



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Tuesday, 13th February 2024

The House met at 2.30 p.m.

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

PRAYERS

Hon. Speaker: Order, Hon. Members. I can see that we have quorum on day one. Congratulations.

(Applause)

Members at the back, take your seats. Member for Webuye East and Hon. Gacheri, take your seats.

Hon. Members, I have a short Communication to make.

COMMUNICATIONS FROM THE CHAIR

LAPSE OF CERTAIN BUSINESS NOT CONCLUDED IN THE SECOND SESSION AND RECONSTITUTION OF SESSIONAL COMMITTEES

Hon. Members, I wish to welcome you back to the House for the Third Session of the Thirteenth Parliament. It is my hope that after a well-deserved break, you are now rejuvenated and ready to embark on the business that lies ahead of us in this Session. I also hope you had time to enjoy the Christmas and New Year festivities with your families and that, during the period, you also got an opportunity to interact with your constituents on matters development.

Reflecting on the last Second Session, it is gratifying to note the immense business that was transacted by the House. Notably, a total of 69 Bills were introduced in the House, out of which 17 were passed and assented to. Out of those, I would like to single out the National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 13 of 2023) and the National Lottery Bill (National Assembly Bill No. 69 of 2023), which were passed on 6th December 2023. I wish to inform you that His Excellency the President assented to the two Bills on 11th December 2023, and the Acts are now in operation.

Hon. Members, apart from legislation, the House also adopted 179 Motions on various subject matters, including school feeding programmes, access to healthcare in the country, road safety, cost of electricity and investment incentives in the country, as well as social protection measures. Further, 543 Questions were processed; covering diverse topics such as the cost of living, national security and sports management. Moreover, 114 Petitions were received, out of which 54 were presented to the House.

With regard to various committees, 151 reports were tabled. The reports were on various matters including Bills, vetting of persons for appointments to various State offices, statutory instruments, inquiries, and petitions. The House also received and considered reports of the Auditor-General on the examination of accounts of the national Government and various State corporations. Those reports and other papers form part of the 2,260 Papers that were laid on the Table of the House last Session.

Having said that, I wish to bring to the attention of the House the fact that, in accordance with the Standing Orders, certain businesses that were not dispensed with at the end of the Second Session have now lapsed. This includes all motions, statements, questions and some Bills.

With regards to the lapsing of Bills, I wish to draw the attention of the House to the provisions of Standing Order 141(2)(b), which provides as follows and I quote –

“A Bill that has been published, read a First Time or in respect of which the Second Reading has not been concluded—

(b) at the end of two consecutive Sessions of the same Parliament shall lapse at the end of the second Session and may be republished in the same or different form in accordance with Standing Order 114 (Introduction of Bills).”

Consequent to the said provision, the Equalisation Fund Bill (National Assembly Bill No. 47 of 2022) sponsored by the Member for Tiaty, Hon. William Kamet, MP, lapsed.

Regarding Questions, Hon. Members, I am aware that, at the end of the Second Session, 281 Questions were transmitted to cabinet secretaries. 125 Questions were responded to, leaving 156 Questions awaiting response from respective cabinet secretaries.

In this regard, where a Member is still desirous of obtaining a response to the transmitted Question(s), I will permit the Leader of the Majority Party to prioritise such Questions when scheduling the appearance of cabinet secretaries before the House. Members are, therefore, advised to visit the Questions Office to formally indicate such desire by close of business on Thursday, 22nd February 2024. All other Questions that had not been transmitted to cabinet secretaries, constitutional commissions and independent offices have lapsed. However, the concerned Members are at liberty to re-file them afresh if they so wish.

Having laid out the procedure for the re-introduction of lapsed business, I now direct that any committee or individual Member wishing to re-introduce any such business do so in accordance with the Standing Orders and our parliamentary practice. Hon. Members who may not be clear on the procedure are advised to visit the Table Office for assistance.

As we commence this Session, it is my sincere hope that the House will build on its impressive performance in the Second Session to gain traction for an even better performance in the Third Session.

