even 50 per cent. In fact, what we have received is barely over 10 per cent of the NG-CDF allocation. We have had a conversation with the Cabinet Secretary on this matter. The CS is giving his side of the story, which appears not to be very accurate. We have, as the Budget and Appropriations Committee, together with the Chair of the Committee on the NG-CDF, decided that we meet the CS tomorrow. If possible, in that meeting, the CEO of the Board should appear because the CS is claiming to have released Kshs26 billion so far. When we talk to the Chair he tells us that Kshs18 billion out of that Kshs26 billion constitute arrears of previous years, which the CS feels that is not the right way to go. The bottom line is that those constituencies which have

previously not received the NG-CDF funds are entitled to receive the arrears. Therefore, we must agree with the CS to have those arrears factored in the Supplementary Budget and also make sure that the money is released to the NG-CDF Board as soon as possible. That “as soon as possible” should not be delayed. We should have all the NG-CDF funds in our accounts by the end of March.

I am just about to conclude. If the Executive is not going to listen, then I do not see why we should deal with what comes from the Executive when money meant for development is not disbursed. In fact, we support the Executive and the President. We know that the President has some very important projects that he calls “legacy projects” and we support that, including supporting the Nairobi Metropolitan Services (NMS). A lot of the money you will see in the Supplementary Budget is being advanced to the NMS off-budget. So, we are supposed to regularise under Article 223. The Kenya Airways was given a lot of money, in billions, yet money for the NG-CDF is not available. We know that Kenya is facing difficult conditions but we want to also pass a statement that it cannot be possible that there is some money only when other projects are being funded but Kenya is economically on its knees when it comes to the NG-CDF.

So, this is something I promise this House: we are taking it up with the CS tomorrow when we will be discussing the Supplementary Budget. We had already informally told him, the Chairman and I, to prepare to give us concrete answers on this matter. Hon. Okelo and the rest of us are right to complain. This is not money that comes to us. It is about the development of this country.

Hon. Deputy Speaker, allow me to, lastly, say that the NG-CDF money is actually economic stimulus money. Money that goes directly to the grassroots is the money that can spur economic growth. Those of us with knowledge in economics and finance know that you take money to the grassroots if you want to spur economic growth. The reason Kenya is not growing is that the monies that are supposed to spur economic growth are held and the monies that are released are embezzled. So, we cannot realise economic growth.

**Hon. Deputy Speaker:** Okay. Hon. Nyamai.

**Hon. (Ms.) Rachael Nyamai** (Kitui South, JP): Thank you very much, Hon. Deputy Speaker, for your kindness. I promise that I will have my card tomorrow.

**Hon. Deputy Speaker:** What did you say you will have tomorrow?

**Hon. (Ms.) Rachael Nyamai** (Kitui South, JP): My card, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Well. I thought you had a card. That is why I protect you.

**Hon. (Ms.) Rachael Nyamai** (Kitui South, JP): Thank you, Hon. Deputy Speaker. I would like to add my voice to this discussion. We have so many students who are at home. These are the Hon. Members who are making calls to academic registrars in universities, to principals of colleges and secondary schools promising we are going to pay. We promise to pay but we cannot pay.

When we went for the meeting in Mombasa with the Liaison Committee, together with the Budget and Appropriations Committee, the promise by the CS was very clear, but it seems to be taking longer and longer. We are not able to keep our promises to the *wananchi*. We are not able to complete projects. We are also looking at the ticking of the clock. This is the only Fund that you will find in all parts of the country, and it promises and delivers. So, I would like to ask the Leader of the Minority Party, together with the Chair, to tell the CS that funds for the NG-CDF should be released immediately.

Thank you very much for the opportunity, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Okay. Member of Mandera South, you have the Floor.

**Hon. Ali Adan** (Mandera South, JP): Thank you very much, Hon. Deputy Speaker. I also want to add my voice to this NG-CDF issue.

In Mandera South in particular, we are facing a very unique situation. Drought is ravaging. The national Government is not doing enough. The county government is doing something but it is also not enough. We, as Members of Parliament, are also not able to use our emergency fund to help people. So, this has put the leaders in a very awkward situation. This morning I was told that people have died of hunger in parts of Mandera South. It is a pity that we are not able to intervene even though there are such provisions in the NG-CDF. This situation needs very urgent intervention from this House. We should summon the CS of the National Treasury to appear before this House so that he can give us a timeline within which he should complete the disbursements. For example, Mandera South has received Kshs9 million only. This cannot even fix the issue of bursary.

So, I support.

**Hon. Deputy Speaker:** Okay. Hon. Mbui.

**Hon. Robert Mbui** (Kathiani, WDM-K): Thank you, Hon. Deputy Speaker. Unlike previous Parliaments, this is a budget-making House. It is unfortunate that when we pass a Budget like we did and we have the NG-CDF as part of it, the CS can choose what to fund and what not to fund. I now understand that they are coming back to this House. They are constantly coming to this House for support. I just ask myself what is the solution when you have a debt with people? The solution is to pay. Why can the CS not prioritise the NG-CDF funds so that we can, at least, ensure that our people are served? We are having a problem of COVID-19. In fact, we are going into a third wave now. Some of this money is for improvement of sanitation and construction of additional classrooms. So, it is unfortunate. I think the CS needs to hear us and ensure that he gives us money as soon as possible.

Thank you, Hon. Deputy Speaker.

**Hon. Shakeel Shabbir** (Kisumu East, Independent): On a point of information, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Whom do you want to inform? I certainly do not need information now because I would rather hear from you directly. Whom do you want to inform?

**Hon. Shakeel Shabbir** (Kisumu East, Independent): The House.

**Hon. Deputy Speaker:** It would be very difficult for you to inform the whole House.

Hon. Shabbir, you understand how issues of giving information work. The person you are trying to inform must be available and willing to take your information.

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

Let us leave that. Hon. Members. The way Hon. Okelo came in is not in a way that I can make any decision. Hon. Kaluma, please conclude.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Thank you, Hon. Deputy Speaker. This NG-CDF is merely 2.5 per cent of the monies that remain with the national Government. I am bothered by the fact that His Excellency the President was here and requested us to work on school infrastructure. Schools were reopened and students were ordered to go back...

**Hon. Deputy Speaker:** Who is this Member? You are out of order. I cannot give you any opportunity to speak now. Who is that?

**An Hon. Member:** It is Hon. Lessonet.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): In his last Address to the nation, the President gave a directive that the NG-CDF should build infrastructure for schools to assist students to be in school. I want to request Members to look at how we dealt with these issues

before. We cannot sit to consider a Supplementary Budget while it never happened in the previous Parliament when the NG-CDF, a mere 2.5 per cent going to development has not been released to the Board. I am only mentioning that we will not consider the Supplementary Budget until the Board confirms.

**Hon. Deputy Speaker:** That is enough. If that was Hon. Lessonet, I think it makes sense that we allow him to contribute as the longest serving Chairman of the NG-CDF Committee.

**Hon. Moses Lessonet** (Eldama Ravine, JP): Hon. Deputy Speaker...

**Hon. Deputy Speaker:** Please wear your mask.

**Hon. Aden Duale** (Garissa Township, JP): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Duale, what is your point of order?

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, I am sorry I came in late when the debate was on. Having listened to Hon. Kaluma, I want to note that he is right. However, Hon. Kaluma should not cheat this House. If *baba* talks to him tonight, he will be a different person. Let us be very honest. It is not only him but everybody here...

*(Loud consultations)*

I must be heard.

**Hon. Deputy Speaker:** Hon. Duale, we are discussing a very serious matter. We should not trivialise it. I would understand if it were somebody else but not you because you are a seasoned politician.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, please allow me to finish.

**Hon. Deputy Speaker:** I will actually ask a certain Member here to leave.

**Hon. Aden Duale** (Garissa Township, JP): Let me finish.

**Hon. Deputy Speaker:** Order, Hon. Duale! As you conclude, if it a point of order, it should remain so. It is not right to bring in other issues.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, I just gave an example. Whatever Hon. Kaluma said is true but the moment we go back to our political caucuses, we forget about our interests and the NG-CDF. I have only given an example. There are also other groups but as we go back, we must deal with the NG-CDF matter. The way NG-CDF has been handled today is not the way it has been in the last three Parliaments.

**Hon. Deputy Speaker:** Let us have Hon. Lessonet.

**Hon. Moses Lessonet** (Eldama Ravine, JP): Thank you, Hon. Deputy Speaker. I requested to speak on this subject because this House is aware that I was the Chairman of the NG-CDF Committee in the last Parliament. As a Member of that Committee now, I want to state that I am sensing danger. In the last Financial Year, 2019/2020, close to Kshs14 billion was not disbursed to the NG-CDF Board.

Just as Members have alluded, in this 2020/2021 Financial Year Budget, there is an attempt through the Supplementary Budget to reduce the allocation to the NG-CDF that you are already budgeting for in your constituencies, by Ksh10 billion. I am sure that the Budget and Appropriations Committee will not allow that to happen. The CS for National Treasury, where the NG-CDF is domiciled, should take the NG-CDF matter seriously. This House must show displeasure to the CS, Ukur Yatani on the issue of NG-CDF.

**Hon. Deputy Speaker:** Hon. Members, we will move to the next Order

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

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**Hon. Deputy Speaker:** Order, Hon. Pukose!

We want to get responses from the Chairman of the Departmental Committee on Administration and National Security on the Statement Request by the Member for Tiaty, Hon. Kamket. I hope he is in the House.

*(Loud consultations)*

Is he in the House? Let us hear the response to the request by Hon. Osotsi. Is he in?

**An Hon. Member:** Hon. Kamket is here.

**Hon. Deputy Speaker:** I can see Hon. Kamket is here, but the Chairman is probably attending a funeral in Kiambu.

Next Order!

## REPORT OF COMMITTEE OF THE WHOLE HOUSE

### CONSIDERATION OF PRESIDENT'S RESERVATIONS TO THE EMPLOYMENT (AMENDMENT) BILL

**Hon. Deputy Speaker:** Hon. Members, I will proceed to put the Question on this matter that had been dispensed with because we have the numbers.

*(Question put and agreed to)*

## CONSIDERATION OF REPORT AND THIRD READING

### THE HEALTH (AMENDMENT) BILL

Hon. Members, this matter was also dispensed with. I will proceed to put the Question.

*(Question put and agreed to)*

Let us move to the next Order.

Sorry, Hon. Members. Let me call upon the Mover to move the Third Reading. I am sorry about that.

Hon. Kamket, allow us to finish this then we see if you will be able to raise any issues. On your matter, the Chair of the Committee is not available. I will confirm with the Committee and fix a day when that matter can be responded to.

Proceed.

**Hon. Ali Adan** (Mandera South, JP): Thank you, Hon. Deputy Speaker. I beg to move that the Health (Amendment) Bill (National Assembly Bill No. 64 of 2019) be now read a Third Time.

I request Hon. Sankok to second.

Thank you.

**Hon. David ole Sankok** (Nominated, JP): Thank you, Hon. Deputy Speaker. Members are interested in the National Government Constituencies Development Fund matter. I have to second first before we talk about (NG-CDF). I will talk about it because it is important. I second.

*(Question proposed)*

**Hon. Deputy Speaker:** Having confirmed that this House is properly constituted for purposes of making this decision, I put the Question.

*(Question put and agreed to)*

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

## CONSIDERATION OF REPORT AND THIRD READING

### CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL

**Hon. Deputy Speaker:** Hon. Members, let us have the Mover to move the Third Reading. The Mover is the Member for Chepalungu.

Proceed in your capacity as the Vice-Chair.

**Hon. Gideon Koske** (Chepalungu, CCM): Thank you, Hon. Deputy Speaker. I beg to move that the Care and Protection of Older Members of Society Bill (Senate Bill No. 17 of 2018) be now read a Third Time. I request Hon. John Mbadi, my good friend, to second.

**Hon. Deputy Speaker:** Hon. Mbadi, why are you not having your ---

**Hon. John Mbadi** (Suba South, ODM): Thank you, Hon. Speaker. Since this is not the Third Reading, I second.

*(Question proposed)*

**Hon. Deputy Speaker:** Having confirmed that this House is properly constituted for purposes of making this decision, I put the Question.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Should I put the Question? Hon. Duale, let us hear what you have to say. I will give opportunity to Members to contribute.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, let me make it clear that some of us come to the House to take part in the afternoon discussions. If you want the Question to be put like Hon. Pukose did – I know he is busy. He wants to go to Kabuchai and Matungu. He is part of the group that is leading our team there. He has done a good job.

Protection of the older members of the society is fundamental. It is provided in the Constitution. One day, all of us sitting here will join that category of our citizens. All of us seated here have parents who are older. Maybe our parents are privileged in the society because we are MPs; we can provide for them food, healthcare and whatever they need. There are other parents that fall in the category of the hustler nation. They may not have food on their table. The older persons are hassling together with their children. So, we must protect even those older members of the society who are not privileged. I am sure the Bible says the same. In the Islamic religion,

for you to go to paradise, you must take care of your older parents. Let us not ape the western culture where when your parents get old, you take them to old persons' centers.

