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Paper laid

By Hon. Rosalinda Scafar  
Chair, Select Committee on  
Implementation on  
15/6/2017. ~~Chair~~

PARLIAMENT OF KENYA

NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – FIFTH SESSION

DIRECTORATE OF COMMITTEE SERVICES  
SELECT COMMITTEE ON IMPLEMENTATION

LEGACY REPORT OF THE COMMITTEE ON IMPLEMENTATION 11<sup>TH</sup> PARLIAMENT  
2013-2017

JUNE, 2017

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## TABLE OF CONTENTS

Contents	Page
1.0 Executive Summary .....	7
2.0 Status of Implementation of House Resolutions and Petitions by Ministries .....	9
2.1 Interior and Coordination of the National Government .....	9
2.2 The National Treasury.....	16
2.3 Defence.....	17
2.4 Devolution and Planning.....	18
2.5 Education, Science and Technology.....	19
2.6 Health.....	24
2.7 Agriculture, Livestock and Fisheries.....	30
2.8 Energy and Petroleum .....	35
2.9 Transport and Infrastructure.....	36
2.10 Environment and Natural Resources.....	43
2.11 Lands.....	50
2.12 State Law Office.....	57
2.13 Labour.....	60
3.0 Pending Business.....	61
4.0 Committee Observations.....	62
5.0 Committee Recommendations.....	63

### Appendices

## PREFACE

The Select Committee on Implementation was constituted on 16<sup>th</sup> May 2013 and draws its mandate from Standing Order no. 209. The committee is mandated to scrutinize the resolutions of the House including adopted committee reports, petitions and the undertakings given by the executive on the floor of the House and to examine:

- a) Whether or not such decisions and undertakings have been implemented and where implemented; the extent to which they have been implemented and whether such implementation has taken place within minimum time necessary; and
- b) Whether or not legislation passed by the House has been operationalized and where operationalized the extent to which such operationalization has taken place within the minimum time necessary.

This mandate is further enhanced by the provision of Article 153(4) (b) of the constitution which requires that Cabinet Secretaries provide Parliament with full and regular reports concerning matters under their control.

The operations of the Committee are further guided by the provision of Standing Order 201 which sets the time frame within which the relevant Cabinet Secretaries must provide reports to the House upon adoption of resolutions of the House:

*“Within sixty days of a resolution of the House or adoption of report of a select Committee, the relevant Cabinet Secretary under whose portfolio the implementation of the resolution falls, shall provide a report in accordance with article 153(4)(b) of the Constitution.”*

## Committee Membership

The Committee comprises of the following:

1. The Hon. Roselinda Soipan, M.P. - **Chairperson**
2. The Hon. David Gikaria, M.P. - **Vice-Chairperson**
3. The Hon. Winnie Karimi Njuguna, M.P.
4. The Hon. Philip Rotino, M.P.
5. The Hon. Joseph M'eruaki, M.P.
6. The Hon. Samuel Moroto, M.P.
7. The Hon. Julius Ndegwa Kariuki, M.P.
8. The Hon. Peter Kamande Mwangi, M.P.
9. The Hon. Ali Shariff Athman, M.P.
10. The Hon. Bernard Bett, M.P.
11. The Hon. Mutua Robert (Bishop), M.P.
12. The Hon. Ndirangu Kariuki, M.P.
13. The Hon. John Karanja Kihagi, M.P.
14. The Hon. Mary Sally Keraa, M.P.
15. The Hon. Dorcas Kedogo, M.P.
16. The Hon. Isaack Shaaban Ali, M.P.
17. The Hon. Lempurkel Mathew Lekidime, M.P.
18. The Hon. Ferdinand Kevin Wanyonyi, M.P.
19. The Hon. Esther Murugi, M.P.
20. The Hon. Dennitah Ghati, M.P.
21. The Hon. Jacob Macharia, M.P.
22. The Hon. Dr. Victor Munyaka, M.P.
23. The Hon Dr. Paul Otuoma, MP
24. The Hon. Bernard Munywoki Kitungi, M.P.
25. The Hon. Asman Kamama, M.P.
26. The Hon. Ibrahim Sane, M.P.
27. The Hon. Tiras Ngahu, M.P.
28. The Hon. Alexander Kosgey, M.P.

## Committee Secretariat

- |                    |   |                             |
|--------------------|---|-----------------------------|
| 1. Phyllis Mirungu | - | Principal Clerk Assistant I |
| 2. Adan Gindicha   | - | Clerk Assistant I           |
| 3. Johnston Kioko  | - | Clerk Assistant II          |
| 4. James Muguna    | - | Research Officer            |
| 5. Lynette Otieno  | - | Legal Counsel II            |

## Appreciation

Mr. Speaker Sir,

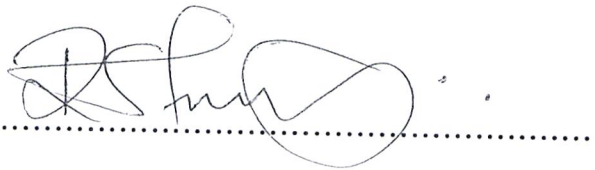
The Committee extends its appreciation to the Offices of the Speaker and the Clerk of the National Assembly for the support accorded to it in the execution of its mandate and the opportunity accorded to its Members to undertake various activities culminating in the production of this Report.

Mr. Speaker Sir,

On behalf of the Members of the Select Committee on Implementation and pursuant to the provisions of Standing Order 199(6), I now have the honour to present to the House the Committee's report on status of implementation of the resolutions of the House.

Thank You.

SIGNED



(HON. ROSELINDA SOIPAN, MP)

CHAIRPERSON

DATE

15/06/2017

## 1.0 EXECUTIVE SUMMARY

The Committee on Implementation is established under Standing Order 209 with the mandate of following up on resolutions of the House including adopted Committee Reports, Petitions and Legislations.

This legacy report provides an over view of the Key issues addressed by the Committee during the Eleventh Parliament towards fulfillment of the mandate. The report contains over 70 petitions and resolutions on which the committee has made follow up during the 11<sup>th</sup> parliament. It gives highlights of the various resolutions adopted by the House and reports on petitions laid before the House and the status of each as reported by Cabinet Secretaries. The Committee notes that through motions introduced in the House, the Executive has been prompted to initiate action that has far reaching consequences for the people. For example, through a resolution of the House the Ministry of Interior started the process of modernizing the Kenya Police Reserve through formal recruitment, kitting, Training and remuneration. Equally, the Ministry established the integrated population Registration System whose ultimate goal is a unified identification System for the Country, Similarly it is note worth that the Ministry of Agriculture, Fisheries and Livestock established a livestock Insurance Programme whose key objective is to cushion Livestock farmers from adverse effects of droughts. The Committee lauds these efforts while calling for a better coordinated Legislature - Executive liaison for full implementation of House resolutions.

The report also contains a summary of pending business before it from where the twelfth Parliament could pick. Some of the key pending issues before the Committee include the reports of PAC on Financial mismanagement at the National Youth Service and the special Audit report on the Judiciary. These key House reports are currently a subject of Court cases, hence guided by the rules of sub judice. Other pending matters include the implementation of the resolutions of the House on creation of an innovation fund, aimed at nurturing talent among the Youth and declaration of cattle rustling as a national disaster, among others.