I also wish to draw the attention of the House to the fact that, there are several Committees whose term lapses with the Session. These are the House Business Committee, the Committee of Powers and Privileges and the Committee on Members’ Services and Facilities. Consequently, the three Committees ought to be reconstituted.

Indeed, as you have noticed in today’s Order Paper, the House is scheduled to consider a Motion under Order No.8 on the reconstitution of the House Business Committee. Once approved, the House will adjourn to allow the Committee to meet and schedule business for the remainder of the week starting from tomorrow morning.

Further, I take this opportunity to urge the Committee on Selection to expedite the nomination of Members to serve in the other two remaining committees for consideration by the House.

You may also recall that on 21st November 2023, I directed the Clerk to designate a suitable place in the restaurant within the Main Parliament Buildings for exclusive use by Members of Parliament. This has not only been done but, in addition, some renovation works have since been undertaken in the Members’ Restaurant and Lounge.

The improvement of the facilities, which extended to the Main Chamber and other parts of the National Assembly Buildings and its courtyards, are intended to provide proper facilities to facilitate you to carry out your constitutional mandate in a suitable environment.

Hon. Members, you will further recall that on the same 21st November 2023, I directed the Clerk to circulate to all Members the Revised Members' Rules for the Members Restaurant. I now instruct the Clerk to publish the Rules and instruct, alongside the Clerk of the Senate and the Director-General, to ensure they are enforced. I also urge all Members to observe the said Rules, particularly Rule Three (Sitting Restrictions), Rule Four (Admission of Visitors), Rule Five (Dress Code), Rule Six (Conduct of Members) and Rule Seven (Conduct of Visitors).

In conclusion, as we embark on the legislative agenda of the National Assembly for the Third Session, I urge you all to carry out the sacrosanct duty of being the representatives of the people with all dedication.

I also wish you success, individually as Members and collectively as a House, as you carry out this noble national duty for the welfare of our people.

I truly wish that from now on, we will have no quorum hitch at the beginning of every Session of the House.

Thank you.

(Applause)

(Several Members walked into the Chamber.)

Members at the back, take the nearest seats.

(Hon. Junet Mohamed greeted several Members while entering the Chamber)

Hon. Junet, the nearest seat excludes greeting your colleagues

(Laughter)

(Several Members walked into the Chamber)

(Hon. (Dr) Otiende Amollo rose on a point of order)

Members at the back, take the nearest seats. Senior Counsel, hold your horses.

(Several Members stood in the walkway)

Hon. Members, take your seats. Order. Those who are in the walkway, freeze where you are.

(Hon. Amina Siyad walked in the gangway)

Hon. Udgoon, I am sure by now you know that when the Speaker is on his or her feet, no Member is allowed to walk around. Instead, you freeze wherever you are.

Hon. Members, I have a short Communication to recognise a Visiting Delegation from the National Assembly of Zambia.

COMMUNICATION FROM THE CHAIR

DELEGATION FROM THE NATIONAL ASSEMBLY OF ZAMBIA

Hon. Speaker: Hon. Members, I wish to introduce to you a delegation from the National Assembly of Zambia comprising of the First Deputy Speaker, Hon. Chisongano Malungo, MP and the Second Deputy Speaker, Hon. Moyo Moses Frank, MP.

Hon. Members, the delegation is accompanied by six officers of the National Assembly of Zambia led by the Deputy Clerk, Mr. Stephen Kawimbe.

The delegation is in the country on a study visit to benchmark the mental health practices and policies that the Parliament of Kenya has put in place for Members and staff. The delegation seeks to learn ways of addressing systemic challenges and mitigation measures on mental health at the workplace.

Hon. Members, on my behalf and that of the National Assembly, I welcome them to the Parliament of Kenya and wish them fruitful engagements during their stay.

I thank you.

(Applause)

Hon. (Dr.) Otiende Amollo (Rarieda, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Senior Counsel, Hon. Otiende Amollo.

(Several Members walked into the Chamber)

Hon. (Dr.) Otiende Amollo (Rarieda, ODM): Hon. Speaker, as the other Members make their way to the Chamber, I rise under Standing Order 1, as read with Standing Order 29.