**Hon. (Dr.) Robert Pukose** (Endebess, JP): Thank you, Hon. Deputy Speaker. You had given me the microphone to contribute.

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

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, Hon. Pukose is misbehaving. Even if he raised the highest crowd for the Deputy President over the weekend, that does not give him an excuse to misbehave in the House.

*(Laughter)*

He has done well in Trans Nzoia. Let me finish. Protecting the older members of the society is part of protecting family values. I stand for family values, hustlers and the less privileged members of the society.

**Hon. Martin Owino** (Ndhiwa, ODM): On a point of order, Hon. Speaker.

**Hon. Deputy Speaker:** Hon. Owino, what is your point of order?

**Hon. Martin Owino** (Ndhiwa, ODM): Even as Hon. Duale sits down, it is becoming a habit for Members to talk without their masks on. COVID-19 is serious. The more you project, the more you should have your mask on. You could be putting everyone at risk including yourself. So, masks are supposed to cover the mouth and the nose.

**Hon. Deputy Speaker:** That is an important issue. It is not so much about protecting ourselves here, but it is also about the image we project to our own constituents in the constituencies. So, Hon. Members, as you speak, please have your masks on. You will still be heard clearly. Let us proceed.

Hon. Members, I can confirm that we have the requisite quorum in the House for purposes of making this decision. Therefore, I put the Question.

*(Question put and agreed to)*

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

## CONSIDERATION OF REPORT

### THE REFUGEES BILL

**Hon. Deputy Speaker:** Hon. Members, on this particular Bill, we had finalised it. I am proceeding to put the Question.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Just a minute. What is it, Hon. Kamket? I realise that you have been on this issue for a long time. What is it?

**Hon. Kassait Kamket** (Tiaty, KANU): Hon. Deputy Speaker, thank you very much. I was expecting today that the Chairman of the Departmental Committee on Administration and National Security would give a date, according to the Speaker's ruling, when the Cabinet Secretary for Interior and Coordination of National Government would appear before the Committee to respond to the issues I raised about my constituency and neighbouring constituencies. I received from the mailing system some fake answer and I thought today I would get the opportunity to interrogate it, but the Chairman is not here. I do not know the way forward, given that this is a very serious matter happening in my constituency.

**Hon. Deputy Speaker:** That is absolutely true, Hon. Kamket. There is absolutely nothing we can do about the fact that the Chairman is attending a funeral of our colleague. The best I can do is to direct that he responds on Thursday afternoon. I think that would be fair. Whatever answer you have, which many Members have not had an opportunity to see, you can canvass your position on Thursday. This is actually a serious issue. It is a matter that needs to be dispensed with.

Hon. Pukose, what is it?

**Hon. (Dr.) Robert Pukose** (Endebess, JP): Hon. Deputy Speaker, there was an issue raised by a Member here about people covering their mouths. It is serious, Hon. Deputy Speaker. You have moved from being serious. When Hon. Duale stood and was not covering his mouth, it became an issue but when Hon. Kamket is not covering his mouth and he is just talking like that, it seems it does not bother you. Look at him even now—his nostrils are not covered and that is where he is breathing and sneezing from. We should not have selective justice in this House.

**Hon. Deputy Speaker:** Hon. Kamket is properly masked. It is clear. I know because he is a bit taller than you Hon. Pukose, you can only see him from the lower side. The issue is, let us agree that all of us should mask. Simple. That is the bottom line. It is not going to happen that you are going to avoid that. We must mask ourselves. That is the position. Hon. Kamket, it is clear that you have a mask, so what is the issue really? You do not have to respond to Hon. Pukose. What is it, Hon. Kamket, so that you can be comfortable?

**Hon. Kassait Kamket** (Tiaty, KANU): Hon. Deputy Speaker, I am not satisfied. We keep postponing this matter. It is now two weeks since I sought this Statement. The situation in Tiaty is not bearable. It is very unfair for the Chair to be absent when he is supposed to give me a date. For how long am I going to cry on this matter?

**Hon. Deputy Speaker:** To agree with you to a small extent, it is not so much about the Chair being absent. It should be that in the absence of the Chair, the Vice-Chair should be available to answer. Who is the Vice-Chair of the Committee? If it is Hon. Kaluma, he is here and he should be able to answer. No, Hon. Kaluma, you are not the Vice-Chair. Period. You are just a member of the Committee. Do you want to give a response?

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Hon. Deputy Speaker, may I assist the House this way: We are much organised in the Departmental Committee on Administration and National Security. We have sub-committees. I am privileged to chair the sub-committee dealing with questions and petitions. This matter has been before us. Let me apologise to the House and to Hon. Kamket because the Chair of the Committee is not present for the reasons we all know. He comes from Kiambu and we are mourning our brother down there.

Again, to the House, the matter of Hon. Kamket has only delayed a bit because we were also processing the supplementary budget. It is a matter being treated with the urgency it deserves. It is necessary that we deal with these matters substantively now. From Thursday, with the leave of the Speaker, the Committee will be in Garissa on a security mission. So that we do not disappoint

the House again, may I request a small variation to your direction so that we give a substantive response on Tuesday? I know the Committee will be back on Sunday from the security mission.

**Hon. Deputy Speaker:** Hon. Kamket is not satisfied even with having it pushed to Thursday. For you to push it to Tuesday is not workable. It was listed to be responded to today. What is it, Hon. Duale?

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, let us take matters of Members and matters of Kenyans in this House very seriously. I was in this House when a serious debate on this matter by Hon. Kamket took place and the substantive Speaker gave directions. The matter of Kapedo is very serious. Let me now speak not only as the Member for Garissa Township but also as the patron of Pastoralists Parliamentary Group. If there is a culture in this country of treating pastoralist areas different from other areas, we should be told.

I have a lot of respect for the Chair. He is away today attending a funeral of his colleague from his county. I want you to give direction that this matter must be processed on Thursday. The people of Kapedo are suffering. What is happening in Kapedo in terms of food availability and accessibility is sad.

**Hon. Deputy Speaker:** Hon. Duale, the order has been made for Thursday. What more do you want? We have confirmed that this matter is going to be settled on Thursday. That is exactly what you are saying.

**Hon. Aden Duale** (Garissa Township, JP): Thursday is as per your direction, but this matter was before this House earlier. That is why we have Private Members' Questions and ordinary Questions. There are matters that the House must treat with urgency and Hon. Kaluma is aware of that. The Chairman's absence does not mean that any member of the Committee or the leadership of the House cannot deal with this matter. I feel that the people of Kapedo are not getting justice from this House. We need to speak to it. Come Thursday, we do not need stories. That must go into *The Hansard*.

**Hon. Deputy Speaker:** Let us put it this way: The matter is going to be responded to on Thursday. The Committee will find a way out. I am not so sure whether all members of the Committee will be going to Garissa. This being a serious matter, it has to be responded to on Thursday. The Chair was ready to respond today; Hon. Kamket himself says he has received a response. So, there is absolutely nothing that is going to be done outside what has already been done. On Thursday we are going to have a response to Hon. Kamket's Statement. It is as simple as that. Unless you simply want to go on record to be heard that you spoke on it, the position has already been stated. We will proceed to the next Order.

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[Hon. Deputy Speaker (Hon. Cheboi) left the Chair]*

## IN THE COMMITTEE

*[The Temporary Deputy Chairman (Hon. Patrick Mariru) took the Chair]*

## THE REFUGEE BILL

*(Resumption of consideration in  
Committee interrupted on 25.2. 2021)*

*(Re-committal of Clause 3)*

**The Temporary Deputy Chairman** (Hon. Patrick Mariru): Hon. Members, we are back in the Committee of the whole House to consider Clause 3 of the Refugee Bill (National Assembly Bill No.62 of 2019), which was re-committed. This will take a very short time. We, actually, have two amendments to Clause 3. One is by the Chairperson, Hon. Kaluma and the other one is by Hon. (Ms.) Millie Odhiambo. Hon. Millie is not in the House. Therefore, her amendment will be considered as dropped.

*(Proposed amendment by Hon. (Ms.) Millie Odhiambo dropped)*

Let us proceed with the proposed amendment by the Chairman.

*Clause 3*

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 3 of the Bill be amended in sub-clause (1) by deleting the word “any” immediately after the words “public order in” appearing in Paragraph (c) and substituting therefor the word “either”;

The purpose of this amendment is to just clean up the drafting to ensure semantics harmony. Instead of using the pair “any” and “or” we are using the pair “either” and “or” as proper English correlatives.

I beg to move.

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

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

*(Clause 3 as amended agreed to)*

**The Temporary Deputy Chairman** (Hon. Patrick Mariru): Hon. Members, we are done with that Bill. Where is the Leader of the Majority Party?

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Temporary Deputy Chairman, I beg to move that the Committee doth report to the House its consideration of the Refugees Bill (National Assembly Bill No.62 of 2019) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Temporary Deputy Speaker (Hon. Christopher Omulele) in the Chair]*

## CONSIDERATION OF REPORT AND THIRD READING

### THE REFUGEES BILL

**Hon. Patrick Mariru** (Laikipia West, JP): Hon. Temporary Deputy Speaker, I beg to report that a Committee of the whole House has considered the Refugees Bill (National Assembly Bill No.62 of 2019) and approved the same with amendments.

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said Report.

I urge Hon. Wangwe to second.

**Hon. Emmanuel Wangwe** (Navakholo, JP): I second.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Temporary Deputy Speaker, I beg to move that the Refugees Bill (National Assembly Bill No.62 of 2019) be now read a Third Time.

Hon. Temporary Deputy Chairman, I want to take this opportunity to thank Members for enduring the long sessions and lots of amendments. I particularly want to thank Hon. Kaluma for being there on behalf of the Chair of the Departmental Committee. I thank Hon. Millie Odhiambo for going through the Bill with a tooth comb to ensure that this is a success. I also want to thank Hon. Pukose, Hon. Sankok, Hon. Kigano and Hon. Mbadi, among others, who endured long hours to see this Bill through.

I urge Hon. Kaluma to second the Third Reading Motion.

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Hon. Temporary Deputy Speaker, as I second, I would also like register my complements to the Committee, the Leader of the Majority Party and all Members who contributed to this important Bill. We have balanced matters of state security with the humanitarian interventions we need for fellow human beings finding themselves in these situations.

*(Question proposed)*

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

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Nyikal, do you have something to say?

**Hon. (Dr.) James Nyikal** (Seme, ODM): Yes. Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I support that the Refugee Bill be now read a Third Time. It is a very important Bill. However, I want your attention specifically, Hon. Temporary Deputy Speaker. There

is something we noted in the discussion which we needed to look at during the Third Reading. It is our practice that when there are amendments, they should be discussed beforehand by the Mover and the persons proposing the amendments. There were many amendments from Hon. Millie Odhiambo during the Committee of the whole House. What transpired was that in nearly all cases, there were agreements. It turned out that there had not been some discussions in this regard. We could actually have spent little time on this Bill had there been discussions and agreements on the amendments. Many times, they just had to assure Hon. Millie that the issue she was raising had been taken care of in other parts of the Bill, which she did not have a problem with. When she also had a point, there was quick agreement from Hon. Kaluma. It then means that if they had sat together earlier on, we could have spent extremely little time. We could have finished this Bill on the first day. Agreeing on amendments in advance is a process we need to encourage and enforce, if necessary.

With those remarks, I support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well, Hon. Nyikal. Hon. Wanjira Wangari, kindly, you have the Floor.

**Hon. (Ms.) Martha Wangari** (Gilgil, JP): Sorry, Hon. Temporary Deputy Speaker, my mask had some problem. I just want to support and agree with the Member who has just spoken that if we can canvass earlier, it will save us a lot of time. This Bill has taken, maybe, an unnecessarily longer period but, I support the Committee Members and commend them for the work they have put into it.

I support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): The Hon. (Dr.) Makali Mulu, you have the Floor.

**Hon. (Dr.) Makali Mulu** (Kitui Central, WDM-K): Thank you Hon. Temporary Deputy Speaker. I am sorry I wanted to comment on the earlier matter.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well. I am presuming that the Members who have pressed the intervention want to talk. Hon. Pukose?

**Hon. (Dr.) Robert Pukose** (Endebess, JP): Thank you, Hon. Temporary Deputy Speaker. I support the Third Reading of this Refugee Bill and wanted to let the Majority Leader know that, while he was away, Members insisted that without the CDF Funds being deposited into our accounts, there will be no approval of the Supplementary Budget.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): The Hon. (Dr.) Pukose, resume your seat. Hon. Members, I have confirmed that we have the requisite quorum in the House for purposes of making this decision.

*(Question put and agreed to)*

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

## MOTION

APPROVAL OF MEDIATED VERSION OF ECE BILL (SENATE BILL NO. 26 OF 2018)

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): The Chairperson, Departmental Committee on Education and Research, Hon. Mutua or is the Vice-Chair taking it? Very well!