The report also highlights various challenges encountered by the Committee in pursuing its mandate. These challenges include the nature of resolutions where some of the resolutions are not "SMART" and hence posing a challenge in following upon their implementation. It is further noted that some of the resolutions do not resonate with existing Government policies while some are in direct conflict with existing laws and the constitution. For example while the House adopted a resolution that the Country discontinues any investment in nuclear Energy and moves towards green energy, the Committee established that the Government, with full knowledge and concurrence of the relevant Committee of the House, had established a Board to spear head the road to nuclear energy. The Committee also noted that the arguments advanced in the motion were not accurate.

Finally the report makes various recommendations towards enhancing the efficiency and effectiveness of the Committee in the next Parliament. Some of the key recommendations include the need to subject all motions to a proper background check to establish accuracy of facts, compliance with existing laws, the constitution and government development plans and priorities. It is also recommended that the leadership of the committee be selected from a party or coalition of parties not forming the government to enable the Committee effectively play its watch dog role.

The Committee also recommends the prioritization of the development of an online resolution tracking tool to enable Members follow closely on the progress on issues before the House that require executive implementation. The Committee is concerned that despite considerable expenditure towards this end, this tool is yet to be realized.

## 2.0 STATUS OF IMPLEMENTATION OF HOUSE RESOLUTIONS AND PETITIONS BY MINISTRIES

### 2.1 MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

#### a) Resolution on review of terms and conditions for recruitment, remuneration and deployment of Kenya Police Reservists in arid and semi-arid (ASALs) areas.

Through a motion by the Hon. Alloys Lentoimaga

*THAT, aware that insecurity in the Arid and Semi-Arid Lands (ASALs) is caused by perennial cattle rustling that is aggravated by poor or no infrastructural facilities; also noting that there is inadequate deployment of Kenya Police Reservists (KPR), who are ill equipped, unpaid volunteers with the National Police Service and lack the motivation to fight this crime leading to apathy that has seen residents lose their livestock and even lives; and further aware that there is need to restructure the security machinery in ASAL areas to mitigate the situation,*

*This House on 26th September, 2013, resolved that the Government urgently review the terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi-Arid Land with a view to providing them with uniforms, proper identification documents, automatic firearms, regular allowances and general improvement of their working conditions, so as to restructure this crucial sector and help the KPR fight cattle rustling more efficiently.*

The Committee considered a report submitted by the Cabinet Secretary on 30<sup>th</sup> June, 2014 stating that the concerns of the resolution had been addressed through enactment of the National Police Service (Amendment) Act, 2014 which prescribes a legislative and institutional framework of the National Police Reservists (NPR).

The Committee considered the report and resolved to undertake inspection visits in three ASAL counties to ascertain the level of implementation. The Visits were undertaken as follows-Turkana County(12<sup>th</sup> -13<sup>th</sup> June, 2015), West Pokot County (2<sup>nd</sup> -3<sup>rd</sup> September, 2015) and Lamu County (16<sup>th</sup> September, 2015).

#### IMPLEMENTATION STATUS

The resolution is **partly implemented** as follows:

In the latest progress report dated 21st February 2017, the Cabinet Secretary stated that there were 7,330 police Reservists in post who were recruited before the enactment of the National Police Service Act, 2011 and are expected to undergo vetting and regularization by the National Police Service Commission in accordance with Section 110(c) of the National Police Service Act, 2011. The Cabinet Secretary further stated that the Inspector General had submitted names of qualified candidates to the National Police Service Commission for recruitment into the reserve in accordance with Section III (2) of the National Police Service Act, 2011.

The Cabinet Secretary also stated that training curriculum and manuals for the National Police Reservists had been developed and piloted in Turkana, Isiolo and Meru. The reservists who

were in post had been armed and kitted (in accordance with Section 110(3A) of the Act. The process of procuring a command uniform, specific to the Reservists was ongoing and the National Police Service is in consultation with the salaries and Remuneration Commission (SRC) with a view to determine appropriate remuneration to the reservists.

In the Financial Year 2016/2017, Kshs.420, 000,000 was allocated for the operationalization and management of National Police Reservists. The National Police Reservists Regulations had been drafted and forwarded to the office of the Attorney General for input while the Draft National Police Reserve Policy was being formulated.

**b) Resolution of the House on measures to ensure that all eligible Kenyans are duly registered and issued with National Identity Cards.**

On 22<sup>nd</sup> October 2014, the House passed a resolution arising out of a motion by the Hon Abdullahi Diriyee which stated thus:

*“ That , aware every Kenyan having attained the age of 18 years is entitled to be issued with national identity card(ID) upon registration: further aware that a national identity card represents “proof” of citizenship without which an individual may not have access to basic services, including exercising the right to vote; cognizant that the number of persons who are yet to be issued with the national identity cards has risen over the years and was recently estimated at 12,000 persons in Wajir, Garissa and Mandera counties alone; this House urges the Government to urgently put in place measures that will ensure that all eligible Kenyans are duly registered and issued with national identity cards”.*

**IMPLEMENTATION STATUS**

The Committee received a response from the Cabinet Secretary on 5th June 2015 highlighting various measures the Ministry had put in place to address the concerns of the resolution. The Committee noted that the concerns of the resolution have been **implemented**

The measures include:

- The introduction of mobile registration centres;
- Deployment of additional staff where the Ministry advertised 205 additional posts of registration officers in 2014/ 2015 Financial Year.
- The use of Huduma Centres for registration of persons;
- The introduction of an Integrated Population Registration System (IPRS)(see Appendix II)

**c) Resolution on the Establishment of Disaster Management Authority**

*THAT, aware that dozens of families in the country especially in Isiolo County have been marooned by floods; concerned that the flooding menace has led to immense negative impact on the economy which inter alia include widespread destruction of property, crops and infrastructure such as bridges and roads hence curtailing the movement of people and goods from one place to another; deeply concerned that flooding has led to outbreak of waterborne*

*diseases in some parts of the county; this House urges the Government to speedily establish a Disaster preparedness Authority to handle issues of such magnitude, and hasten the rehabilitation of all the infrastructure destroyed by the floods. Resolution on Establishment of Disaster Management Authority*

### **IMPLEMENTATION STATUS**

The Committee notes that the resolution has been **partly implemented** as follows:

The Cabinet Secretary in his submission on 21<sup>st</sup> February, 2017 stated that the draft National Policy on Disaster Risk Management document was presented before Cabinet for approval, which observed that the creation of National Disaster Management Authority as suggested, contradicted the Government policy of reducing Parastatals and Agencies. The Cabinet gave guidance that the draft policy document be revised with the aim of establishing a revamped Department in the Ministry of Interior and Coordination of National Government which would perform the stated roles of NADIMA as envisaged in the draft policy.