(Hon. Wanami Wamboka walked into the Chamber)

If Hon. Wamboka Wanami will take his seat, I will prosecute my point shortly. Hon. Speaker, Standing Order 1 gives you the discretion to direct on any matter not expressly provided for. Standing Order 29 allows a Member or Members to request the Leader of the Majority Party or the Minority Party for a special sitting. As you may recall, a significant number of Members, totaling 41, requested a special sitting to discuss the very important matter of the non-disbursement of funds in this country.

(Applause)

That Communication was issued on the 1st of February and was duly copied to your Office. Today, we have resumed our regular Sittings, but without a response or direction on that request. The first point of direction is for you to guide on this; in a case where Members, who are the ones to sit, request a special sitting and it is not constituted, how should that request be treated?

Secondly, we need your direction on another important matter. On the 5th of December 2023, at the continued push by Members, you issued a Communication having been given information that the funds would be disbursed before the end of December. That was on the 5th of December. It now appears that the Cabinet Secretary for the National Treasury may have misled our Speaker.

(Applause)

In the event that a Cabinet Secretary who is answerable to this House misleads the leader of this House, how should we treat that?

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I know we are yet to constitute the House Business Committee, but this is an important matter and we need direction. This is because the directions we take may as well constitute our consideration of whether the proposal by the House Business Committee is appropriate or not.

(Applause)

Hon. Speaker, with respect, I do not imagine what other businesses we can be discussing when students are at home because we have not disbursed those funds. Without that, I think this Sitting should be suspended until further notice. Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Order, Hon. Members. Hon. Otiende Amollo, Senior Counsel, you have a legitimate point, but your prescription is unnecessarily drastic. We can resolve the issue without suspending our Sitting, particularly on day one when we want to facilitate you to move the Motion, if you wish, for Members to debate.

Firstly, your letter was addressed to the Leader of the Majority Party and the Leader of the Minority Party. It was only copied to the Speaker. Therefore, it is those two leaders who would have then motioned the Speaker to call for a special sitting. None of them did.

(Loud consultations)

Order, Hon. Members! It is not within the Speaker's competence to call for a special sitting. It is within the Speaker's competence to convene a special sitting when he has been motioned by a Member, and it is the Leadership. That is now water under the bridge. We are sitting anyway. We can allocate you an opportunity at an appropriate time, but not today, so that you can discuss this important issue. Today is the first day...

(Hon. Charles Nguna spoke off the record)

Order, Hon. Charles Nguna Ngusya (CNN). I am sure you know the Standing Orders. Today being the first day, we do not have a House Business Committee and so, no business has been approved and designated to be transacted. Under Standing Order 1, today, after we clear the Motion on the House Business Committee, I will only exercise my discretion to allow the County Woman Representative for Elgeyo Marakwet to make a statement on the tragedy that befell one of our most rising athletic stars. It will be a very short statement. I have approved it.

For the National Government Constituencies Development Fund (NG-CDF) issue, if you wish, you can file a motion of adjournment tomorrow, and I will give you time to debate. However, before we do that, we will allow the Leader of the Majority Party to make a statement on the issue of disbursement of NG-CDF tomorrow.

I saw a letter written to the Speaker from the National Treasury and passed it on to the Clerk. It details how the National Treasury intends to disburse your NG-CDF funds and conclude before the next Financial Year. This is just like they did last year. As to the timings, it is administrative. I will leave it to the Leader of the Majority Party, who is your interface with the Government, to handle and report to the House tomorrow morning. It is so directed.

Yes, Hon. Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Speaker. I rise to seek your clarification on the communication that you gave, especially on the lapse of business. This is

specific to questions. Since this is a new model where the cabinet secretaries come here and answer questions, I would like to seek clarification on this: What happens if you file a question and there is no other interest? I say that because I filed a question to the Cabinet Secretary for Gender, Culture, Arts and Heritage in April last year, but there has been no other Member interested to warrant the Cabinet Secretary to come. Why would I be disenfranchised as a Member because I was queuing actually to kill that business, yet it was not responded to? I would like your clarification on that.