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Before Hon. Wambugu dives in, Hon. (Dr.) Pukose, what you were speaking to earlier on, as much as it finds a lot of favor with this Speaker, that was not the correct time to speak to it. I agree with you that matters CDF are very important in this House. In addition, the Leader of Majority should take note that Members have expressed themselves in a very serious way. This is in that regard and that we hope that in the course of the week, we shall see serious resolution on that particular matter that Hon. (Dr.) Pukose was speaking to, although out of joint, but relevant to the welfare of the members.

Hon. Wambugu, proceed.

**Hon. Munene Wambugu** (Kirinyaga Central, JP): Thank you very much, Hon. Temporary Deputy Speaker, and I sincerely appreciate the comments and your emphasis on the message to the Majority Leader. I beg to move:

THAT, this House adopts the Report of the Mediation Committee on the Early Childhood Education Bill (Senate Bill No. 26 of 2018) which was laid on the Table of the House on Thursday, 18<sup>th</sup> February 2021, and approves the mediated version of the Early Childhood Education Bill (Senate Bill No. 26 of 2018).

By way of introduction, the Early Childhood Education Bill arises from the need to set up a proper legal framework for Early Childhood Education, which is the foundation of Education. The Bill seeks to provide for the framework of the administration of early childhood education within the counties, and it provides for the establishment of boards of management to oversee the boards of management of the early childhood education centres. The Departmental Committee on Education and Research considered the Senate Bill in the fourth session and proposed various amendments to the Bill, which were aimed at improving the substance of the Bill. Indeed, this House considered and passed the Bill with amendments on Thursday, 21<sup>st</sup> November, 2019. The Senate considered the amendment to the Bill as passed by the National Assembly and was in agreement with most of the amendments. The Senate rejected the National Assembly's amendment to clauses 27, 28, 33, 36, 37, 44, and 68.

Hon. Temporary Deputy Speaker, through your direction, a Mediation Committee was constituted comprising of Members of both the National Assembly and the Senate to consider the contentious issues and develop an agreed version of the Bill. Permit me to now give highlights of the resolutions made by the Mediation Committee on the contentious clauses of the Bill.

Under clause 27, the Mediation Committee agreed to the National Assembly amendment which sought to allow the conversion of Early Childhood Education Centers from public status to private status, but only after consultation with the County Education Board and the approval of the County Executive Committee Member.

This amendment aligns the Bill with the provisions of section 43 (2) of the Basic Education Act, No. 14 of 2014 which provides that ‘a public basic education institution shall not be converted to a private basic education institution or to any other private status without consultation with the National Education Board and approval by the Cabinet Secretary.’

Under Clause 28, the Mediation Committee resolved to retain sub-clause 4(a) as contained in the Bill and adopt the National Assembly amendment to sub-clause 4(b). The Mediation Committee noted that the role of the sponsor in making recommendations in curriculum review would not conflict with the mandate of the Kenya Institute of Curriculum Development. Further, the amendment will align the Bill with the role of the sponsor as contained in the Basic Education Act, No. 14 of 2013, which is to provide financial, spiritual and infrastructural support.

Under Clause 33, the Mediation Committee resolved to retain the clause as contained in the Bill. This is because the roles and functions of the Parents Teachers

Association and those of the Boards of Management are distinct and cannot be performed by the same organ. Further, there is need to align the Bill with section 55(2) of the Basic Education Act which provides that every school shall have a Teachers Parents Association.

Under Clause 36, the Mediation Committee agreed to the National Assembly amendments which provides that ‘a person shall be qualified as an early childhood education teacher if the Teacher’s Service Commission registers the person as a teacher.’ This amendment aligns the Bill with the provisions of Article 237 (3) (a) of the Constitution which provides that ‘The Teacher’s Service Commission shall review the standards of education and training of persons that are in the teaching service.’

Under Clause 37, the Mediation Committee resolved to retain the clause as contained in the Bill. It noted that it would be a duplication

of roles to create a committee while already established County Education Boards within the counties may establish committees within the Board for the proper performance of the duties.

Under clause 44, the Mediation Committee agreed to the National Assembly amendment which seeks to ensure the use of certainty in regard to the standard of education to be offered in a private education center. The amendment aligns the Bill to the standard set in the Basic Education Act, which provides that ‘a private institution shall follow the curriculum as approved by the Kenya Institute of Curriculum Development.’

Under Clause 68, the Mediation Committee agreed to the National Assembly amendment which deleted the provision requiring the Cabinet Secretary to make resolutions in respect of the qualifications of persons teaching in an early childhood education center. The amendment, therefore, ensures that there is no conflict of mandate between the CS and the Teachers’ Service Commission.

Hon. Temporary Deputy Speaker, as I conclude, allow me to say that the approval by this House of the Report by the Mediation Committee and the subsequent enactment of the Early Childhood Education Bill will be a big milestone in the harmonisation of standards of education at both levels of government. It will ensure that the quality of education offered at the early stages of a child’s development is not compromised.

I beg to move and call upon Hon. Daniel Tuitoek to second this Motion.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Tuitoek, Member for Mogotio.

**Hon. Daniel Tuitoek** (Mogotio, JP): Thank you, Hon. Temporary Deputy Speaker. As a member of this Mediation Committee, I beg to second this Motion on the Report on the consideration of the Early Childhood Education Bill 2018 (Senate Bill No. 26 of 2018). The Committee really did a good job on this particular mediation. We extensively looked at all the issues as the Mover has outlined. Basically, it was to look at those clauses and ensure we all agree as a team and we finally did a good job. I would like to say that we came to an agreement on all the clauses we looked into. It was mostly so that they are aligned with the Education Bill, Education Act and the Constitution.

Therefore, with that , I beg to second.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Let us have Hon. Maanzo the Member for Makueni. He is not in the House. Next is Hon. Wangwe, Member for Navakholo.

**Hon. Emmanuel Wangwe** (Navakholo, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Bill by the Departmental Committee on Education and Research. At the outset, the Early Childhood Education Bill, (Senate Bill, No. 26 of 2018) seeks to establish the framework for the necessary infrastructure for the comprehensive Early Childhood Development and Education system by the county governments. When you look at the issue of education, the part on early childhood is anchored in our Constitution and is devolved. Therefore, this Bill gives direction on how the conduct, administration and support of the early childhood shall be done or handled at the county government level.

Most of the funds that we give to county governments have contributed in developing a lot of infrastructure towards early childhood education. However, are we equipping that infrastructure with the right personnel? Are we taking good care of the children that are going into that infrastructure? Are we building the infrastructure commensurate to the population of the children that we have?

Therefore, this Bill is coming at the right time when we are considering the Budget because soon, the Budget Policy Statement (BPS) will be here in the National Assembly. One thing we shall be looking at is how much we will be giving the devolved units in terms of the Division of Revenue. So, as the Departmental Committee on Education and Research, in their wisdom, considered this Bill, the House in general should look at how we are giving county governments funds. Are they using it in the right way as per the Constitution? The answer is yes. They are doing it, but they need to do it thoroughly.

Part II of the Bill provides for the right of every child to free and compulsory early childhood education in a public education center. In order to realise this right, the Bill assigns various duties to the county governments, parents as well as teachers that will facilitate the promotion of the right to early childhood education.

I read this Part II together with Article 43 on the economic and social rights in the Constitution and still, for you to be an upright thinking person in the country, education begins at an early stage. Therefore, in as much as Article 43 anchors and instructs us to the right to education as a social and economic right, it must begin early. So, this Bill has been brought at a very appropriate time so that we address the issue of our children. Let us not wait to have our children at a mature age and then put them into the basic education and force them to pursue a particular study.

I thank the Government of Kenya today for introducing a new education system - the Competency Based Curriculum (CBC), which now starts as early as possible to identify particular talents in children so that they can grow up with a particular talent in mind. So, this Bill seeks to pursue the rights to education for a child and that is a good thing and timely when we are looking at the entire system.

I support this Bill especially in Part III which provides for the establishment, registration and maintenance of early childhood education centers by the county governments.

I want to cite an example of Kakamega County, which has really done well in terms of early childhood education centers. But it is not good enough. We encourage county governments to build more infrastructure. Let us have centers which can nurture our children into some level of modesty. Therefore, as this Bill seeks to guide the establishment, registration and maintenance of early childhood centers, it is a good thing and we should all support it. The basics in brain development in any child begin at those early stages.

The obligation of a private education center and action by the County Education Board (CEB) where the education center fails to comply with the Act is enforceable into this Act.

Therefore, the Act has not just left it to the county government to hang around building education centers, support the education system in terms of early childhood but leave controls. When you look at the way the controls have been laid in Part III, it is something to applaud and be happy about that finally, at least, the regulations are going to be there on how to promote this education.

I am also happy with Part IV of the Bill which seeks to provide for the management of an early childhood education center which shall be vested in a board of management. It provides for the establishment of boards of management and early childhood education centers. It means those education centers shall have a structure of administration. Once you have a structure of administration of a unit, then you have got it right in terms of establishing it, the highest hierarchy in terms of authority, how it will be controlled and managed. Therefore, this is a good Bill and I urge my colleagues to support it.

With those many remarks, I beg to support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Let us have the Hon. Ogutu Abel, the Member for Bomachoge Borabu.

**Hon. (Prof.) Zadoc Ogutu** (Bomachoge Borabu, Independent): Thank you, Hon. Temporary Deputy Speaker for giving me the opportunity to contribute and support this Mediated Bill. It is a version of what we as Members of the Departmental Committee on Education and Research Committee had put our input. Now, it has been harmonised with what was intended to be the case by the Senate. If there is a sector in education that has suffered for many years, it is the Early Childhood Education. It has always been taken as being informal and existing without structures. I am very happy that this time we can proudly say that the Kenyan nation has chartered a path to see this sector of education integrated into the mainstream education and also supported as much as it were.

This Bill looks at the county governments as the main leadership entity to its implementation. I would like to make two comments. Even as we existed without this Bill, the county governments have been doing a lot of work to support early childhood, but in a very haphazard way in terms of poor funding, poor infrastructure and failing to pay teachers.

As we move forward to see this Bill finally become a policy, it is important for the county governments, through the County Education Board, to ensure that, at least, the responsibilities that have been given to the county governments through the boards are well executed. It is very unfortunate that a number of people who have been working as volunteers or employed by the schools where the centers for early childhood are located, have gone for many years without being paid. Some have even died and yet, the terms have been very poor.

So, I am sure that once this Bill is implemented, we will have professionals working with our little children. There is a section which looks at the management of those centers. I can see the Public Health and the County Executive Board is well represented.

Hon. Temporary Deputy Speaker, I want to appeal that, as we move to implement this Bill, we should ensure that proper funding and supervision is done through the Ministry of Education to ensure that Early Childhood Education (ECD) becomes stronger and better foundation for our children and for the future generations to come. Children with disability have not been captured clearly in the previous implementation of the ECD. Those are the people who need a lot of attention. I imagine a situation where every county will have a facility that takes care of children with disability at the sub-county level. That facility should go beyond tuition and provide health facilities and nutritional experts to make sure that we develop children who are strong and fit to move forward.

Finally, I want to say that the infrastructure of those facilities must come out clearly and stand out because it is at this stage that we build a sense of admiration and choice. When this is done, as a nation, we will begin to be proud of our children and we will be ready to move forward with them.

With those few remarks, I support the Bill.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Martin Owino, the Member for Ndhiwa, you have the Floor.

**Hon. Martin Owino** (Ndhiwa, ODM): I thank you, Hon. Temporary Deputy Speaker. This is a very important topic and I want to thank the Departmental Committee on Education and Research and the people who harmonised this Bill. Children need us at the very tender age. So, if you want to educate them, you will need to help them develop emotionally, cognitively and physically. I like this Bill for one thing. It brings all those things together. You need teachers who are trained and recognised by the Teachers Service Commission (TSC), which this Bill is addressing effectively. Part III of this Bill deals with enforcement of the controlled systems. We may desire to achieve something, but if these control systems are not put in place, this will still be elusive to many of us. With our National Government Constituencies Development Funds (NG-CDF) which we lament about all the time, we make good classrooms from Class I all the way up. But because early childhood education is devolved, most of the structures are in bad shape and this provides bad environment for our children. So, I think, when we talk about those management structures, the infrastructure, we cannot talk of health education for our children and the environment is wanting. This is in many schools. So, when this Bill gets the wheels to move, resources become very important. I think we should either ring-fence the resources for the county government to build up the infrastructure for those kids, in an environment where they can access clean water, sanitation and all that they need to thrive in...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): The Member for Chepalungu, standing like a lizard across the Floor does not help your course.

Proceed, Hon. Martin Owino.

*(Laughter)*

**Hon. Martin Owino** (Ndhiwa, ODM): What I was saying is that we give a lot of funds to county government which we think should go towards ECD, but most of the time, you find that those classrooms are tattered buildings, very much unfit for education of those kids. So, I was trying to say that we need to have structures, in the financial terms, to ring-fence whether the money should go to the infrastructure or development of the classrooms and environment for those children, the same way we have been saying about health.