#### **d) Resolution of the House on establishment of the National Unified Identification System(Hon. Charles Nyamai)**

*THAT*, aware that the process of obtaining national identification documents such as birth certificates and national identification cards is long and complex due to the different processing centres of such documentation; deeply concerned that there is a multiplicity of identification documents in the registration of identification cards, birth certificates, passports, electors' cards, driving licences, NHIF and NSSF cards, yet there is a simplified way of doing the same; noting that the Government is embracing more Information and Communications Technology (ICT) measures in line with Vision 2030, **this House urges the Government to spearhead the establishment of a national unified identification system that harmonizes all personal bio data.**

### **IMPLEMENTATION STATUS**

During a meeting with the Committee on 9th June 2016, the Cabinet Secretary stated that the resolution **has been implemented** as follows:

- The Integrated population Registration System (IPRS) was launched on 11th March 2015;
- The register had 35 million records of registered Kenyans (83% of the total 42 million Kenyans).
- The data base served all major banks and it is linked to all secondary registration agencies such as KRA,NSSF, HELB and NHIF.
- Generation of a unique identifier, which is a 14 digit intelligent personal identification number. It was expected that the number will be assigned at birth.

e) **Resolution on the Decentralization of Issuance of IDs and Passports**

The Motion was presented to the House by Hon. Chris Wamalwa, MP (Kimini Constituency), on 10/2/2016 and adopted on 23<sup>rd</sup> March 2016.

*THAT, aware that devolution was meant to devolve governance and public services across the country, including access to basic services like acquisition of identity cards, passports, birth certificates, voters cards, among others; further noting that currently all registration of national identity cards only happens at one Centre in Nairobi; cognizant of the fact that this delays the acquisition of identity cards, thus denying Kenyans their right to employment, ability to vote, access to public funds like Uwezo Fund and other crucial services, this House resolves that the Government decentralizes the registration of national identification cards **and passports** to the county level to expedite the process and allow Kenyans to access public services in a timely manner.*

The Committee received a response from the Cabinet Secretary which stated that the resolution has been **implemented** as follows.

- **Registration distribution** of Identity cards is **decentralized** to the Division Wards level. However, **production** of Identity cards is centralized at the National Registration Bureau's head office.
- Prior to 1995, the Identity card production system was decentralized. However the process was prone to abuse through forgeries, fraudulent and multiple registrations, therefore prompting the Government to revert to the centralized production system.
- He noted that the Government has installed a unique Automated Fingerprint Information System (AFIS) which matches fingerprints of all registered Kenyan Citizens, Refugees and foreign Nationals and which interfaces with the later databases. This system therefore prevents attempt by ineligible persons to acquire National Identity Cards illegally and to block double registration by citizens.
- During the financial year 2017/2018, the Government intends to implement the 3<sup>rd</sup> generation identity card production project whose key deliverables include live data capture and online submission of application forms to the production Centre. In anticipation, the department has already introduced live capture systems in some of the Huduma Centre.(Appendix III)

f) **Resolution on issuance and completion of P3 Medical forms by Hon. Mwinji Shimbwa on 19/10/2016**

### ***The Motion***

*THAT, aware that the Kenya Police Medical Examination (P3) form is a legal document that is produced in a court of law as evidence in cases which involve body injury; noting that victims are required to have the P3 form completed by a certified public medical officer; further aware that the victims are charged a fee for this service by the hospitals attending to this particular service; concerned that most citizens are financially challenged hence the medical fee charged by the hospitals, is in contravention of Article 48 of the Constitution on access to justice; deeply concerned that if the situation is left unchecked, it may lead to continued abuse of the poor, delayed justice and possible incidents of unrest; **this House urges the Government to ensure that completion of P3 forms is offered free of charge at all public healthcare facilities.***

### **IMPLEMENTATION STATUS**

The Committee noted the submission from the Cabinet Secretary Interior that the Forms are normally issued by the Police for **free** but completion of the document is done at a government recognized hospital. The concerns of the resolution were considered as addressed subject to confirmation on whether there were any official charges for the forms at public health care facilities.

#### **g) Petition on the compensation of Internally Displaced Persons (IDP's) in Molo and Enoospukia**

On 2<sup>nd</sup> April, 2014, the Deputy Speaker of the National Assembly, Hon. Dr. Joyce Laboso conveyed a petition by the Enoosupukia evictees who were evicted from their farms in Narok County between 1992 and 1993.

In addition on 24<sup>th</sup> July, 2014 the Hon. Jacob Macharia conveyed a petition on behalf of 1992 Molo clash victims' self-help group seeking compensation and resettlement for the displaced persons.

The petitioners prayed that Parliament investigates the matter and helps them get suitable land for resettlement and secures their compensation.

#### **Submission from the Government (Ministry of Devolution and Planning)**

The Internal displacement of people in the country has been linked to the political electoral cycles of 1992, 1997 2002 and 2007/2008. However, until 2012, there was **no legal framework** to deal with internal displacement in Kenya, and internal displacement issues were often handled in the context of humanitarian assistance. Similarly, there was **no designated institutional framework** to deal with internal displacement until the establishment of the **National Humanitarian Fund** and the attendant structures in 2007/2008. Consequently, comprehensive data and information on how victims of internal displacement have been handled over the years have therefore proved hard to find.

Following the post-election violence of 2007/08, the Government of Kenya established the National Humanitarian Fund through a legal notice no.11 of 2008, which was followed by the

establishment of the advisory board through legal notice no 1038 of 15th February 2008 whose mandate was to:

- ✓ Determine the persons who were adversely affected by the violence
- ✓ Resettle the persons displaced by the Post-Election Violence (PEV)
- ✓ Replace basic household effects destroyed during the PEV
- ✓ Enable the victims to restart their basic livelihood
- ✓ Reconstruct basic housing
- ✓ Rehabilitate community utilities and institutions destroyed during the violence

### **IMPLEMENTATION STATUS**

The Committee notes **that the prayers of the Petitioners remain unimplemented** both the Cabinet Secretaries for Devolution and Interior have cited the provisions of the Prevention, Protection and Assistance to Internally Displaced Persons Act which limits the mandate of the NCCC to the post 2008 period. This position has been reaffirmed by the Attorney General .

In the light of the legal advice from the Attorney General, the Committee resolved to pursue the matter with the National Land Commission pursuant to Article 67 (3) of the Constitution and the provisions on historical injustices under the amended Section 15 of the National Land Commission Act.

The Committee noted the Act empowers the Commission to receive, admit and investigate all historical land injustices, complaints and recommend appropriate redress. It also defines the period from 15th June 1895 and 27th August 2010 as the period during which such injustice is admissible.

In a letter dated 12th January 2017, the Commission acknowledged that the matter was indeed within their purview and that *draft regulations on historical land injustice had been developed awaiting stakeholder input and eventual submission to Parliament for consideration.*

**h) Petition urging the Government to curb cattle rustling in Mukutani Division, Baringo county, presented on Tuesday, 25 February, 2014 by Hon. Justin B. Muturi**

The petition, signed by six residents of Mukutani Division, Baringo County, prays that Parliament:- (a) enacts a law on pastoralism and livestock farming; (b) amends the Firearms Act, Cap.114, to include disarmament, a procedure for disarmament, and to further devise other effective ways of addressing the issue of illicit arms; and, (c) resettles internally displaced persons occasioned by cattle rustling.