Hon. Speaker: Leader of the Majority Party, you have heard what the Member for Gilgil has said; bringing cabinet secretaries to this House should not depend on the number of questions filed. Give each dog an opportunity to have a bite. You should bring cabinet secretaries regardless of the number of questions. Each cabinet secretary should come and face the House. Supplementary questions may arise therefrom but, of course, priority goes to those with heavy and many questions. For those with one question like Hon. Wangari, you can have them in for 15 minutes, they conclude, and you move to cabinet secretaries with more questions.

Hon. Junet Mohamed (Suna East, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Junet, do you have a point of order? Go ahead.

Hon. Junet Mohamed (Suna East, ODM): I am fully guided by your direction on the earlier matter of the NG-CDF...

Hon. Speaker: Yes.

Hon. Junet Mohamed (Suna East, ODM): You are also right that we need to have the House Business Committee so that we can do the business of the House. However, if I may bring it to your attention, the Members fear that the Executive will not honour their word once the House gets into business as it is supposed to be. They will not keep their word. It will be business as usual.

(Applause)

One of the reasons why the Members are raising this matter ahead of the House Business Committee's constitution is to paralyze the House so that Members can get their NG-CDF funds on time and money can be released to those accounts.

I do not know how that fear will be allayed. If we go back to business as required because this is the first day of our Sitting, then it will be business as usual, even to the Cabinet Secretary for the National Treasury. He will assume that Parliament is now sitting normally. What is this message that we can send to him that we are serious on this matter and we will not relent?

As a Whip, I bring it to your attention that the Members have agreed to paralyze the House once and for all. Do not allow the House Business Committee Motion to be moved until the money is released to the NG-CDF account.

(Applause)

Hon. Speaker: Hon. Junet, you know that one of the most important components of strategic thinking is choosing your battles very carefully. If you want to do what you are saying, then paralyze a properly constituted House. There is no point in paralyzing a House that is not a 'House' yet. If you do that, when you want to frog-march the Cabinet Secretary here to flog and grill him and do whatever you want with him, he cannot come because you will not be properly constituted. So, choose your battles very carefully. I have a letter that I will share with the Leader of the Majority Party and the Leader of the Minority Party from the Cabinet

Secretary dated 9th January 2024 to the Speaker, detailing how they intend to disburse your funds. It is now up to them to do a follow-up. I will ask the Clerk to pass it on to them.

(An Hon. Member passed a letter to the Clerk-at-the Table)

The Speaker is not in the habit of reading letters written to him on the Floor of the House. The letter will be shared between the Leader of the Majority Party and the Leader of the Minority Party. After we conclude the House Business Committee Motion, I will give them more direction on what to do.

Yes, Dr. Makali Mulu.

Hon. (Dr.) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Speaker. I start by wishing you and all the Members a happy New Year. We agree with your direction, and we will respect it, but I think it is also important to learn the lessons. On 5th December, as the head of this independent institution called Parliament, you communicated to this House that we would get the NG-CDF funds in our accounts by 20th December. So, even as we support you, our concern would be a situation where the Speaker, the head of this institution, will keep giving official communication to this House, and the letter and the spirit of that communication is never respected. We want to agree with you that whatever we have will continue, but it is very important that whatever you communicate to us as our boss is respected by all other authorities in this country.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you. I think we should...

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

Hon. Speaker: Hon. KJ, is it on the same issue?

Hon. John Kiarie (Dagoretti South, UDA): Hon. Speaker, I wish to rise under Standing Order 1. I would require your attention. I am rising under Standing Order 1 to invoke your discretion. I want to ask you to call this House to order and get on to the procedural business that we need to do so that we can constitute it properly. This is because everything that we discuss now holds no water.

(Loud consultations)

In fact, it is an effort in futility to go into a debate before we have constituted the House properly. I am pleading with you to use your discretion and get into the business of the day so that we can constitute the House properly. This ensures that any business we prosecute will be properly and procedurally before the House.

Thank you very much, Hon. Speaker.

Hon. Speaker: Thank you. Next Order.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Speaker. I wish to welcome all Members back to the House.