Otherwise, this Bill is good and I congratulate the Departmental Committee on Education and Research. I urge my colleagues to support it.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Sankok. The Member for Chepalungu, Hon. Koskei, I just want to give you some good advice. You must have heard the story of a hyena which came to the cross front in the forest and wanted to enjoy both directions. *Ilipasuka msamba*. If you want to speak to Hon. Millie Odhiambo, and I know it is very desirable to speak to her, just walk, come back to this direction and talk to her. Nobody will interfere with you. Do not be afraid.

Hon. ole Sankok, proceed.

**Hon. David ole Sankok** (Nominated, JP): Thank you very much, Hon. Temporary Deputy Speaker. Talking of the lizard and the hyena, this description suits some people very well.

At the outset, let me support this Bill, the Mediated Version of the Early Childhood Education Bill (Senate Bill No.26 of 2018). The foundation of all of us, the foundation of any child or any profession is based on early childhood. This is a Bill that has come at the right time. It should have come as early as yesterday but since it is here today, I urge this House to support it. There would be no doctors, engineers, pilots, lawyers and other professions without early childhood. Unfortunately, since the promulgation of the New Constitution 2010, that very important unit and foundation of our education and profession was devolved. When it was devolved, it went to the counties that had no infrastructure, manpower and resources to manage it.

It has been an amorphous kind of approach. You will find NG-CDF supporting ECD, the county government supporting ECD or even the Cabinet Secretary in charge of Education going to the ECD. This approach has been amorphous to this very important unit, the basic education for all intellectuals in any country, in every part of the world. This Bill has, therefore, come at the right time, so that it can address those issues and ensure that our children are brought up in a foundation that they can withstand and withhold any economic tides that we have witnessed all over the world.

In the wake of economic meltdown and breakdown of the social fabric, early childhood education will make sure that our children withstand all those social disorders that we have been witnessing. In this Bill, I will consult with the Departmental Committee on Education and Research so that we can go in depth and consult with persons with disability through the National Council for Persons with Disability (NCPWD). That is because we need to capture the need of special education in schools and the needs of children with disabilities, since we have categories of persons with disabilities. While I was the Chair for the NCPWD, I had advocated that we segment persons with disabilities so that we can know how to approach their education during early childhood.

Hon. Temporary Deputy Speaker, we have children with disabilities who can be integrated in the normal system of education because it will uplift their self-esteem. If today, as a person with physical disability, I am in a class with you and I defeat you in the examinations, my self-esteem will be uplifted because I know that I will not win against you in the field. But I can win against you in class. So, we have been advocating that those categories of disabilities that can be integrated, let them be integrated unless the disability have limitations that cannot allow them to be integrated, like children with autism and cerebral palsy. We will have special institutions for those who need basic learning skills of survival like toileting and eating.

Those we can integrate, if they are deaf, it is very simple. Look for a teacher who understands sign language or make sure that there is a sign language interpreter. If they are physically disabled, make sure they are on wheelchairs and make sure that the classes are accessible. Those children can learn with the rest. If you put us, as persons with disabilities, in one corner to compete against ourselves, even if I become number one, I will just believe that I am number one among the rejected. However, if I become number one in an integrated school where there is everybody else, my self-esteem will be uplifted. So, we will consult with them so that we make sure that we capture the issue of persons with disabilities.

Hon. Temporary Deputy Speaker, I thank the Government for introducing CBC. The CBC will go a long way to assist persons with disabilities. Not all of us are intelligent enough in terms of books, but we have hidden talents and abilities, which CBC will excite and bring them out. Long time ago, our parents used to trust us while we were even as young as ten years old. I

remember we used to move our livestock from Narok, Mau Forest, all the way to Tanzania. Our parents trusted that we can look after cows, we can defend those cows against wild animals, and we can build our own houses in the jungle and live with our livestock for months.

Children nowadays are pampered too much. They are channeled in a way that they can only learn, write and compete in exams. But they lack survival skills. The CBC will bring out the talents that are hidden, especially for persons with disability. If you must know, the best mathematician in the world is a person living with autism. If their talent was not brought out, if he was given science and other subjects' exams, he would have been deemed a failure. But he is the best mathematician and he is a person living with autism. So, this CBC will bring out our hidden talents as persons with disabilities.

Again, we would like county governments to make sure that basic education is as free as possible, without the commercialization of education. While I was in the University of Nairobi (UoN), we were against parallel degree programmes where we were tortured and even suspended because of being against commercialization of education; where an "A" without money will become a "D" and a "D" with money will become an "A". That is because you could afford the best courses. So, I implore upon this Bill so that we can make sure that, as much as we have this mediated version of the Early Childhood Education Bill (Senate Bill No. 26 of 2016), early childhood education should be free to every child so that we can have a proper foundation for all our kids across the board, without considering the purchasing power and their financial muscles.

With those very many remarks, I support 100 per cent. I thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. David ole Sankok, you have spoken extremely well. You have spoken to something that is very important; that we should not leave any child behind, that all of us should move forward together. Thank you for speaking so well today.

Hon. Fatuma Gedi, what is out of order?

**Hon. (Ms.) Fatuma Gedi** (Wajir CWR, PDR): Thank you, Hon. Temporary Deputy Speaker.

I am aware that Hon. Kassait Kamket asked about the issues of Tiaty earlier on. First, as you know, today we are mourning and the Chairperson and I were out of the Chamber. I want to give assurance to the Member and this House that on Thursday, we will bring a comprehensive response to that matter. We know there are serious issues in Tiaty. We have also written a letter to the Inspector-General of Police so that the community there can access their basic needs. We are aware there is a roadblock. There are serious issues. I want to give confidence to the Hon. Member that we are concerned and, indeed, we will bring a comprehensive response to that effect.

I thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Thank you, Hon. (Ms.) Fatuma Gedi. Hon. Kassait Kamket was agitated earlier on. Hon. Peter Kaluma had attempted to make an explanation, but you have re-affirmed what Hon. Kaluma had indicated. So, it is good that, that issue is dealt with on Thursday.

We shall have the Hon. Peter Masara, the Member for Suna West. Are you ready? You have the microphone. Do not let Hon. Marselino Arbelle disrupt you. Hon. Arbelle, please, put your mask on when you are... Yes, it is nice that way.

**Hon. Peter Masara** (Suna West, Independent): Thank you, Hon. Temporary Deputy Speaker.

The Bill in question is very important for the early childhood education. Moving forward, if the mediated version is passed in this House, it is going to give direction on how our young

children are managed. More so, that is the foundation which can give our future leaders a good and firm foundation so that when they join the next stage of education, they do not get disturbed. This Bill will also help counties manage this sector well. Currently, as it is, every county is doing its own things the way it wants and, more so, in terms of the infrastructure where you can get a school is given one classroom, and yet there are two sets of classes which need to have different areas of teaching.

Two, on the issue of employment of Early Childhood Development and Education (ECDE) teachers, currently, majority of counties are employing ECDE teachers on contract basis. They are being paid minimal money which cannot sustain somebody who is working for the whole day. I support the Bill and I believe, moving forward, we will get value for our education in terms of ECDE. We need to fast-track this Bill because the more we delay the Bill, the more we create more harm to our young children in ECDE centres.

I thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. (Dr.) Tecla Tum, the Member for Nandi County, you have the Floor.

**Hon. (Dr.) Tecla Tum** (Nandi CWR, JP): Hon. Temporary Deputy Speaker, I rise to support this Bill on early childhood education. Research has found that every child who has gone through pre-education does very well at the university level. So, I support this Bill because it talks about quality education.

We know early childhood is the foundation of knowledge. The President gave a directive that no child should be left behind. In this Bill, if the parents cannot comply with this Bill, they are going to pay a fine of Kshs10,000. This will force parents to take their children to school. This Bill is also calling for infrastructure in early childhood centres. In our counties, children who are in school are learning in pathetic classrooms. They have no books. If we support this Bill, the county governments should make it a point to equip all early childhood centres and have teachers who are fully trained. Some of them do not take their teachers for retraining every year due to the new knowledge that comes up every day.

I support the Bill because it talks about non-discrimination. All children are entitled to go to early childhood centres irrespective of their race, religion, social and economic status. County governments should utilize the funds well so that our children have the best. We know very well that teachers are not paid in our schools. They stay up to eight months without pay. If they are crying that they have nothing to eat, they cannot give our children quality education.

I support the Bill.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Thank you, Hon. Tum. Hon. Oduol Adhiambo, are you ready? Proceed.

**Hon. (Prof.) Jacqueline Oduol** (Nominated, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me the opportunity to contribute to the Motion on the Approval of the Mediated Version of the Early Childhood Education Bill (Senate Bill No.26 of 2018).

It is well known that if you want to know the direction of a nation, a people, a community or even a homestead, you need to invest in children. Early childhood education is extremely important because the early years are the foundation upon which each and every child can, not only hone their sense of development, but where we get to see the necessary balance of emotional, cognitive and other areas that support learning. Therefore, I support this mediated Bill because, as it has been observed by other Members, when we create a structure that is organized; when we mainstream the education and learning of children in those early years; when we start looking at the administration; and when we confirm that we are getting teachers who will be prepared and

whose welfare will also be appropriately considered through their employment and remuneration, we are investing in the right direction.

I support this mediated version of the Bill because it is clear that currently, there is an effort by county governments to put up classrooms and structures. Where I come from in Alego-Usonga in Siaya County, I had an opportunity to visit some of those schools, especially during the period when COVID-19 was at its peak. It was clear that, going not only by the number of children that were all put in one room, we need to have proper planning and get adequate funding. We need to think of the infrastructure. It was in one of those sessions where I also got to see the young children demonstrate their capacity, through song and dance, to declare very clearly that we need to beat COVID-19 and the way to do it is to wear masks, wash our hands, keep social distance and ensure that we are aware that there is a challenge.

I support this mediated version of the Bill because there will be an opportunity for children to learn in effective ways such as by playing and through different levels of cognitive development. We will not put all children in the same space. We will also get the number of teachers that can effectively address this.

Other Members have also noted that in any organized system, we need to have proper structures. In the mediated Bill, we are not only seeing the need but have also agreed to register all teachers so that there is a sense of standardization and remuneration. We will also have a proper structure with a board of management which can address the key issue of public health. This is extremely important because, as I indicated, there is a school in Alego-Usonga Constituency called Pap Kakan Primary School whereby, the room where children in early childhood education learn in is next to a fence where there is sewage. At times, it is really unfortunate and intolerable when we find that those young children, who by all means, in terms of their learning, will mostly be singing, dancing or doing some other activity collectively, are forced, in a way, through lack of clear management structures that can address the issue, to still endure those conditions in their learning.

I support the Bill because in terms of the proposals in this mediated version, we will have an end to situations where we do not have someone that we can hold to account. We will now have very clear board of management. We will now be in a position to ring-fence resources. We will have teachers who, in terms of their appointment and remuneration, will be equal to teachers in other areas and who are ready and prepared for this. Most importantly, we will demonstrate that the best way to invest as a country is to invest in our children and make sure that in their early years, we are giving them the right to education.

I end by indicating that I had a chance to visit Dubai on the issue of equal opportunity and inclusion and, in particular, dealing with persons with disabilities. As we look at this mediated version of the Bill, we must ensure that we also look at children with disabilities. It is at the early stages when we want to ensure that we build the esteem of those children and ensure that they know that having disabilities is not in any way an indication that they do not have abilities in the fundamental areas. I agree and emphasize that where we might need to be a little clearer is to have determination. As they say in their policy in Dubai in the United Arab Emirates (UAE), they do not talk about persons or children with disabilities, but they talk about people with determination. Persons or children with disabilities go through very many challenges. It is their determination that enables to overcome those challenges. With this Bill, we are saying that we will all be persons of determination. As we look at early childhood education centres, we will do everything that we can to ensure that our children with disabilities are given an equal opportunity to lay a foundation and contribute to the country.

I support the Bill.

*[The Temporary Deputy Speaker (Hon. Christopher Omulele) left the Chair]*

*[The Temporary Deputy Speaker (Hon. Patrick Mariru) took the Chair]*

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us now have Hon. Robert Pukose.

**Hon. (Dr.) Robert Pukose** (Endebess, JP): Thank you, Hon. Temporary Deputy Speaker. I stand to support the Motion on the Approval of the Mediated Version of the Early Childhood Education Bill (Senate Bill No. 26 of 2018). The Bill looks at the development of Early Childhood Development (ECD) Education centres within our country and, more so, within each and every constituency. It also provides for the structures of the Board of Management.