### **IMPLEMENTATION STATUS**

The Committee noted the submission by the Cabinet Secretary Interior that the Government had already put in place measures to curb the menace by establishing, recruiting and equipping the Kenya Police Reserve force. Local leaders have also initiated intercommunity peace activities including peace caravans to boost cohesion between the conflicting neighbours.

The Committee therefore noted that the concerns of the Petitioners had been **implemented**.

Local leaders including the County Women representative Hon. Grace Jelagat Kipchoim had also communicated their satisfaction on the government efforts.

**i) Petition on compensation for village managers**

The petition by Kasikeu village managers was tabled in the House by Hon. Joyce Laboso, MP, and Deputy Speaker of the National Assembly on 6<sup>th</sup> August 2015 pursuant to Standard Order 225(2) (b) and stood committed to the Committee on Administration and National Security.

The petitioners prayed that the National Assembly through the Departmental Committee of Administration and National Security compels the National Government to establish a mechanism to recognize, facilitate and compensate village elders as a token of appreciation for services rendered.

After deliberation of the petition, the Departmental Committee of Administration and National Security recommended that the Ministry of Interior and Coordination of National Government should provide a facilitation stipend to village elders which should be provided in the Ministry's budget in the 2016/2017 FY

**IMPLEMENTATION STATUS**

The Committee considered the submission by the Cabinet Secretary made on July 18 2016, and noted that the Ministry (Interior and Coordination of National Government) had written to the National Treasury requesting for the implementation of the recommendations as follows:-

- i) At Sub-location level, 8 persons to be appointed as elders while the Assistant Chief And police Officer in-charge to serve as Chair and Secretary respectively, while
- ii) At Location level, 5 persons to be appointed as elders while the Chief And police Officer in-charge to serve as Chair and Secretary respectively.
- iii) A sitting allowance of 500/- per person per sitting for a maximum of 2 sittings per month
- iv) The Ministry is seeking approval of Kshs 1,290, 744,000 per year to **implement the recommendation(Appendix III)**

## 2.2 THE NATIONAL TREASURY

### a) Report on the status of implementation of the privatization of all state-owned sugar factories

#### Background

On 27 November 2014, the Cabinet Secretary for the National Treasury appeared before the Committee of Finance, Planning and Trade requesting that Parliament approve the privatization Proposal for the public sector owned/controlled sugar companies. He submitted that the Privatization Proposal was approved the Cabinet on 14 October 2010, and brought to Parliament for approval pursuant to section 23(2) of the Privatization Act 2015. However, on 9 January 2013 Parliament resolved to postpone the privatization of the above sugar Companies until such a time when all the legislation affecting the agricultural sector was finalized, and the County governments are put in place. The legislative framework has since been enacted and the County governments put in place.

Justification of the proposal was that the companies were faced with numerous challenges including, obsolete machinery, low productivity and indebtedness.

In its response dated 22 January 2016 to the letter by the Committee on Implementation, the National Treasury raised the following concerns:-

- i. No land parcel in any of the sugar companies qualify as ancestral/community land;
- ii. Privatization of the five sugar companies (Nzioia, Sony, Chemilil, Muhoroni and Miwani) was a precondition for the extension of the COMESA safeguards which have since lapsed on the 16th of February 2016;
- iii. Due to indebtedness the Government, with Parliament's approval undertook a debt write-off of Ksh33.8 billion owed by the sugar companies in 2013.

The Committee noted that Treasury had advertised for the Expression of Interest on sale of the said companies as at March, 2016.

*It was further noted that there are several suits in court in relation to the matter one by the council of Governors and the other by elected local leaders. The matter is therefore sub-judice.*

**STATUS: NOT IMPLEMENTED**

### b) Petition on the decline in tea prices and effect of ad valorem levy.

*On the 25<sup>th</sup> Feb 2014, Hon. Kathuri Murungi, M.P South Imenti Constituency on behalf of South Imenti Tea farmers presented a petition before the House on the decline in prices and the effect of Ad Valorem levy on the tea industry. The petition was committed to the Departmental Committee on Agriculture, Livestock and Co-operatives.*

## **IMPLEMENTATION STATUS**

The Committee notes that the concerns of petition have been addressed through the repeal of Agricultural produce Cess was by the Agriculture Fisheries and Food Authority Act, 2013 since the function of road infrastructure has been devolved to County governments.

### **2.3 MINISTRY OF DEFENCE**

#### **a) Resolution on the implementation of the report on San Marco space center**

The matter of San Marco Space application Center came before Parliament on 18th April 2012 as an Ordinary Question to the Minister of Defence by Hon. (Dr. Wilbur Ottichilo, MP. The main concerns then were:

- i. Conditions under which the Government of Kenya entered into an agreement with the Government of Italy to establish the centre at Ngomeni, Malindi; and
- ii. What the centre has been used for and how much money the two governments have earned from the partnership

The matter was then referred to the Joint Committee of Energy, Communication and Information, and Education, Research and Technology in the 11th Parliament to investigate and put the matter to rest.

The Joint Committees' report was tabled and adopted in the House on 17th June 2014.

## **IMPLEMENTATION STATUS**

In her written response to the Committee on Implementation dated 2<sup>nd</sup> March 2016 the CS stated the implementation status as follows:

- i. The Cabinet had approved the establishment of the Kenya Space Agency to coordinate the activities of San Marco Space Company;
- ii. A new agreement had been signed by the Government of Kenya and Italy in November 2016.

The Cabinet secretary has submitted the agreement for ratification by Parliament in accordance with the Treaty making and Ratification Act 2012. It is expected that the agreement will address the issues raised in the report.

#### **b) Repayment of pension dues to captain J.N. Wafubwa**

On 13<sup>th</sup> February, 2014, Parliament received a petition by one Captain (rtd) J.N Wafubwa, an ex-member of the Armed Forces who retired in 1992, regarding non-payment of his pension benefits.

The Departmental Committee on Defence and Foreign Relations considered the petition and sought to establish the following issues-

- i. Reasons for non-payment of the Petitioner's benefits;
- ii. The Pensioner's assessed pension's benefits;
- iii. The status of the Pensions Appeals Tribunal;
- iv. The need for repeal of KDF Act, 2012

#### **IMPLEMENTATION STATUS**

- ✓ The above retired officer upon clearing from the Kenya Defence Forces was paid his retirement dues as per regulations as per Treasury letters APN/MP0000247169 dated 17<sup>th</sup> September 2014 advising the retired officer that his dues had been paid to his Bank Account;
- ~~✓ The retired officer however sought the court intervention from Employment and Labour Relations Court Case No. 2115 of 2015 dated 1<sup>st</sup> December, 2015, thereby re-opening matters that are res judicata which had been exhaustively dealt with by Court of Appeal in Civil Appeal No. 278 of 2003.~~
- ✓ The Ministry has already instructed the Hon. Attorney General to defend the matter.

#### **c) Petition on the wrongful Discharge of Ex SPTE Enoch Makhandia**

The Petition was presented to the House by the Hon. Dr. Robert Pukose, MP on behalf of the Petitioner on 16th July, 2014. The Departmental Committee on Defence and Foreign Relations noted that the officers discharge from the forces was regular and as per his terms and conditions of employment. However, it was recommended that the femoral plate inserted in the officer's legs be removed at the Ministry's expense.