I beg to lay the following Papers on the Table:

1. Legal Notice No.170 of 2023 relating to the Capital Markets (Alternative Investment Funds) Regulations, 2023, and the Explanatory Memorandum from the National Treasury;

2. Legal Notice No.171 of 2023 relating to the Capital Markets (Credit Rating Agencies) Regulations, 2023, and the Explanatory Memorandum from the National Treasury;
3. Legal Notice No.172 of 2023 relating to the Capital Markets (Public Offers, Listing and Disclosures) Regulations, 2023, and the Explanatory Memorandum from the National Treasury;
4. Legal Notice No.173 of 2023 relating to the Capital Markets (Collective Investment Schemes) Regulations, 2023, and the Explanatory Memorandum from the National Treasury;
5. The Public Procurement Capacity Building Levy Order 2023, from the National Treasury;
6. The proposed Public Private Partnerships Regulations 2023, from the National Treasury;
7. Report of the Auditor-General and on National Government for the Financial Year 2022/2023; and,
8. Performance Audit Report on Conservation of Heritage Sites by National Museums of Kenya for February 2024 from the Office of the Auditor-General.

I thank you, Hon. Speaker.

(Loud consultations)

Hon. Speaker: Thank you, Leader of the Majority Party. Next Order.

QUESTIONS AND STATEMENTS

Hon. Speaker: Hon. Members, let me allow Hon. Ng'elechei to make her short Statement. When she finishes, I will give three from either side to eulogise the late Kelvin Kiptum and, thereafter, we go to the next Motion.

STATEMENT

UNTIMELY DEMISE OF WORLD MARATHON RECORD HOLDER, MR. KELVIN KIPTUM

Hon. Caroline Ng'elechei (Elgeyo Marakwet CWR, Independent): Thank you, Hon. Speaker for giving the people of Elgeyo Marakwet this opportunity.

Hon. Speaker, Members will recall that on 12th October 2023, I rose under Standing Order 259(d) to notify the House of the great achievement of Mr. Kelvin Kiptum who had on 8th October 2023 broken the world record.

(Loud consultations)

Hon. Speaker: Order, Hon. Members! Order, Whips of the Minority and Majority Parties! Can we listen to Hon. Ng'elechei with some reasonable degree of silence? I know there is exuberance of post-holiday...

(Laughter)

Go on, Hon. Ng'elechei.

Hon. Caroline Ng'elechei (Elgeyo Marakwet CWR, Independent): Hon. Speaker, pursuant to the provisions of Standing Order 43, I wish to make a Statement regarding the untimely passing on of a Marathon World Record Holder, Mr. Kelvin Kiptum on Sunday 11th February 2024.

Hon. Speaker, Members will recall that on 12th October 2023, I rose under Standing Order 259(d) to notify the House of the great achievements of Mr. Kelvin Kiptum who had on 8th October 2023 broken the World Marathon Record at the Chicago Marathon, thus becoming the fastest Marathoner in the World with a time of two hours and 35 seconds. Indeed, the tribute of the House to the national hero were recorded with great compliments.

Hon. Speaker, it is, therefore, with a heavy heart that today, the nation mourns the loss of this great Sportsman following a tragic road accident on 11th February 2023. At the young age of 24 years, Mr. Kiptum had achieved what many athletes would only dream of. He had successfully conquered Valencia, Chicago, London Marathon among other top competitions to which he has left a triumphant legacy as the fastest marathoner of his time.

Indeed, it was expected that this conquering sequence would be replicated in the upcoming 2024 Olympics. Mr. Kiptum's narrative transcends the mere passage of time standing as a testament of his unyielding determination and unwavering fortitude. He was a beacon of hope not only to the people of Chepsamo Village, Kaptarakwa Ward, Keiyo South Constituency, Elgeyo Marakwet County, but the entire country and beyond.

I take this early opportunity to condole with the family and friends of the late Kelvin Kiptum, the athletics fraternity and the people of Kenya at large, for the loss of the extraordinary sportsman.

Hon. Speaker, with your indulgence, may I request that we all stand to observe a minute of silence in honour of the departed sportsman.