ECD education is an area that is neglected. This is a Bill that needs to be fast tracked, so that it can be operational as soon as possible. Unfortunately, ECD education is a neglected area in this country. If you go to almost every constituency, many of our children in our ECD education centres learn in debilitated buildings which do not have chairs. County governments put up some of those structures without a lot of seriousness. They are unplanned. I was in Chepsalei Secondary school over the weekend. Within Chepsalei Primary School, there is an ECD class that has been built. It already has cracks. There is no provision of funds for repair and maintenance. This Bill talks of maintenance of those ECD structures. A building was built in Chepsalei Primary School for ECD but it has cracks. Those children face danger of the building collapsing. Trans Nzoia County Government has not taken time to go and look at that building and see if it can be repaired, to make sure that our children are safe. So, you can see the sorry state of the health of the ECD centres within our country.

This Bill also talks of the employment of the ECD teachers who should have Teachers Service Commission (TSC) approval. There are people who have pursued ECD training and have certificates, diplomas, degrees or Masters degrees in this country. However, there is no proper progression on how they can be catered for. Once somebody is an ECD teacher, he or she is the most lowly paid among the teaching fraternity. Why should we look down upon those who are in ECD as the most lowly paid and yet, they do a lot of work? Some ECD teachers have Masters Degrees. In other countries, they are remunerated well. They are paid as teachers. We should have a scale that does not discriminate ECD teachers. All those people who train to be ECD teachers clear Form 4 and they score the marks that they can use to get a Certificate in Primary Teacher Education (PI) or even go up to the university level. We should have a way of promoting somebody who has a good grade and has decided to become an ECD teacher, so that he or she is not looked down upon.

For example, *Mwalimu* Kisaka is an ECD teacher in Endebess Constituency. He always speaks on behalf of ECD teachers. When he does that, some people look down upon him and yet, this is somebody who is very important in the formative years of our children. It is the most important period which you must inculcate reading culture in your child. As a country, that is where we have not done well. Our country has many people who do not spend time reading. People scan information and listen to what somebody has said and that is enough. We must inculcate a reading culture among our children during the formative years. That is a very important period for us to develop those children. This is a Bill that this House should dispose of as fast as possible, so

that it can go to the President to be assented to, so that it can be operational. We hope that the Ministry is preparing the regulations. This Bill should be implemented to the letter.

With those few remarks, Hon. Temporary Deputy Speaker, I support the Motion.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Maanzo.

**Hon. Daniel Maanzo** (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute to this very important law. ECD education is very important. It has been operating without a law for some time. It is operational through the county governments merely by policy.

The right to education is in the Constitution. It is clear that this right to ECD education in this proposed law shall be enjoyed without discrimination and exclusion of whether tribe or origin. Pastoralists keep on moving. Many children with disabilities are hidden. Disability is covered here. As Members of Parliament, a lot of times, we make sure that the children who are hidden are brought to light and are taken to school. At times, we need teaching centres for poor children or street children to make sure that the beginning of education is taken to all children - whether they have parents or not, disabled, poor, rich, pastoralists, Muslims, Christians or belong to any other religion.

There is a problem with education in some countries. There are some countries which do not believe in education at all. They believe in some policies. This has been a debate in those countries. Education equalizes all – the rich and the poor. The best way to equalize people is to educate them. Education gives an opportunity to everyone. ECD education is specific. There are partners. There are quite a number of people who are interested in it. We have the counties, Government schools and private schools. There are many stakeholders in this regime. Many people run schools which are not properly licensed to deal with ECD education. When a child misses ECD education, he or she is likely to have problems with education all through. The children who get it right from that moment are likely to do very well throughout. So, it is a very important component. This time round, it is being implemented by the counties. It has a lot of challenges.

We constructed a nursery school with National Government-Constituencies Development Fund (NG-CDF) in my constituency as an emergency because the walls looked like they would collapse on those children. I did not want it to happen. When the county government conducted public participation in Wote Town, they abandoned that particular nursery school which is near the technical college in Wote Town in Makueni County. Although it was not part of our programmes under NG-CDF, I constructed it. Although ECD education is a function of the county governments, we have to work together to make sure that every child has access to education at that early age. Some ECD education centres are run as children depositories. You go and deposit children there, so that they can have care and learn something. All that needs to be regularized. We should make sure that whoever will be with them is fit to be with them and well-trained. The colleges which train ECD teachers have to be synchronized. We have to make sure that they are monitored well, licensed and able to comply with the law, so that we can have uniformity at that level. This will help us to attend equally to all our children who attend ECD education centres. This Bill is arbitrated. Originally, it was a Senate Bill. When it came to us, it was mediated so that we can have something to serve our children and people.

I thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. (Ms.) Oduol Ombaka, Member for Siaya.

**Hon. (Dr.) Christine Ombaka** (Siaya CWR, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to add my voice to this Bill. It is a very good Bill. It deals

with the education of children. Early childhood education (ECE), as has already been emphasised here, is the beginning of education for any child. It is the foundation of education for everybody. It is also an institution where character building begins. Socialisation takes place at ECE level and a child becomes good or bad from that point of education. So, I support the Bill.

The Bill seeks to standardise education of the child in the sense that we need to have trained teachers and a curriculum in place that is acceptable to the community and the people. It is a place where, much as it has been a very important institution even in the past, it has had challenges in the sense that ECE has always been seen to be something so small that education does not need to be emphasised on. That is why even some of the teachers in ECD are not trained and even if they are trained, they are poorly paid and their pay is not regularised. They miss out on that. That is why in the past, ECD has been neglected but, I am so happy that this Bill improves the areas that have been neglected. There will be better management systems. The curriculum will be established and the children will learn and be more serious with their education.

I also need to highlight that this is not only a place to learn, but also a place for socialisation. It is also a place where immunization of children can take place. It is a place where school feeding program also runs. An ECD is a center of many activities that improve the development of a child. Immunization will address health, nutrition and will also be done there. Even registration of children in terms of the population is there.

County governments have done their best, but they are also complaining that they do not have enough funds. Even though we set up the criteria for running ECD institutions, we need to think about the county governments having enough funds and running those institutions as effectively and as efficiently as possible. What I have seen in my county is very commendable. We have had so many of those institutions set up. Almost every primary school has an Early Childhood Development and Education Centre (ECDE). When you see a well-run primary school, you will be sure that the ECDE center is also well run. There is that connection of improving primary schools and also having an effect on the ECDE centre that is attached to it.

The very good thing again is the fact that the Government is now highlighting the 100 per cent transition. So, I can see a situation where all the children who attend early childhood schools will be able to transit to Standard I - all of them. We will be able to track the children as they go to school; how many girls and boys are there? Did they all join Standard I. This is because girls start disappearing at some point, which is a big challenge in the education system.

It is also very true that we need to address the sector where children living with disabilities are taken care of. ECDEs are also areas where you start identifying children who might have physical, emotional or other challenges. They are centers where trained teachers need to identify children very early and be able to transfer them to institutions that can address their problems better. So, children with challenges and those living with...

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Member, your time is up. Let us have Hon. Kiarie. Hon. Kiarie are you not ready for this one?

**Hon. John Kiarie** (Dagoretti South, JP): Thank you very much, Hon. Temporary Deputy Speaker. In fact, I am very keen to stand and support this Mediated Early Childhood Education Bill that was mediated between the Senate and ourselves.

I also want to thank the Committee that has put in some work to ensure that we get to where we are. It is out of their efforts that we are able to critic what they have put on the table. They have actually done a good job.

Research has shown that ECE is critical not only in a person's education, but also in their entire life thereafter. There has always been a debate as to which stage of education is extremely

important. That debate is what has led to the imbalanced investment in education. If you look across the country, you will be able to compare how we value our ECE by the investment that we have put on ECDE to date. Are we putting as much in ECDE as we have in primary schools? Have we put as much in ECDE as we do in secondary schools? Have we done as much as we do for tertiary institution, colleges and universities? It is very clear that, as a country, we have not been investing in ECE.

What is critical is that I, as an educator while still in the university, was able to carry out a research that eventually established that children born in Africa are born brighter than even some of those born in western countries. This is, however, reversed the moment they show up in schools and our schools are not up-to par to continue with the development that the child had started when they were at home.

Hon. Temporary Deputy Speaker, this research tells us that as a country, we are failing our own children at a very early stage in life even before they have started their formal education. It is said that a good ECE should spur and activate a child's natural willingness to learn. That, a child is born naturally willing to learn and what we do at ECE is to activate their natural will to learn. I support this Bill because I see the effort that is being put into making ECE better.

To my mind, this Bill, is seeking to standardise the quality of training of our children at a very early stage. One thing that I learnt from my life is that when we were all in nursery school and Standard I, we were all scientists. We were all artists. At what point do we normally lose those things? We start losing them when our instructors lose interest in teaching us some of those things. Any child is born to do anything else the other child can do. However, if we lose it at ECE, that child will never catch up.

Some of those children are born ambidextrous; they are able to write with both their hands. They go to school and they are caned for not writing with the right hand. Some of the things we are doing in some of those schools are actually taking away from the child rather than adding to them.

What I would like to see is that after we pass this, we are able to start identifying talent very early in a child and develop it through their learning. Even as we speak about Early Childhood Development (ECD) education in the form it has been presented here, in this mediated Bill, I would like to add that, as a country, we will have to very seriously start rethinking this model of institutionalising our children for 16 years from ECD all the way to university. Let us give home-schooling a thought. Let us start building policies around home schooling. Let us start thinking about the future of education and not what is a colo....

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Mbui Robert.

**Hon. Robert Mbui** (Kathiani, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to also contribute to the debate on this Bill from the Senate that wishes to provide a framework for establishment of systems for the administration of ECDs within the county. As we discuss this Bill, we have to remember that there is fundamental right to free and compulsory basic education enshrined under Article 53 of the Constitution and, clearly, this is part of it because ECD is part of basic education.

Clause 3 of the Bill talks about the provisions of a framework for the establishment of comprehensive ECD and education system by county governments. The reason I have read this Bill is because we have noted that administrators in some schools have a tendency of administering admission examination. I am happy that this Bill prohibits the use of entry exams for those young learners. That is one of the things that a lot of our institutions have been trying to use to make money.

Another issue I am happy about is the fact that the Bill seeks to provide a framework for the establishment of the infrastructure necessary to support provision of quality education in ECD centres. It is clear from the Bill that ECD centres are meant to be funded by the county governments. It is unfortunate that if you go round the country, you will notice that our primary schools are continuously being improved by constructing additional classrooms and undertaking renovations, but our ECD centres, in most of our constituencies, are actually an eyesore. What has happened is that governors have concentrated their efforts in other areas of development and ignored education simply because education is devolved. What they have forgotten, and this Bill wishes to remind them, is that education at the level of ECDs is domiciled in the counties. Therefore, governors have to ensure that they provide resources for the establishment and improvement of infrastructure for provision of that education.

We also have to look at quality and the Bill talks about it. It provides that qualifications of teachers and their registration shall be enhanced. The Kenya National Bureau of Statistics in 2016 noted that half of ECD teachers were actually not trained. That is a shame because when we start a child off with a good foundation, it helps to build them and enjoy education all their life. If the foundation is weak, we obviously create failures. Unfortunately, if we are going to have many untrained teachers starting off our children at the foundation level, that becomes negative. I am happy that this framework is going to ensure that qualifications, training and registration of teachers is done in a proper manner.

There is also the issue of partnership between the national Government, the county governments, private persons and relevant stakeholders. This is critical because we have seen situations where there is conflict of ownership of land on which schools are built. You will find a church, school management and the Government claiming the same land. Sometimes, you find private individuals claiming ownership of land on which a public school stands. So, through this kind of partnership, it has to be done in a systematic manner showing clearly who owns the institution and where they can come together, they do so.

Finally, another issue of importance to me is registration. Clause 19 (3) provides that registration for ECD centres must be for schools that stand on not less than an acre of land. How many ECD centres in this country really exist within an acre? Majority of them are not even on a quarter an acre. As much as I support it, it is really ambitious though it is in the right direction. However, it is important to look at those things in a proper manner lest we legislate in vain. If 80 per cent of the schools are already on less than an acre of land and we are legislating on an acre, where are we going to get an extra land for our ECDs? Majority of them are in primary schools and already have land. This is one of the areas we need to look at keenly.

With those remarks, I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Mbui, this is about standardisation of the education system at the ECD level. You have said that some of them are taught by untrained teachers. You also saw that in another county, they are being taught about robots, computing and coding that early. So, it is interesting. There is need for standardization. Hon. Kubai Iringo.

**Hon. Kubai Iringo** (Igembe Central, JP): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute to this mediated Bill on ECD. I appreciate that it has taken quite a while to come up with one Bill which has been agreed upon by both Houses and which we all agree to embrace. It is for the good cause of what we are trying to understand and also appreciate today.

Early Childhood Development, especially in Kenya, has been neglected to some degree. To some extent, our children have been going to Standard I having not been nurtured well and having not been prepared for proper learning and proper molding to make their lives smooth as they grow.