#### **IMPLEMENTATION STATUS**

The Cabinet Secretary, Defence submitted a response dated 19<sup>th</sup> May 2016 Vide letter Ref. MOD.17/08 indicating that the Ministry would meet the expenses on the removal of the femoral plate inserted on the petitioners legs. The Petitioner was accordingly advised to report to DOD Headquarters for the operation on 16th July, 2016.

## **2.4 MINISTRY OF DEVOLUTION AND PLANNING**

### **Resolution that the Government compensates all Kenyans affected by MAU MAU uprising**

On 4<sup>th</sup> March 2015 this House adopted a motion by the Hon. Patrick Wangamati

THAT, aware that in 2013 the British Government agreed to pay Kenyans who were abused, tortured maimed and detained by British colonial forces during the Mau Mau uprising in 1952 and onwards compensation of Ksh.2.5 Billion as an out of court settlement; further aware that the compensation was only paid to a section of Mau Mau victims from Kiambu and Nyeri Counties, leaving out victims from Meru, Kirinyaga, Murang'a, Embu, Kajiado and other parts of Kenya; cognizant of the fact that the leaders from the two Counties initiated a court process claim for compensation to the victims who were eventually compensated; noting that the struggle for independence in this country involved various communities and individuals like the followers of Dini ya Musambwa movement who took part in the uprising against the colonial government, and were also killed, tortured and detained and therefore also deserve equal compensation from the British Government; also aware that the British Government has accepted to release further compensation money, on condition that only the victims who are still alive and can prove that they were tortured will be compensated from these monies, **this House resolves that the Government ensures that compensation from the British Government goes to all affected homes and families of victims who are still alive allover the country.**

## **IMPLEMENTATION STATUS**

The Committee considered the response by the Cabinet Secretary Devolution, noting that, the implementation process will most likely encounter challenges such as the multiplicity of institutions that would like to be involved in the identification process and the Ministry also expressed concerns that the victims who initiated the process that resulted in the out of court settlement might move to court to block other potential beneficiaries. The Attorney General's office committed to provide an opinion at a meeting held on 14<sup>th</sup> February 2017. This opinion has not been received.

## **2.5 MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY**

### **a) Resolution on establishment of Girls' Boarding Schools for both Primary and Secondary Schools in ASAL areas**

*THAT, aware that the number of girls dropping out of school is very high in the Arid and semi-arid areas (ASAL) because of the limited number of schools in these areas; concerned that most of the girls dropping out of school opt for early marriages, thus affecting the education standards of the girl child; noting that lack of boarding schools in most of these areas has greatly contributed to increased number of school drop outs, this House urges the Government to establish girl boarding schools for both primary and secondary in all ASAL areas.*

## IMPLEMENTATION STATUS

The Committee considered a report by the Cabinet Secretary, which identified various gaps towards implementing the resolution. The Cabinet Secretary appeared before the Committee and the matter was deliberated at length. The Committee noted the following from the deliberations:

- During **2013/2014** Financial Year, the Government established a total of **Eight (8) Boarding Primary Schools** in Wajir, Kajiado, Lamu, Kwale, West Pokot, Baringo and Homabay Counties, accommodating a total of **551 girls**;
  - Additional **23 Boarding Primary Schools** were established in 2014/2015 in various ASAL counties, benefitting **1,399 girls**, bringing the total number of beneficiaries in the established Low Cost Boarding schools (LCBs) from 2013 to date to **1950 girls**;
  - A total of **29 Girls Boarding Secondary Schools** benefitting **11,807 girls** were established since 2013 in various counties under ASAL. The figure includes 17 (seventeen) Girls Boarding Schools catering for 10,023 girls which were upgraded to National Status since 2013. These were served national schools in addition to serving as boarding schools in the ASALs. Each school was allocated Kshs25 Million towards upgrading of infrastructure and improvement of learning environment.
  - ASAL Low Cost Boarding Schools received little funding from the Government. The allocation had remained at Kshs. 400 million annually for the 113, 524 pupils in 426 schools against a projection of Kshs. 892 million required by the ministry to fund this program adequately.
  - The Ministry does not have specific program for establishing girls boarding secondary schools like in the primary schools. However, other programs including establishment of national schools and centers of excellence serve this purpose in ASAL areas(Appendix VIII).
- b) Resolution on renaming and upgrading of Kitale Technical Institute to be Wamalwa Kijana University of Science and Technology**

On 30<sup>th</sup> October 2014, the National Assembly adopted a motion by Hon. Chrysanthus Wamalwa urging the Government to rename and upgrade Kitale Technical Institute. The motion stated thus:

*THAT, aware that the Senate passed a Motion that every county should have a public University, further aware that this country traditionally recognizes its heroes and heroines for their contribution towards development in various capacities, and cognizance of the role played by H.E. the late Hon. Michael Wamalwa Kijana who hailed from Kitale in Trans Nzoia County, this House resolves that the Government renames and upgrades Kitale Technical Institute to be Wamalwa Kijana University of Science and Technology.*

## **IMPLEMENTATION STATUS**

The Cabinet Secretary in a response noted the **implementation of the resolution was ongoing** as follows:

- The process of naming and renaming Universities has been spelt out in the Universities Act, 2012 while upgrading Technical and Vocational institutions was provided for in the Technical and Vocational Education and Training Act, 2013 (TVET Act).
- Kitale Technical Training Institute was a technical vocational college (Diploma Institution) as provided under section 26 of TVET Act. The institute therefore, could not offer degree programs as per the TVET Act, 2013, which recognises institutions with national polytechnic status (Higher Diploma institutions or technical trainers' college) to offer degree programmes with collaboration with a university.
- The Process of upgrading Kitale Technical Training Institute to a University status would follow the following phases:
  - Upgrading from **Institute** to **National Polytechnic (NP)** status;
  - Further upgrading from **National Polytechnic** to **Constituent University College** status; and
  - Finally, Granting a University Charter
- The Government had already made significant process on the upgrading of Kitale TTI to a National Polytechnic. The National Treasury had made a budgetary provision for the proposed Kitale National Polytechnic in the Ministry's MTEF for the FY 2015/16.
- The Ministry of Education had also drafted the legal order and a Cabinet Memorandum had been forwarded to the Cabinet for onward transmission of the draft legal order to Parliament.
- Kitale TTI is an institution under the TVET sector and has not been upgraded or transferred to the University status and therefore, renaming the institution as Wamalwa Kijana University was premature;
- The process of establishing a University including naming and renaming requires the input of the Commission for University Education (CUE) which is the regulatory body of the University Education and also the input of the Registrar of Companies;

### **c) Resolution on motion by Hon. Kinoti Gatobu, on public data bank for all bright and poor students**

*THAT, aware that bright students from poor family backgrounds who score seventy percent or more of the total marks in the Kenya Certificate of Primary Education (KCPE) fail to join form one in every year for lack of school fees; noting that if such trend is not checked, bright*

*students from poor families will be left out of the learning process hence ruining their future; aware that Article 53 (1) (b) of the Constitution guarantees every child the right to free and compulsory basic education; recognizing the need to identify bright students from poor backgrounds and support them in pursuing and completing their studies in public secondary schools; this House urges the Government, to establish a public databank of all bright and poor students to be in the custody of the County Director of Education, and such information be disseminated and made available to the public institutions including the respective Constituencies Development Fund Committees which shall take into consideration when disbursing bursaries and such other institutions that may be willing to support such students.*