Hon. Speaker: Order, Hon. Members. Can we all be upstanding and observe a minute of silence in honour of the young hero.

(Members observed a minute of silence)

Hon. Caroline Ng'elechei (Elgeyo Marakwet CWR, Independent): May his soul rest in eternal peace.

Hon. Speaker: Amen.

Hon. Members: Amen.

Hon. Caroline Ng'elechei (Elgeyo Marakwet CWR, Independent): Thank you, Hon. Speaker.

Hon. Speaker: Hon. Ng'elechei, you have done the Speaker's job.

(Laughter)

Hon. Speaker: I will now allow three on either side. Member for Keiyo South.

Hon. Gideon Kimaiyo (Keiyo South, UDA): Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Gideon.

Hon. Gideon Kimaiyo (Keiyo South, UDA): I join my colleague, the Woman Representative for Elgeyo Marakwet, in mourning the demise of Kelvin Kiptum.

Hon. Speaker: Take two minutes.

Hon. Gideon Kimaiyo (Keiyo South, UDA): Hon. Speaker, Kelvin Kiptum comes from my constituency in a village called Chepsamo and we are actually neighbours at home. I knew Kelvin Kiptum personally. We have interacted. He was a member of the athletics community in my constituency and we were planning great things together. We sympathise and mourn with the family, his spouse and parents. Kelvin was the only son and the only child.

We mourn with Keiyo South Constituency. I lead the constituency in mourning the death of Kelvin. As we do so, some actions must be taken by the Ministry of Youth Affairs, Creative Economy and Sports. We remember the death of Wanjiru, who was a promising star who died at the age of 24, the same way as Kelvin Kiptum among others, including the lady who was killed in Iten under mysterious circumstances. We, therefore, call upon the Ministry of Youth Affairs, Creative Economy and Sports to take our athletes seriously. That is because some of them are young and have promising careers. But they are left on their own. When they are out there representing Kenya, we all celebrate. But once they are within, we neglect them. We must ask the Ministry to support our athletes.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Jalang'o, Member for Lang'ata.

Hon. Phelix Odiwuor (Lang'ata, ODM): Thank you so much, Hon. Speaker. Lang'ata Constituency joins the whole country in mourning the death of Kelvin Kiptum, a rising star. It is so sad that he was supposed to represent the country in the 2024 Olympics in Paris, France. Even as we mourn the death of Kelvin, having listened to what his father said, I think there should be thorough investigations of what actually caused the accident. Apart from that, we need and request that our athletes be treated as VIPs and given security. All our top athletes who represent this country and bring the accolades are always just celebrated immediately they get their medals and after that, they are forgotten. We kindly request that a thorough investigation be done to establish the cause of that accident that led to his death.

Thank you, Hon. Speaker.

Hon. Speaker: *Mama ZamZam.*

Hon. Zamzam Mohammed (Mombasa CWR, ODM): Ahsante sana. Mhe. Spika. Na mimi kama Mama Mombasa nachukua fursa hii kutoa rambirambi zangu za pole pamoja na wakaazi wa Mombasa kwa familia ya Kelvin Kiptum. Alikuwa ni shujaa na kijana mahiri katika mbio. Ningependa pole zangu zimfikie baba yake ambaye alilia sana kwa uchungu akisema ni mtoto wake wa kipekee. Alisema kuwa watu asiyewafahamu walienda kwake na kujitambulisha kuwa walitumwa kutoka sehemu fulani. Napiga pondo nikisema hili jambo lichunguzwe pengine kuna mkono wa mtu.

Ningependa kuwakumbuka pia na mabinti wetu ambao wameuliwa hivi karibuni. Natoa rambirambi zangu kwa familia zao. Naiomba Serikali iangalie vifo hivi vinavyotokea maana ni vya kusikitisha sana.

Ahsante sana, Mhe Spika.

Hon. Speaker: Member for Endebess.

Hon. (Dr.) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker, for allowing me to join my colleagues in sending a message of condolences to the family of our athlete, the late Kelvin Kiptum.