Once we have streamlined ECD education, or we streamline how we handle our children immediately after they are weaned and are taken to school to be taken care of in kindergartens and other places, we need to be very prepared for the same. I appreciate this Bill because it brings a very good framework which has been lacking all along. A good framework of education starts with primary education. However, when it comes to ECD, we find a school starts an ECD class with untrained teachers and the children are put in dilapidated classrooms whereas their primary school counterparts are in good classrooms. They appear to be neglected. The passage of this Bill will ensure that ECD centres have Boards of Management (BoM) to see to it that all requirements and needs of the children are catered for. They should also go out of their way to ensure that we do not have any children of school-going age left at home. They should even ensure that disabled children are not kept at home but taken to learn with other children. If you go to the villages, you will find parents trying to hide children who are born with some forms of disabilities. Parents try to hide such children at home instead of taking them to school to develop their uniquely inherent talents despite their handicaps. The proposed body must look into that aspect once this Bill becomes law.

Equally, there will be quality assurance teams who will go to the field to see who are teaching our children or handling them or who are taking care of their needs. Little children require the best of professionals, and not anybody picked from the village as it is the culture today. They will audit the learning facilities where the children are learning. The Bill stipulates clearly the kind of persons who shall constitute the BoMs. We even need nutritionists, medics and people who have been exposed to those teachings. Therefore, we will have a very good base for our children.

On infrastructure, we understand that Early Childhood Development (ECD) is devolved. The same Bill is empowering and putting more teeth and claws to county governments, so that they can invest more on infrastructure and employ trained teachers, and ensure that the right boards of management (BoMs) are in place.

The EDC teachers are poorly remunerated. They need to be properly remunerated so that, at least, they can feel they are doing a noble job for our children.

Hon. Temporary Deputy Speaker, I thought I had more minutes. The others have been taking too long, and you are scaring me, my friend.

Finally, let us all support this Bill.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Iringo, do not be scared. You had five minutes just like Hon. Okelo who will also have five minutes. So, organise your thoughts accordingly.

**Hon. Jared Okelo** (Nyando, ODM): Thank you, Hon. Temporary Deputy Speaker, for this opportunity to add my voice and support this mediated version of the Early Childhood Education Bill that emanated from the Senate. The early childhood centres play a very pivotal role towards the betterment of any child in the world. This is a very critical formative stage of every child, and therefore, much credence and attention are very necessary to be accorded to these children so that at the end of the day, they become responsible citizens.

On the flipside, teachers who are mandated to take care of these children, and I have witnessed on several occasions, are those with the skimpiest of schooling, and those who are able to sing traditional dirges and inscribed vowels, without necessarily considering other extraneous

issues that play a more important role on who then qualifies to be a teacher. In the West, some of those who teach at the early-stage of children are professors, and have dedicated their lives and time to assist the children so that they grow up as responsible people who know about their surroundings.

In children's growth, their diet is key. There are many children who leave home on empty stomachs and have to contend with hunger the whole day. That is why this Bill ought to have gone a little further to also talk about provision of essential food items to the children. Even a fortified porridge will do. This will, therefore, make the children concentrate and also be comfortable in the learning centres. Education is free and compulsory for all, and therefore, there is no reason why any child ought to be staying at home.

At this point, we are nurturing the future leaders, doctors, lawyers, *et cetera*, who will then take full control of the economy and the social standings of our nation. Therefore, this is an integral part of a child's growth that cannot be underscored. Of course, there is no training or discipline called Member of Parliament. So, we are only training them to be the people who should help perpetuate our economic wellbeing. That is why in this House we have people of diverse disciplines drawn from all the regions of this nation, and here they are. So, we are training people who will then take full control of our society.

Registration of the centres has been given consideration in the Bill. Most of the schools that children go to especially the private ones are never registered, and if they are, they still lack adequate facilities. The Bill has gone a little further to determine what centre qualifies for registration. Those that are very important for a school including the acreage of land are included in the Bill. I only wish that tougher measures would be employed on standardisation of our schools so that even as our children are in schools, they have what qualifies to be a miniature school, but a real school that offers the right curriculum and right teachings from the teachers.

For those reasons, Hon. Temporary Deputy Speaker, I support and thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Rasso Ali.

**Hon. Ali Rasso** (Saku, JP): Thank you, Hon. Temporary Deputy Speaker. I stand to support this very important Bill. As my colleagues have said, from the outset, this is the fundamental basis upon which education is built. It is at this point that abilities and disabilities are identified. It is at this point that teachers will be able to spot individuals with talents whether they are dramatists or have certain added acumen. It is also at this time that the character of that young person is built into the future.

Currently, our education system appears to be desegregated between what is at the national level and the county level. There are certain things that the education establishment has identified, that learners at the ECD level belong to the community, and that is why it has been given to the right authority, namely, the county governments. Whereas counties such as Marsabit, where I come from, have done a tremendous job in terms of making sure that every primary school has an ECD centre, we want them to go further and establish a link between ECD, primary school and secondary school, so that there is seamless transition in our education system particularly at the local level.

As Members of Parliament, we have the National Government Constituencies Development Fund (NG-CDF). County governments have been told to look after the ECDs. The danger in some of these things is that many in the counties do not put a lot of weight particularly in ensuring that there is linkage between ECD and primary schools. The teachers in primary schools are employed by the Teachers Service Commission (TSC) whereas ECD teachers are employed by the county governments.

There is also the issue of saying that education is the greatest equaliser. However, I must go further to emphasise that this is true as long as the teachers' curriculum and infrastructure are standardised. I thank our Departmental Committee on Education and Research because this is a segment in our education system that has never been identified to be important. Sometimes, the life of a young person was as if you are given a free hand to decide whether to take your child through ECD or otherwise.

For that reason, this Bill has given an impetus and a foundation basis that this segment of education will be properly managed. Also, this Bill will give us what we call total education in this country.

Finally, it is about private and public ECD centres. Why the private is better than the public is the elephant in the room about which we must ask ourselves in analysing the education system in our country.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Millie Odhiambo.

**Hon. (Ms.) Odhiambo-Mabona** (Suba North, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support the mediated version of this Bill. The ECD is the basic foundation for children. If we get the foundation right, just like the other Members are saying, children will develop well. Unfortunately, we have, as a country, not put a lot of emphasis on ECD. It reminds me of a time when I was in high school and there was this girl who used to do very well in Maths, but would not do well in any other subject. She had transferred to our school. You would discover that even though she was a very sharp girl, the foundations were started wrongly. So, she eventually failed, not because she was not sharp, but because she was not taught very basic things like language. That is why I am always passionate about this thing of standardising language even from the ECD level.

If you go to my rural area, you will find children in ECD being taught about Ombete Kamatoso who went to carry fish from the market while the children in Nairobi are being taught about computers and digital things. In the end, they will be going to do an exam not about Ombete Kamatoso, but about computers and science and art. If you want children to compete in an equal platform, there must be need not just to provide infrastructure that this Bill seeks to have, but to also standardise teaching. So, even though this Bill is emphasising a lot the role of the counties, it must also standardise the teaching of ECD so that what the child is being taught in Nairobi must also be taught to a child in Takawiri Island in my constituency.

The other issue I would want to raise is that ECD is also very important and I am glad, for instance, we have provided for the non-discrimination clause, especially for girls. You will find that many young girls at that age in rural areas are made to do tasks such as taking care of children and they lose out and start out late. When children start out late, again, they lose out a lot. A lot of children then start coming in at primary level when others have actually found out the foundational issues that are needed. One of the issues that I do not know how I missed out is that even if you look at the Constitution, the first principle that should be there for children is the best interest of the child. So, whatever policy or laws that are passed should be done in the best interest of a child. That has not been done.

One of the things that I would want to also indicate, especially if we pass the Building Bridges Initiative (BBI), we trust that it will pass, is that the focus of the counties should then be on areas of the county. Sometimes you find that we compete with counties in areas that are national Government oriented. If the counties were to focus on their areas of expertise, we would change the face of most educational facilities. The ECD centres should be better even than primary schools

because I think with the change, we should only need two classes. It was three classes before. If you only need to do two when MPs have to do eight and you have billions when we are operating with millions, honestly, there must be a very visible change. I know that counties also have other things they are catering for, but one of the things that we have to do, especially because a lot of money will be going to the ground, is enhancing monitoring funds that go down. A proper and effective monitoring, not the kind that I am seeing some people come up with nowadays which is criminalising doing development work that is becoming very prevalent. I will be raising an issue on the Floor of this House.

Otherwise, because I see my time is up, I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Rono Kipkogei. Order, Hon. Rono. Please, have your mask on. Hon. Hulufu is just behind you. He needs to be safe. You need to be safe. Everyone else needs to be safe.

**Hon. Daniel Rono** (Keiyo South, JP): I thought we are not badly off now that we have the vaccine.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Hon. Rono. Which vaccine are you talking about?

*(Laughter)*

**Hon. Daniel Rono** (Keiyo South, JP): I was informed we are the first ones to be vaccinated, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Have your mask on. Wear your mask properly, Hon. Rono the vaccine notwithstanding.

**Hon. Daniel Rono** (Keiyo South, JP): I thought you only wanted to see it.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Hon. Rono. You have to be in order.

*(Hon. Daniel Rono put on his mask)*

**Hon. Daniel Rono** (Keiyo South, JP): Now I am okay, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Proceed.

**Hon. Daniel Rono** (Keiyo South, JP): First and foremost, allow me to congratulate the county assembly of...

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Hon. Rono. There is an intervention by Hon. Okelo. What is out of order?

**Hon. Jared Okelo** (Nyando, ODM): I thank you, Hon. Temporary Deputy Speaker. I just want to clarify something for my brother over there. When he talks about MPs to be in the first line of acquisition of the vaccine that just got into the country yesterday, it is misleading. They talked about those who work in the security sector like the police, the health workers and teachers. You know there is a disconnect between Members of this House and the public out there. The information that goes out, for instance, that MPs are going to benefit out of this, would cause hue and cry from the public. So, we are not in that first batch of beneficiaries of the vaccine. I thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): But, Hon. Okelo, you just mentioned three categories. Who is in the fourth? Maybe it is the Members. You never know.

**Hon. Jared Okelo** (Nyando, ODM): That should not go on record, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Very well. I am sure the Cabinet Secretary concerned will say where MPs fall. For now, we know the first three.

Hon. Rono.

**Hon. Daniel Rono** (Keiyo South, JP): Hon. Temporary Deputy Speaker, I like the English of the Hon. Member. In fact, we need to also teach that kind of English at the ECD centres.

Needless to say, we are the frontline members of the society. We interact a lot with our people. They come rushing to us for help and so forth. So, we qualify and, we are the fourth that you have mentioned.

*(Hon. (Ms.) Odhiambo-Mabona applauded)*

Thank you, Millie.

As I continue, I had requested to congratulate the County Assembly of Elgeyo Marakwet for shooting down the BBI. Elgeyo Marakwet is where I come from. I thank them for stating their stand which was quite commendable. Whereas the BBI has reached where it has, at least, we have our say and the other members can have their way.

The foundation of education is what we have had many Hon. Members state. This mediated Bill was long overdue. We have rightfully heard from the Bill that it will carry along even the disabled members of the society. That is quite commendable. You sometimes see structures which are put up in the counties or in our schools by the county governments, which do not give consideration to the disabled children. It is very unfortunate.

Hon. Temporary Deputy Speaker, now that we have this Bill and a board that will be looking into this, we should make sure that those standardisations that Members have mentioned are put in place. We should have standard classrooms for all ECD centres, irrespective of whether they are public or private schools. We have people who are fond of opening private nursery schools with funny *mabati* structures with holes and you can see children peeping and cannot even concentrate. This registration aspect is important that you cannot be registered if you do not have proper learning structures.

The early childhood education is now under the county government while the national Government handles primary and secondary schools' education, but we need to have some harmonisation. You cannot have stone walled classrooms for primary school while the ECD centres have *mabati* classrooms. The children feel isolated and discriminated. We should standardise infrastructure.

I support the Bill. Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): We shall have Hon. Martin Owino.

**Hon. Martin Owino** (Ndhiwa, ODM): Hon. Temporary Deputy Speaker, I have already contributed to this.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Thank you for being honest. You have booked at the next Motion.

Let have Hon. Arbelle Malimo.

**Hon. Marselino Arbelle** (Laisamis, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Early Childhood Education Bill.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Hon. Malimo. I am sure you are aware that you are not properly masked.

**Hon. Marselino Arbelle** (Laisamis, JP): Where is my mask?

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): But you have it.

**Hon. Marselino Arbelle** (Laisamis, JP): I have it here.

*(Laughter)*

Thank you for reminding me to wear my mask properly. I thought I had it in my pocket not knowing that I had it on my chin.

I rise to support the Early Childhood Education Bill. Education is one of the pillars of development in any country. All countries, whether developed or developing, venture into education. Early childhood education is important in the overall development of a child because it is a right guaranteed under Article 53 of the Constitution of Kenya. This right, as enshrined in the Constitution, must be adhered to, to ensure that every child gets the right education. If a child misses a good foundation, then it is going to be difficult for them to catch up in life. For instance, we have a category of children from pastoralist communities and due to the nature of their livelihood, they have lagged behind in terms of early childhood education. If we safeguard and implement this Bill, then these children will be catered for. I am sure early childhood education facilities will be available at the grassroots levels. The pastoralist child who has always lagged behind will catch up with other children in Kenya in accessing education.