The Committee reviewed the report from the ministry and noted that the resolution **could not be implemented** because:

- The Ministry does not have a data bank for bright and needy students from poor backgrounds, but schools were mandated to identify needy cases and refer them to Constituency Bursary Committees for support.
- The Ministry collaborates with both public and private sector for bursary support and sponsorship, where the criteria to determine the beneficiary was the prerogative of the supporting organization, a case in point being Equity Bank who target top students in its programs.
- County Education Boards once fully operational were expected to develop and maintain a data bank of all students and schools, including data bank of bright and needy students from poor backgrounds in each county.
- Members observed that profiling of all needy and bright students throughout the country may not be feasible.

d) **The resolution of the House on posting of chaplains to secondary and tertiary institutions of learning (Hon. Odanga)**

The Ministry of Education is mandated to ensure inculcation of sound moral and religious values to learners in line with the national goals of education. The concerns of the resolution were: To post chaplains to secondary and tertiary institutions in order to enhance moral values of the youth as a way of addressing increasing cases of immorality among learners.

### **IMPLEMENTATION STATUS**

The Cabinet Secretary, Education appointed a Committee on 24<sup>th</sup> October, 2016, whose mandate was the institutionalization of chaplaincy in learning institutions. The Committee comprises 15 members drawn from the umbrella bodies of Registered Faith Based Organizations and the Teachers Service Commission, Public Service Commission and the State Department of Education. The Committee is Chaired by Rev. John Gatu and deputized by Dr. Hassan Kinyua from SUPKEM. The Committee is going on with its

mandate and it is expected that its findings will inform the full implementation of the resolution .

**e) Petition on Payment pension dues and salary arrears for Retired Teachers (1997 group)**

The retired teachers presented their petition to Parliament on 23rd March 2012 under the umbrella of the Retired Teachers (1997) group who retired between July 1997 and 2007.

They were totaling 52,338 and are beneficiaries of Legal Notice no 534 of 11th November 1997 and also judgment of HCCC No. 65/06 and Court of Appeal case No. 300/09.

The 10th Parliament approved payment of 3.34 billion out of the 16 billion that was required. However the teachers were not paid since Treasury was awaiting the legal opinion of the Attorney General.

The Matter remained resolved until the 11th Parliament when the retired teachers again petitioned parliament on 11th February 2014. The matter was committed to the Departmental Committee on Education, Science and Technology.

The Committee noted that:-

The High Court sitting on 28/10/2008 ordered the Teachers Service Commission (TSC) to pay outstanding gratuity and pensions dues to retired teachers. The judgment did not however indicate the Amount payable. The Attorney General lodged an appeal against the Court decision which appeal was rejected by the Court of Appeal in December 2014.

- The court advised the TSC and Director of Pensions to compute pension for the affected retired teachers on the terms prevailing at the time of retirement.
- To arrive to a common understanding and given the prevailing fiscal constraints, the National Treasury convened a meeting at a technical level with officers from the Attorney General's office, TSC, Controller of Budget and the Pensions department.
- The Technical Committee identified 31,000 teachers as potential beneficiaries and proposed a payment of 16.7 billion as pension arrears.
- As a way forward, the National Treasury factored in Kshs. 1.5billion in FY 2015/2016(Supplementary) budget and an additional Kshs. 1.5 billion in the Fy 2016/2017 draft budget to clear the pension arrears to the teachers.
- The TSC was expected to negotiate with the teachers to explore a possibility of a phased out payment. The National Treasury planned to clear the outstanding arrears in a phased-out manner within 5-7 years subsequent budgets.

The Committee notes that the matter is **partly implemented with only 3 billion out of 16 billion paid so far.**

## 2.6 MINISTRY OF HEALTH

### a) Resolution on Emergency Medical Care to Victims of Accidents and those in Emergency Medical Conditions.

*THAT, aware that health facilities in the country invariably decline to attend to patients who are in critical emergency conditions without admission deposits or payments leading to worsening of patient's conditions and loss of life, concerned that most Kenyans are poor and lack medical insurance, noting that Article 43(2) of the Constitution states that a person shall be denied emergency treatment, this House urges the Government to ensure that all health facilities provide emergency medical care to victims of accidents and those in emergency medical condition without denying them admission on grounds that they are not able to pay deposits.*

#### IMPLEMENTATION STATUS

The Committee noted that the Ministry proposed to implement the concerns of the resolution through the Health Bill 2016 currently awaiting Presidential assent. Clause 7 of the Bill provides for the right of every person to emergency medical treatment. Therefore, the Bill, if assented to will address the concerns of the resolution.

### b) Resolution on the reduction of NHIF penalty surcharged for late payments from the current 500% to 25%

*THAT, aware that the NHIF defaulters continue to be surcharged a penalty of 500% of the outstanding amount, and further aware that the penalty is barely affordable to majority of Kenyans, this House urges the Government to consider reducing the NHIF penalty surcharge to defaulters from the current 500% to 25%.*

#### IMPLEMENTATION STATUS

The Committee considered the Report by the Cabinet Secretary for Health on reduction of NHIF surcharge to defaulters.

The report by the Cabinet Secretary stated that NHIF Act was passed in 1966 and made provisions for a penalty equal to five percent (5%) for the delayed contribution in any given month. The penalty was not sufficient deterrent and the Act was repealed and replaced in 1998, thereby making profound changes in health insurance.

The Act in Section 18(8) provides as follows:

*“if any contribution which any person is liable to pay under the Act in respect on any month is not paid on or before the day which payment is due, a penalty equal to five times the amount of that contribution shall be payable by that person for each month or part thereof during which the contributions remain unpaid”.*

Section 26 of the Act, however, made a provision for regulations to provide for remissions 'in such circumstances and subject to such conditions as may be prescribed'. Consequently, the Board set up the Penalty Appeals Committee to receive appeals from defaulters. The Committee deliberates on the requests and recommends waivers to the Board.

The Committee noted that the Board had administratively made it policy to charge a penalty equal to 25% of late contributions not paid in a given month in order to address the resolution. A proposal has also been made to amend Section 18(8) to provide for 25% penalty.

*Health Bill 2016 seeks to amend the National Hospital Insurance Fund Act in order to, among other things, reduce the penalty for late payment of contribution from a penalty equal to five times the amount of contribution payable to 25 per cent.*

**c) The Resolution on Expansion of Cash Transfer System and Provision of NHIF cover to all elderly persons currently persons receiving cash transfer.**

On 15<sup>th</sup> May 2013 the House passed a resolution on expansion of cash transfer system and provision of NHIF cover to all elderly persons currently receiving cash transfer.