Hon. Speaker, this is a very sad moment for our country and for a young man at the age of 24 losing his life before his prime. What I would urge the Ministry of Youth Affairs, Creative Economy and Sports to do, is that we need to have a culture or a format in which we are able to counsel our athletes. We should make sure that we advise them once they qualify to become good athletes. They can be guided so that they live in a better way. Sometimes, you look at some of the athletes who have made this country great, but their lifestyles later after many years of doing very well, making a lot of money for themselves and the country, end up in a miserable state. We need to guide them on how they can invest and make a better life for themselves later on. We have seen some who have been successful. Recently, some even put up the Lewa Village in Eldoret, which is a very innovative way of investing for retirement. I, therefore, join my colleagues in saying *pole sana* to the family of Kelvin Kiptum for losing their only son and to my colleague. Also *pole* to the Member for Keiyo South for the loss of his constituent.

Hon. Speaker: Hon. Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker. I want to take this opportunity on behalf of the young people of Kenya to express my sincere condolences to the family of Kelvin Kiptum and to his Rwandese Coach who also perished in the same road accident. I just want to join my colleagues... Even as we say *pole* to the family having lost a dependant... This goes back to the question Hon. Martha Wangari raised. We raise questions here concerning the nature of the insurance and the life insurance of our sportsmen so that their families can benefit.

Secondly, I express my condolences to the people of Kenya. In the last two days, we have seen a lot of insensitive information going around on social media. I want to urge my fellow Kenyans not to jump to conclusions. They should be very careful in terms of what they say to avoid being insensitive and unfair to the family.

Hon. Speaker, once again, my sincere apologies to the family and my colleagues the Member for Elgeyo Marakwet County and Member for Keiyo South Constituency.

Thank you, Hon. Speaker

Hon. (Dr.) John K. Mutunga (Tigania West): Thank you, Hon. Speaker, for giving me the opportunity to also pass my condolences to the family of Kelvin Kiptum. That young man was on top of the world, having worked his way through. He also encouraged many Kenyans when he flew our flag in the countries where he won those marathons. This made Kenyans proud because he put our country on the map.

As we mourn that young man and great leader of marathons, I call upon Kenyan athletes to work and practice very hard to maintain his position because it is ours. I pass my condolences to the family, friends and neighbours of that fallen hero.

Thank you, Hon. Speaker.

(Hon. Timothy Kipchumba consulted with Hon. Speaker)

Hon. Speaker: I had promised three from each side will speak and we have done that. I think we can stop there. Hon. Tim, you will speak another time.

Let us go to the next Order.

MOTION

Hon. Speaker: Leader of the Majority Party.

APPOINTMENT OF MEMBERS TO HOUSE BUSINESS COMMITTEE

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. First, I take this opportunity to say happy new year to all Members and welcome them back to the House this good year, 2024. As you indicated, I pray that the House will always quorate just like this afternoon. As you noted today, even Hon. Junet was right on time unlike last year. I want to believe this year he is a changed man.

Hon. Speaker, allow me to congratulate you as the Chairman of the Parliamentary Service Commission (PSC) for the good work you have done around the precincts of Parliament. Right from the gate, as we drove in, we could not fail to notice the changes. Hon. Speaker, previously, as you walked into this Chamber, having in mind your skin complexion is not very dark, we could struggle to see you. Now, we can clearly see you. The lighting above your seat is quite impressive and so is the lighting in the Chamber. I also noticed that, at times, you struggled to be heard because of the height of the microphone on your desk. But you are now quite audible from where you stand.

Congratulations, Hon. Speaker. I hope the Clerk of the National Assembly and the Clerk of the Senate, who is the Secretary to PSC, will endeavour to maintain these standards. Even as these facilities age, repairs and maintenance should be done occasionally when the House is not sitting.

Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order 171(1)(f), this House approves the appointment of the following Members to the House Business Committee in addition to those specified under paragraphs (a), (b), (c), (d) and (e)

– Hon. Omboko Milemba, CBS, MP;

1. Hon. Robert Mbui, CBS, MP;
2. Hon. Hon. Faith Wairimu Gitau, MP;
3. Hon. Samuel K. Chepkong’ a, CBS, MP;
4. Hon. Adan Wehliye Keynan, CBS, MP;
5. The Hon. Tom Joseph Francis Kajwang’, MP;
6. The Hon. Sarah Paulata Korere, MP;
7. The Hon. Joshua Mbithi Mwalyo, MP; and,
8. The Hon. Umul Ker Kassim Sheikh, MP.