Hon. Temporary Deputy Speaker, the ECD centres have been poorly coordinated by the county governments. Early childhood education is primarily a function of the county governments, but we must strengthen structures to support them to realise that this is an avenue to support the education sector in our country. With a clear legal framework, we hope counties shall invest in ECD centres.

Hon. Temporary Deputy Speaker, the ECD will also create employment and in my opinion, we should have a standard way of employing the ECD teachers.

With those few remarks, I support the Bill.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Member for Samburu East.

**Hon. Jackson Lekumontare** (Samburu East, KANU): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill. This Bill is very important to our ECD centres. If you look at ECD centres in our constituencies and counties, you will notice that they lack important structures for education of our children.

The passage of this Bill will ensure that there is monitoring of teachers in ECD centres. The ECD is a foundation to our education and if it is not firm, then the whole structure will not be stable.

In my area, some ECD centres do not have classrooms. At times, when you hold a function in some of the institutions, as an MP, you will realise that you are allocating funds for construction of primary schools, but the early childhood learners study under trees. The passage of this Bill will ensure that we have standardised classrooms for all the ECD centres.

Hon. Temporary Deputy Speaker, some ECD teachers are not trained and to my surprise, county governments have not employed enough teachers for the centres. Some centres do not even have teachers. This Bill will ensure that ECD teachers are trained and are available in all the centres.

The curriculum for ECD teachers and what our children will be taught is ready. This Bill is important because it will help ECD centres to be at a level where other jurisdictions are. An education centre is not like a shop that somebody wakes up one day and gets a business licence to run. Unfortunately, that is what is happening with some ECD centres.

With those remarks, I support this Bill and urge Members to support it for the sake of our young children.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Nyikal.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this important Bill. Early childhood education has three important components. One, it is the foundation of education where children get in touch with formal education and lay a foundation that will be important throughout their lives. If they miss it, they may never get it again. Two, it is a period of active development physically, mentally and personally. At this point, children's brains are still developing. They have changes in their bodies that need to be recognised and sometimes monitored. It is a time they develop their language and personality, and we can detect their talents. Three, it is an important stage of health for their future. They form eating habits. Their nutrition at this point is important. Some non-communicable diseases have their basis at this stage from how children are fed and the eating habits that they develop. Their nutrition is important not only in terms of their development at that point, but also in their future health as adults. At this level, they are still prone to some diseases. So, they will require immunisation. This is the time when some hereditary conditions that children are born with will show. It is a time you will discover that a child has problems with vision and hearing that will affect their learning and development. It is also when you can detect early personality disorders.

This is not a time that you can talk about education alone. It is, therefore, important that we have structures, as proposed in this Bill that are child-friendly and take into consideration the development of the child. The educational equipment that is required at this time is not only important in learning, but is also important in the development of manual skills and functional skills. It is critical that the curriculum that is developed takes into consideration all these three components of development, growth and early education of a child. Therefore, training of teachers is important. To a large extent, we have delegated the training of teachers for early childhood education to people who did not do well. This is where you need well trained people in psychology and educational development principals. Therefore, it is a complex period. We have not funded it well. Many of the facilities in many institutions are dilapidated and not properly maintained. We must improve them. There is need to have a proper link between the national Government and the county governments. This is where we must have a process for monitoring and enforcing standards and policies, if we are to get uniform education for children across the country.

Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Hulufu Oda, Member for Isiolo North. I hope Hon. Eseli is not speaking on this one. I have seen that you have patiently sat there. I just want to be sure that your card is working.

**Hon. Hassan Hulufu** (Isiolo North, KPP): Thank you, Hon. Temporary Deputy Speaker for the opportunity to speak on this Bill. I support the Report of the Mediation Committee on the Early Childhood Education Bill (Senate Bill No.26 of 2018). According to the Fourth Schedule of the Constitution, early childhood education is a devolved function. The national Government takes over education from the primary school level onwards. Our Constitution guarantees each Kenyan child the right to basic education. The beginning of basic education is early childhood education. If you look at what prevails in most parts of our country, there is a lot of emphasis on primary

education in terms of infrastructure development through the NG-CDF and curriculum reviews from the Ministry of Education. Most of the existing ECD centres, especially those that are public, are attached to primary schools. In most cases, especially in the north-eastern part of the country, early childhood learners learn under trees. One wonders why at their tender age nobody is catering for them yet their older siblings are being catered for well. Having looked at the Bill, one of the key things that have impressed me is assessment and identification of special needs amongst children who have some form of disability.

In the north eastern part of the country, children who require special education hardly get opportunity to find special schools that have appropriate facilities to cater for their needs. Therefore, the Bill obligates teachers to use assessment tools immediately and identify children who require special attention and place them appropriately. There are those children whose needs can be catered for in an integrated setting and there are those who need a separate setting to cater for their needs. The Bill also talks about registration of ECD centres, which is important. If you look at what is obtaining, you will realise that there are many early childhood development centres run by private entities. The setting in most of them is pathetic. At this formative stage, we need an environment that is child-friendly in terms of having adequate space for children to play. We require well trained teachers. Fortunately, if you look at what is happening, most of the counties insist on hiring trained teachers who are registered by the Teachers Service Commission. However, they have done so without the benefit of a legal framework. This Bill addresses that gap. It provides a proper legal framework for county governments to provide early childhood education.

When somebody wants to run a centre, the individual needs to apply for registration to the county education board. The county governments need to have quality assurance committees which can assess the centres to establish that they meet the requirements for registration. The Bill also provides that the Cabinet Secretary responsible for education will make regulations. It also provides for the KICD to develop common curriculum across the country. There is a very good linkage between the kind of support county governments require from the national government and what the county governments should concentrate on.

Hon. Temporary Deputy Speaker, with those few remarks, I support the Bill.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Kirima, you know what you have done. You just inserted your card without registering. You just inserted it in the console. I can tell. But I take notice that you have been seated for long. For the Speaker to give you an opportunity, you must register interest and not just insert your card. I am sure you are learning.

Hon. Kiai, you have the Floor.

**Hon. Anthony Kiai** (Mukurweini, JP): Thank you, Hon. Temporary Deputy Speaker. I stand to support the mediated ECE Bill. This is a very good Bill. It provides a framework for the establishment of systems for administration of ECD centres within the country. What was there before was a chaotic way of admitting our children to ECD centre. The systems and structures were as different as the owners of the centres. There was no standard way of administering the ECD centres.

The Bill reiterates the basic right to free, compulsory education in public education centres. The first port of call of any kid in this country is the ECD centre. If a child goes to school on a clean slate, so to speak, what is written on that clean slate will...

**Hon. Moses Kirima** (Central Imenti, JP): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): What is out of order, Hon. Kirima?

**Hon. Moses Kirima** (Central Imenti, JP): I have noted some abnormality in the House. There are colleagues of mine who are not maintaining physical distance and they are touching one another. We have been told to observe physical distancing because immunisation will not come our way for a longer period. I am scared. The trend right now is that we lose a number of Members. I am scared that my colleagues prejudice the systems. We require protection from you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Kirima, I take note of the two Members. I do not want to mention their names. They were not touching each other; they were just consulting, just be fair to them. To the two Members, I do not want to go on record on who they are. You can consult, but please, you do not need to be too close to each other.

Hon. Kiai, continue.

**Hon. Anthony Kiai** (Mukurweini, JP): Thank you, Hon. Temporary Deputy Speaker. As I was saying, the first port of call for any child in this country is the ECD centre. Whatever is written on that clean slate, be it matters of life, education or anything related thereto, is the responsibility of the teachers at that level. If proper foundation is given at this critical stage, then it will last a lifetime.

I see a lot of good things in the Bill. For instance, the Bill tries to streamline registration of all institutions that offer ECD education. Two, it also provides for the minimum infrastructure and acreage for all institutions. What has been there before is that you would find ECD centres in slum areas, others on top of bars and others in some funny places and the darkest corners of this country.

I am happy that the Bill provides for minimum infrastructure. It also provides that children should not be given any entry exam which has been the case before. Any child who registers in any centre is not supposed to be charged any fee. It, then, makes education accessible even to those who are downtrodden in the society.

Poor foundation at the ECD is always felt at the primary level. When you have a bad product at the ECD level, then that poor production continues at the primary level and maybe, even at the secondary level all the way to adulthood. So, it is important and very critical that we have proper structures to lay a good foundation to ensure that children grow up to be responsible citizens who are well educated.

The Bill also talks about harmonisation of curriculum. The fact that this level of education is devolved means that every county may end up having its own curriculum. This is where KICD comes in to standardise and harmonise the curriculum to ensure that whatever is taught in Nyeri County is what applies to Kisumu County, Mombasa County and also Taita Taveta County.

The quality of teachers at that level is wanting. Many times, anyone who could just read and write could be employed as a teacher at that level. There are now standards that talk of who qualifies to be an ECD teacher. It talks of what kind of training she or he ought to have undergone. It talks of the structures and standards of classrooms that are needed for children to be trained.

Clause 39 of the proposed Bill talks of free admission. This will, therefore, remove the burden that had been placed on parents whenever you want to take their children to ECD centres.

Clause 45 talks of KICD harmonising the curriculum and most importantly, as it has been pointed out by my colleague earlier, it talks of identification of special needs in our children. This, therefore, ensures that those children, when they qualify or graduate from ECD to primary school, are placed in a school that caters for their special needs and are not intergrated with other children who may delay their acquisition of education. It is a good piece of legislation.

I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Ekamais, the Member for Loima, kindly have the Floor.

**Hon. Jeremiah Lomorukai** (Loima, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice.

The ECD centres have a critical obligation of ensuring that our children get proper education. If you got to the rural areas, and majorly, parts of northern Kenya, you can hardly trace any proper infrastructure. It would be prudent if this mediated law entrenches issues of the pastoralist communities especially the nomadic people who keep moving from one place to the other. If you go to places like Turkana West, Turkana North or even Loima, nomads keep moving from one particular area to even the other side of the border between us and the districts in Uganda.

Therefore, the children are not getting any education in those particular areas. Therefore, we need to ensure that there are mobile ECD schools that keep on moving with the nomadic communities to the respective areas where they go looking for pasture and water. That would be very critical to have in this very important law. Number two, there should be feeding programmes in ECD centres. If you go to the counties, some counties have built some structures somewhere. However, they have not provided any feeding program. Therefore, it becomes difficult for the people in the northern parts of Kenya to take children to school. Food goes hand in hand with the kind of infrastructure that we put there.

Therefore, building structures and leaving them that way with no food and you expect children to go to school, I think will not improve anything. Both county and national governments are minimally participating in this important process in ensuring our children get quality education. In addition, there is lack of supervision or monitoring. When we build ECD centres across the country, there should be a body that ensures there is supervision to establish whether the children are getting education or not. In some areas, if you get the kind of teachers that have been employed by the county governments to give education to our children down there, in fact, their level is hardly even a level of Standard Eight. Therefore, it will be important to supervise to ensure that even the human resource found there are people of high education and those who have gone to school and know the kind of skills to impart to the ECD children. Those are the most critical things we need to observe in this very important Bill. I take this opportunity to support the Bill. It is timely and it will solve the issues of our young children getting early childhood education. Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Kirima, you have the Floor.

**Hon. Moses Kirima** (Central Imenti, JP): Thank you, Hon. Speaker for giving me this opportunity to contribute to this very important Bill; The Early Childhood Education Bill (Senate Bill No. 26 of 2018). This Bill is timely taking into account that we have not been having a common method of controlling early childhood in Kenya. The previous system was that almost every county, institution, village and every primary school had its own way of how they were doing things compared with this common denominator which had been produced to control or manage the system of managing ECD centres. It is very important because if you look at it, managing a child at an early level instills knowledge, discipline and if there should be a uniform way of doing it as proposed in the Bill.

A number of problems we are facing in Kenya now, especially where people believe in their own tribal cocoons, will not be there. We are going to have a common denominator of how children will be brought up. As it is, the proposals in the Bill are very encouraging. However, as

has been said before, no laws in Kenya, either the Constitution (Amendment) Bill, an Act of Parliament, has been seen to be perfect. There shall be shortcomings here and there. So, the 20 per cent which has been around in Kenya has not always been good and has been attended to later after ten years, and has also been included in this Bill.

As I was looking at it, I found that there is a place in Clause 40 in the Bill which states that a child can only be admitted when they are four to six years, but age should not be a barrier. We have not been informed where the child of three to four years should be by that time. That is the stage we are currently taking children to early childhood education. So, we do not know what happens between year three to year four. At the same time, the responsibility of the parent and guardian has been enumerated here to ensure that a child is registered for the early childhood education and the parents or guardian must do that.

The Bill states the person to assist the child to work in conjunction with the village elders. They are forgetting that there is a 20 per cent... As I am talking, there is a Bill pending before this Parliament about village managers. We said that they should be considered for some little allowance to motivate them so that they can assist in administration of local matters. However, here in this Bill, they have been given more duties than those they had and yet their welfare is not being considered.