*THAT, according to statistics released by the National Council for Population and Development (NCPD) in Policy Brief No. 25 of June 2012, Kenya's population, as that of all other Sub-Saharan African countries, is rapidly aging and the population of persons aged 60 years and above increased steadily from 1 million in 1989 to 1.9 million by 2009, and is projected to reach about 3 million people by year 2030; concerned that there is an increase in the number of neglected and/or abandoned elderly members of the society as a result of the financial inability of their immediate kin or lack of capacity to handle the health conditions of such senior citizens; noting that despite the legislation enacted to cater for the elderly, little further comprehensive action to enhance their well-being and specifically the health of older Kenyans has ensued, this House urges the Government to expand the current cash transfer for the elderly persons to cover all the needy persons over 65 years within the next 5 years, provide free NHIF coverage to all elderly persons currently receiving cash transfer with immediate effect, and expedite the completion and implementation of the National Social Protection Policy on Older and Aging Persons within the tenure of the current Jubilee Government.*

**IMPLEMENTATION STATUS**

The Committee undertook inspection visits to Narok, Tharaka Nithi, Isiolo, Laikipia, Tana River, and Kilifi to appraise itself on the implementation status of the resolution at the grass root level. The Committee was satisfied that the program is ongoing.

**d) Resolution on the Upgrading of at least One Hospital in each County**

On 5<sup>th</sup> June 2013, the National Assembly adopted a resolution urging the Government to upgrade at least one (1) Hospital in every county.

*That, aware that according to statistics released by the Kenya Government in July 2012, cancer and renal diseases are currently the biggest killer diseases in the country being responsible for at least 22,000 people with cancer related deaths or about 0.92 per cent of the total deaths*

according to the World Health Organization ( WHO ) report that was released in April 2011; noting that there is limited access to cancer screening, treatment and kidney dialysis at an affordable cost at the county level; further, aware that Government received a grant of Ksh. 522 billion from the French Government to establish cancer and renal centers with well-equipped facilities, **this** House urges the Government to consider upgrading at least one hospital in every county and supplying equipment to handle both dialysis and cancer treatment

### **IMPLEMENTATION STATUS**

The Ministry carried out a needs analysis and identified one level 4 and one level 5 hospitals for upgrading in each County. The Ministry further started the process of providing key equipment to the identified hospitals.

The Committee further notes that with the devolution of the health services to Counties the Ministry plays only policy level roles while actual implementation remains with the Counties

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#### **e) Resolution on Recruitment and Deployment of Medical staff**

On 12<sup>th</sup> June 2013, the House adopted a resolution on Recruitment and deployment of medical staff through a motion:

***THAT**, aware that there is an acute and gross shortage of clinical officers and nurses in our hospitals, health centres and dispensaries, which in turn is severely limiting access by Kenyans to basic health care; deeply concerned that most Kenyans continue losing their lives to curable and easily manageable ailments; further concerned that public resources, specially the CDF has been used to develop a number of facilities which remain non-operational due to lack of personnel; taking into account the need to meet the Constitutional right of every Kenyan citizen to adequate health care, further noting that public resources have been used to train more than 15,000 clinical officers and 20,000 nurses who remain idle and unemployed, aware that the Government has just adopted a policy on free maternity services and in order to promote the prevention and early detection of disease risks at household levels through closer and constant disease surveillance, knowing that the clinical officers and the nurses are the ones that operate most health facilities in most parts of the rural Kenya, due to the shortage of doctors, this House urges the Government to immediately recruit and deploy at least 5,000 clinical officers, 5,000 nurses and 2500 laboratory technicians and a further 3,000 clinical officers and 3,000 nurses annually and provide enough resources for the supply of adequate medicine and equipment, and to adequately remunerate the officers and further equitably deploy them to the counties to alleviate suffering of the citizens, and help provide curative and preventive health care services to the people of Kenya*

The Committee observed that already, the Ministry had carried out a human resource audit on county staff needs.

However, the Committee was of the opinion that the matter being a *devolved function*, **Senate is better placed to follow-up on the matter.**

#### **f) Resolution on the motion on Cancer situation in Kenya**

The Motion was presented to the House by Hon. Gladys Wanga, MP (Homabay County Constituency) and was adopted on 24/03/2016.

***THAT, aware that cancer is a leading cause of death globally with more than 70% of all cancer deaths occurring in developing countries; further aware that in Kenya, the disease ranks third among the main causes of death after infections and cardiovascular diseases and accounts for up to 18,000 deaths annually, with over 82,000 new cases reported annually; noting the families psychologically and economically; cognizant of the fact that some of the patients travel up to 600 kilometers to Kenyatta National Hospital (KNH), that over one third of cancer patients experience clinical anxiety and depression, profoundly affecting the only public hospital that hosts most of the oncologists in Kenya; further cognizant of the fact the remaining small number of oncologists are mainly based in Nairobi; deeply concerned that only a few patients get admission or outpatient treatment due to monetary constraints; this House resolves that the Government mitigates the situation by offering scholarships to at least one (1) Medical Masters student per County to study oncology, and signing contractual agreements with them to serve in designated cancer treatment and management Centre's; building partnerships with existing medical institutions in local public universities for provision of training opportunities; and emphasizing on the use of telemedicine and E-Medicine to eliminate distance barriers and improve access to medical services.***

#### **IMPLEMENTATION STATUS**

The Cabinet Secretary vide letter Ref MOH/ADM/1/1/2 dated 18th July 2016 noted that good progress had been made towards the implementation of the concerns of the resolution such as:

- Sponsorship by the Ministry for six (6) students pursuing postgraduate training in oncology outside the country
- Provision of 20 scholarships in oncology related fields in the 2016/2017 Financial year
- Partnerships with local universities in designing relevant curriculum
- The signing of an agreement with Egypt and Israel for 50 scholarships for training in oncology, among other initiatives.

*The Committee is satisfied with the progress made, provided that the Ministry the scholarships are evenly distributed across the country.*

#### **g) Petition on alleged mismanagement and misappropriation of funds at Kenya Medical Research Institute (KEMRI)**

The petition was tabled before the House pursuant to Standing Order No. 225 (2)(a) by the Hon. David Eseli, MP, on behalf of the Petitioner, Mr. Peter Orowe Nyambok on 8<sup>th</sup> July, 2015.

The petitioner had prayed that the National Assembly through the Committee:

- Recommends immediate probe into the affairs of the Kenya Medical Research Institute in particular the management structure, human resource management policy and practices and financial management;
- Ensures the petitioner's plight is addressed; and

- Makes any other order or direction that it deems fit in the circumstances of the case.

## **IMPLEMENTATION STATUS**

The Cabinet Secretary responded on 1<sup>st</sup> November, 2016 stating that management team is working on finalizing the schemes of service, assisted by experts from DPSM he also noted that **the mortgage scheme that was being run by KEMRI through Family Bank had been suspended and action taken against those found culpable of mismanagement and misappropriation of fund.**

### **h) Petition on non-payment of Clinical Officer Interns**

The Petition on non-payment of Clinical Officers interns was presented to the House on 24th July 2014 by Hon. Joyce Laboso, MP on behalf of the petitioners, the Kenya Union of Clinical Officers

The petitioners prayed to Parliament to:-

- Declare the discrimination of interns on allowance unconstitutional
- Implore the Ministry of Health in collaboration with the Ministry of Finance and the Public Service Commission to create posts and a permanent budgetary scheme for the clinical Officer Interns
- Recommend to the Government to pay allowances for all clinical officers interns without any discrimination whatsoever with immediate effects.