It is required that these nine Members, in addition to those already provided for under our Standing Orders by virtue of the offices they hold, be nominated by political parties and approved by the House, at the commencement of every Session as you indicated. This being the beginning of a new Session, we are bound to approve these Members. Hon. Members should note that the membership of the Committee has remained as it were in the last Session. As the House leadership, we thought this will ensure there is some institutional memory of the Committee and its operations as we begin this New Year.

I, therefore, urge the House to approve these Members so as to kick-start the very important business that is scheduled for this Third Session and the overall fulfilment of our constitutional mandate as the peoples’ representatives.

Hon. Speaker, with those few remarks, I beg to move. I ask my counterpart and good friend, Hon. Opiyo Wandayi, the Leader of the Minority Party, to second the Motion for approval.

Thank you, Hon. Speaker.

Hon. Speaker: Good friend, the Floor is yours.

(Laughter)

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you very much, Hon. Speaker. As I second the Motion, I take this opportunity to welcome my fellow Members back to the House after a fairly long recess. It has enabled us to interact with our constituents and Kenyans in general.

Hon. Speaker, this past recess enabled me to visit your constituency. I was hosted by Hon. Tim Wanyonyi in Kanduyi Constituency. I am sure this is an indication that, perhaps, when I come next time, you will host me.

Hon. Speaker: You are most welcome.

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you, Hon. Speaker. The recess also gave us an opportunity to know ourselves and colleagues better. I must acknowledge that during the recess Hon. Wanami Wamboka, Member for Bumula Constituency, struck me as a very fearless defender of the people.

(Applause)

He is a man to watch not only in Bungoma, but the entire nation. I must congratulate him for remaining steadfast.

We need to approve this list of nominees to the House Business Committee so as to embark on our business in earnest. Especially, the business of the National Government Constituency Development Fund (NG-CDF). Hon. Speaker, I heard your counsel and advice to Hon. Junet a while back. If I take cue from what you said, the matter of NG-CDF and the National Government Affirmative Action Fund (NGAAF) is so serious that it cannot be wished away.

Hon. Speaker, let me give notice. Like you and Hon. Ichung'wah, these Members are our electors. Our constituency is here. I sense the mood prevailing is such that, even if we pass this Motion, the first business after its passage - and not tomorrow morning because ordinarily there is not so much work. But tomorrow afternoon at 2.30 p.m., if we are not told that monies have been disbursed to the NG-CDF Committee's accounts in the constituencies, and in the absence of a satisfactory explanation. I think it will be fair to totally pend business from that time until such a time when we shall be convinced.

(Applause)

Hon. Musa Sirma, the Chairman is looking at me. Please, let us not get there. The National Treasury has got time between now and tomorrow 2.30 p.m. to remit NG-CDF and NGAAF monies to respective accounts. So, when we come here tomorrow and such remittances are not confirmed, then the law of nature will take its course.

Hon. Speaker, with those remarks, I second.

(Loud consultations)

Hon. Speaker: Order, Hon. Members. Can I put the question?

Hon. Members: Yes.

(Hon. Jared Okello spoke off the record)

Hon. Speaker: Hon. Okello, when the Speaker is making a communication, you are duty-bound to remain silent.

(Hon. Jared Okello spoke off the record)

(Laughter)

Hon. Speaker: You are now causing even more problems.

(Question put and agreed to)

Hon. Speaker: Hon. Members, you may now be upstanding.

(Hon. Members stood up in their places)

ADJOURNMENT

It is the end of our business today. All the Members who have been approved by the House as Members of the House Business Committee should meet in Committee Room No. 9 in the next 10 minutes to program the business of the House.

Hon. Members, we now stand adjourned until tomorrow, Wednesday, 14th February 2024 at 9:30 a.m.

The House rose at 3:28 p.m.

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