So, the 20 per cent which is not very good, when it comes to amending the same after the required period gets finished, I believe we will rectify it. As it is right now, the way it has been put, is to have a common curriculum from one corner of the Republic of Kenya to the other. That is the best because we will have a uniform education system. Also, we are going to have education boards which are going to be common in one way or the other. So, there will be communication between counties to ensure there is uniformity.

This Bill has come at the right time. It is the most important document we have now as pertains to early childhood, so that we can have the best education for our children.

With those few remarks, I support.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Obara Akinyi.

**Hon. (Ms.) Eve Obara** (Kabondo Kasipul, ODM): Thank you, Hon. Temporary Deputy Speaker.

I rise to support the mediated version of the Senate Bill, No. 26 of 2018. As we look at this Bill, let me also state that the degree of neglect in most ECDE) centres is obviously deplorable. All these centres, majority are domiciled within primary schools that are also within our mandate and is an eye sore to primary schools that we have already worked on.

The ECDE has been neglected to a large extent across all constituencies and this can be attested by all constituency MPs. Many times we are forced, because of embarrassment, to ensure, even if it is not within our mandate, that we do something to make it a little bit friendly for the children.

Hon. Temporary Deputy Speaker, a lot that was done, because I was a Member of the Mediated Committee was to align the Bill to the Basic Education Act for the simple reason that there should be no conflict between what is in the Act and what we were recommending.

Further, we were talking about issues of the role of the sponsor and within the Act, it is very clear that we maintain what is contained in the Act which is to provide financial and infrastructural support to the centres.

Secondly, we came out very clearly and said that whether it is a private or public school, KICD should develop the curriculum to be followed for the ECD. The other issue that we touched

on is the qualification for teachers. We must admit that it has been haywire. You find that they are qualified in other areas and in other areas, they are not. What they are paid is different from one constituency to another. It was a total mess. Given that this is the foundation of our children, it is important that all these are aligned so that we standardise the qualification and the salaries that are going to be paid to the teachers.

Finally, let me touch on the mandate of the Cabinet Secretary and the Teachers Service Commission. We came out clearly that there is no conflict between the two, the CS in charge of Education and the TSC.

With those few remarks, I once again support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Wamuchomba, Member for Kiambu.

**Hon. (Ms.) Gathoni Wamuchomba** (Kiambu CWR, JP): Thank you, Hon. Temporary Deputy Speaker, I rise to support the mediated version of the Early Childhood Education Bill (Senate Bill No.26 of 2018) because first of all, as a young mother, I feel like finally we have breathed out because of the very many areas of discrimination that we have seen in our counties when it comes to the administration of ECD.

When I was growing up, we never used to have an entry point to the EDC in Kiambu County. Our parents used to take us to the centres, and all we could do was to stretch out our hands over our heads and attempt to touch the ear on the opposite side of the hand. Hon. Temporary Deputy Speaker, I hope you can see me because Speakers do not see until they are told to look. So I want you to look at me. That was the examination and that was the entry point. You can imagine children who were born with small stamina. You can imagine how long it took them to stretch their hands across the head to touch the ear on the opposite side of the hand. That is to tell you that the children who were born with small stamina, small bodies, little people and children with special needs really were discriminated against for many years. Even in those centres, we do not have experts for children with special needs. Children with special needs are normally dumped in the centres and struggle along the way. Some have difficulties in speech, others in sight and others in hearing. We have not had a county that has come out strongly to tell us that they have enlisted the services of special teachers or special expertise to attend to children with special needs.

So I am very excited because of the harmonisation that has been done through this Bill. Finally, we have hope that children with special needs are going to get special attention through special centres that have been prescribed by the Bill. I have been sympathising with ECD teachers especially in my county. In the previous government we had a campaign to map out teachers that were apparently drinking children's porridge. They were not drinking the porridge, but they were selling the porridge because they did not have salaries to maintain themselves in the centres. It was pathetic. I am grateful now, Hon. Temporary Deputy Speaker, you will allow me to applaud my current governor because he has done something that I do not think any other county has done. He has made sure that all ECD teachers in Kiambu County have been put on permanent and pensionable terms. They have been given a medical cover and on top of that, they have joined a corporate society for ECD teachers in Kiambu County. He has gone ahead and put Kshs1 million as seed capital in that Sacco. That is appreciating the efforts of ECD teachers in my county. How I hope that most of the counties are going to take the cue, do what my county has done, and even do it better, by making sure that every teacher who has been employed to take care of our toddlers has been appreciated in that manner.

As I conclude, I am very excited that this Bill has finally dictated the manner and the methods of making sure that our children have been given a guarantee in health and safety

protection in the structures that they run as ECDE centres. Most of the schools we call ‘ECDE’ centres do not have special facilities for boys and girls when it comes to ablution blocks. So, children do not learn how to use toilets when they are young because they do not have the facilities. When I speak about this, I would want to put it on record that it is so sad that some girls and boys do not know who they are at that level because they do not have facilities where they can be told to differentiate themselves when it comes to reproductive health. I am very excited that this Bill, finally, has come to streamline facilities of health and safety to protect our children and to give them the basics.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Julius Melly.

**Hon. Julius Melly** (Tinderet, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the mediated version of this Bill. This Bill is quite timely and important. As we speak today, we have no clear law on the management of ECDE centres. The Bill actually cuts out on how to manage early childhood education across counties and sets standards.

In Part II, Clause 5, the Bill gives out the rights of the child in especially what every county government has to do pertaining to early childhood education in this country. The Bill goes ahead to obligate county governments to put up structures and buildings and provide the necessary reading and writing materials. The Bill also points out the several duties of parents. Parents have a role, and this is very important especially because this is the formative age of a child. This is the age where the role of the parent is critical. The Bill also sets out the duties of a head teacher. As I speak, many early childhood educational centres are run concurrently in primary schools. So, this Bill tries to streamline that the head teacher within an ECDE centre has a very critical role in the management of the ECDE centres. More specifically, the Bill goes on to show how to assist children with special needs. We have several children who have special needs arising from physical, mental or other forms of impairment.

The Bill is quite important especially on the establishment and registration of ECDE centres. As I speak, most ECDE centres mushroom anyhow. Businessmen build small structures and start ECDE centres. The Bill actually specifies how you can establish an ECDE centre and how you can register it. Especially in Clause 11, it provides how to establish a private ECDE centre. In this case, it gives on the suitability of premises. You have seen instances where certain ECDE centres do not have quality buildings. They stand on very small pieces of land and have very poor facilities. This Bill tries to make sure that such ramshackle kind of buildings are not allowed.

Hon. Temporary Deputy Speaker, even on the change of premises, it has been known that certain ECDE centres migrate - let me use that word - or are very mobile. You will just find them on street “A” today and next time you will find them on street “B.” This Bill is very clear that you cannot move an ECD centre from one place to another without permission. However, the Bill provides for mobile ECD centres for ASAL areas. County governments in ASAL areas are supposed to provide mobile ECD services. Centres that do not meet the standards that are set out in the Bill are supposed to be deregistered and cancelled. The Bill provides for that.

This Bill is very vital, especially in running early childhood education centres across the country. In Clause 30, the Bill provides for the management of ECD centres. It has also come up with the establishment of boards of management. Currently, primary schools, secondary schools, colleges and universities have boards of management and councils. The ECD centres do not have that. This is very important. The Bill also lays out the composition, functions and committees of the board and the parent-teacher association (PTA).

On the administration of ECD centres, the Bill has also specified the available resources so that across the country, from Lamu to Turkana, Kisumu to Mandera, all ECD centres must have a set curriculum. This curriculum should be developed by the Kenya Institute of Curriculum Development.

The Bill also talks about prohibition of exams to admit a child to an ECD centre. This particular Bill is quite important because it brings in the role of regulators and even the role of the Cabinet Secretary and the Teachers Service Commission (TSC).

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Very well. Your time is up. Hon. Members, this Bill is time-specific. The time for debating the Bill is over. Now it is time for the Mover to reply. Mover, there are two Members, Hon. Muchangi and Hon. Ibrahim, who did not get a chance to speak to this important Bill. If you are gracious enough, you could donate a few minutes to them, but it is your time.

**Hon. Ngunjiri Wambugu** (Nyeri Town, JP): Thank you very much, Hon. Temporary Deputy Speaker. Since I am feeling sufficiently philanthropic, I will give Hon. Muchangi and Hon. Ibrahim two minutes each and then I will close.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Ibrahim.

**Hon. Ibrahim Ahmed** (Wajir North, ODM): Thank you, Hon. Temporary Deputy Speaker. Thanks to the Mover because this was an important Bill that I wanted to speak to.

I also agree with my colleagues that this is a really important Bill. There is need for us to develop uniformity, not only in buildings, but also in curriculum development, with regards to early childhood education centres. This is a very important stage for any child. In fact, it is very important in the development of the child's brain, as well as preparing the child for school and real life. This is the stage at which a child will have the chance to interact with others and learn.

One of the important things that is taught at early childhood level is the story-telling session. This really prepares the child. The haves and the have-nots learn to be equal. This is the stage at which a child can learn issues related to arithmetic and mathematics. It is the stage at which a child can develop his vocabulary. This Bill will give some direction with regards to both curriculum development and classroom construction.

That said, it is important that those in northern Kenya invest a lot in terms of mobile buildings because we live the pastoral way of life and there is need to reach those populations out there. Currently, the illiteracy level is more than 85 per cent. There is need for governors to hit the road to ensure that the illiteracy level is reduced at the early stage where the child is developing by ensuring that mobile ECD centres are established in all the areas and the same benefits those populations.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Muchangi.

**Hon. Eric Njiru** (Runyenjes, JP): Thank you, Hon. Temporary Deputy Speaker for this opportunity to add my voice.

From the onset, I support this Bill. This is the most important stage in a child's life in the area of education. There is need for us to standardise the manner in which early childhood education is managed in this country.

You will find that one county manages ECDE differently from another. That does not give all the children in this country an equal playing ground in this area. This law comes at a very important time, so that we can have a clear law that will guide the establishment of ECD centres that will eventually give us and the Government an opportunity to manage them in the right way.

Hon. Temporary Deputy Speaker, I support. Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Ngunjiri, you have four minutes.

**Hon. Ngunjiri Wambugu** (Nyeri Town, JP): Thank you very much, Hon. Temporary Deputy Speaker. I will first start by appreciating all Members who have contributed to this particular Bill. It was interesting to note that literary everybody who stood up supported this Bill. As a Committee, this is something that we are really grateful for.

I want to appreciate every single contribution, including from my colleague and friend, Hon. Rono, who also took the opportunity to make his contribution to congratulate Elgeyo/Marakwet County Assembly for not passing the Constitution of Kenya (Amendment) Bill. I guess this allows me to also congratulate the Nyeri County Assembly and the other 42 county assemblies that passed the Bill. One of the things I appreciate about this particular Bill is that we, as a country, have this habit of assuming that education starts from Grade One or Standard One. We forget that there is that portion that Hon. Gathoni spoke about where in the past, you used to use your hands to measure whether you were ready to go to school. This Bill gives us an opportunity to standardise pre-primary education across the country. It provides a situation where we are not only creating basic infrastructure, but we are also creating a legal framework under which county governments can work because ECD education centres are within their mandate.

The other thing that this Bill has done that is also very important is that it has put it categorically that young children have a right to free and compulsory early childhood education. We have standardised the curriculum of pre-primary education. I know that a lot of pre-primary institutions run their curriculum. They decide what they want to teach the children and some spend the whole day playing. We now have a structure where if you are running an ECD facility, there is a curriculum that you are supposed to follow.

The Bill will standardise the teaching resource capacity by ensuring that teachers who work in these institutions pass through the Teachers Service Commission. We have also provided a structure of ensuring that quality assurance is being done. We will ensure that these children who will go to Grade One under the new system and everything else that they do follow a process that connects them to the next level of education and all the way forward.

Finally, this Bill provides a safe environment for children by ensuring that the institutions that are set up have basic safety measures, for example, firefighting equipment and teachers who are trained on first aid. This is very important because we are dealing with children who are very sensitive.

I want to appreciate the contribution of the Mediation Committee both from the Senate and National Assembly. As you heard from Hon. Obara, there is quite a bit of work that went into this particular Bill. I also want to appreciate the leaders of the Departmental Committee on Education and Research because they also put in quite a bit of work into this particular Bill. I also want to appreciate your office and the office of the Clerk for technical support, leadership and guidance to ensure that we bring this Bill to a closure. As we look forward to this Bill being made into law, we know that our children will be in a better place. We will have contributed very well to the education of our children as we move our education system forward.

I beg to reply.

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Very well. Hon. Members, we shall pend putting the Question on that particular Bill to the next time it will be scheduled by the House Business Committee.

Hon. Members, the time being 6.30 p.m, this House stands adjourned until this evening at 7.00 p.m.