The Ministry responded by stating that;

- i. a draft policy has been developed to address the issue of internship
- ii. The Ministry only pays internship for degree holders but discussions are under way to include diploma holders through a loan facility by Higher education Loan Board (HELB)
- iii. On recommendation that internship for degree holders be abolished, the Ministry reported that it is in the process of engaging stakeholders on the same.

### **i) Petition on recognition of Kenya Association of Private Hospitals (KAPH) by NHIF**

The Petition on the recognition of Kenya Association of Private Hospitals by NHIF was presented to the house on behalf of petitioners by Hon. Kubai Iringo, MP on 21 April 2015 .In the petition, they prayed to Parliament to:-

- Consider passing legislation to give KAPH a legal personality to effectively become bona fide representative of its members in the NHIF board
- Intervene to compel NHIF to involve all bona fide health care providers in consultative discussions on all aspects of service contracts and to strictly adhere to contracts concluded with health care providers and be ready to compensate the provider.

The Ministry responded by stating that;

- NHIF currently holds quarterly consultative meetings with all stake holders on the contracts for provision of in-patient and out-patient services
- NHIF has four actuarial scientists at the moment and has hired experts to conduct a survey on the implementation of Universal Health Care Program.

The Committee recommends consideration of the matter within the NHIF Bill that is currently at the Senate.

**j) Resolution on the review of healthcare system in Kenya through constitutional amendment**

The petition on the review of the Health Care System in Kenya through a constitutional arrangement was presented to the House on behalf of the Petitioner, (Mr. Benard Kiprotich Cheruiyot), by the Speaker, and stood committed to the Departmental Committee on Health for consideration and reporting to the House pursuant to Standing Order 227.

It was further noted that the Petitioner's prayer to Parliament was that it initiates a process of amending the Constitution and all relevant laws to revolutionize Health Care System in order to deal with the national emergency situation and incorporate the following main pillars:-

- a. Returning certain aspects of the health service, particular those affecting human resources to national Government;
- b. Empower the Counties to venture into other aspects; for instance , development of health infrastructure and supply of drugs;
- c. Establish a new Health Service Commission;
- d. Retain the health professionals in the country;
- e. Fairly distribute the health professionals among the Counties.

**IMPLEMENTATION STATUS**

The Committee considered the response from the Cabinet Secretary and noted that an interagency Committee with membership drawn from the Council of Governors, Office of the Attorney General, Salaries and Remuneration Commission, Commission for Revenue Allocation, County Assembly Forum, County Assembly Boards, and Ministries of Devolution and Planning, Labour Social Security and Services and Treasury, has been created jointly with the Public Service Commission to oversee all human resource matters in the health sector. The Committee would address HR issues at the counties, including; *Training and Development, Transfer and Posting, Salary disparities/ delayed payments, Grading structure/ appointment of medical interns and Promotions.*

It was also noted that a joint Retreat between MOH, Council of Governors and the Departmental Committee on Health was held from 16-19th September 2015 and mooted the establishment of an Intergovernmental Committee to review policy and establish uniform norms and standards for;

- i. Inter-county transfer of health professionals;
- ii. Transfer of healthcare professionals from one level of Government to another;
- iii. Management and rotation of specialists;
- iv. Posting of interns to National Government and County Government facilities; and
- v. Health professionals scheme of service.

## 2.7 MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES

### a) Resolution on Review of Farm Gate Prices of Milk to Ksh.45 per litre

*THAT, aware that milk production is a major source of income for millions of small livestock farmers in the country, who account for over 75 per cent of milk industry's total output; concerned that whereas livestock farming is a tedious and delicate undertaking when compared to farming of other consumable produce; smallholders farmers get a paltry of Kshs. 27 per litre of milk, way less than what bottlers of water get at Kshs. 65 per litre; and further noting that smallholder farmers of milk producers encounter numerous obstacles, amongst which is high cost of production but they are forced to settle for less when selling their produce at farm gate prices; this House resolves that the Government should urgently review the farm gate price to Ksh. 45 per litre and review the price from time to time to reflect the cost of production*

The Cabinet Secretary on 10<sup>th</sup> November 2015 informed the Committee that;

### IMPLEMENTATION STATUS

From the submissions made by the Cabinet Secretary when he met the Committee on 10<sup>th</sup> November 2015 it was noted that:

- Due to high cost of inputs, the animal husbandry is generally poor leading to low productivity per cow at 8-10 litres per cow per day compared to developed economies where production is 30 litres per cow per day.
- Milk prices in Kenya were decontrolled in 1992, when the Dairy Industry was liberalized, hence prices of milk are determined by market forces and fixing prices as resolved could only be through legislation which may not be sustainable and globally competitive.

The Treasury, the 2016/2017 Budget has since removed the component of duty on animal feeds, as a measure to reduce the costs of inputs incurred by dairy farmers thus boosting productivity.

### b) Resolution of the House on Establishment of a Livestock Insurance Fund.

*THAT, aware that livestock farming is the major source of income for the people living in the arid and semi-arid (ASAL) areas in the country; deeply concerned about the devastation caused by perennial drought in the most parts of the country, especially in the ASAL areas, that has occasioned heavy losses to livestock farmers thus greatly affecting them financially; noting that many farmers have lost almost all their livestock and experienced a sharp reduction in the quantity and quality of produce due to harsh climatic conditions in the ASAL areas; convinced that unless these farmers are protected from the harsh climatic conditions, livestock farming is likely to face the risk of irreversible economic ruin; this House urges the Government to urgently establish a livestock Insurance Fund to cushion livestock farmers in all the ASAL areas against losses occasioned by drought.*

## IMPLEMENTATION STATUS

The Committee notes that the Department of Livestock operated the Livestock Restocking and Enterprise Development Fund, established through legal notice no.58 of 28<sup>th</sup> May 2009.

A Program on livestock insurance was rolled out on pilot basis in the counties of Wajir and Turkana during the 2014/2015 financial year.

On 21 September 2016, the Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries informed the Committee that;

- i. The Kenya Livestock Insurance Program (KLIP) that was piloted in Wajir and Turkana counties during the FY 2014/2015 and is implemented through Index based Livestock Insurance Model(*The Committee visited both the Counties to ascertain the position*).
- ii. The amount of forage cover is determined using satellite imagery where payments are triggered by forage levels falling below 20%. The Government pays insurance premium contracted private insurance company who is required to make payouts to livestock farmers in times of droughts( when forage cover fall below 20%)
- iii. Each of the two counties (Wajir and Turkana) has 2500 registered beneficiaries and the sum assured is the cost of fodder to keep a Livestock Unit(LTU) alive at Ksh 14,000 per LTU. LTU is equivalent to 10 goats or sheep, or one cow or 0.7 of a camel.
- iv. By March 2017, the program was expected to have covered the following ASAL counties:- Wajir, Turkana, Marsabit, Mandera, Isiolo, Tana River, Samburu, Garissa, West Pokot, Baringo, Kajiado, Laikipia, Narok and Lamu.
- v. The Government had earmarked the program budget as follows:- FY 2014/2015 Kes 156 million, FY 2015/2016, Ksh 300million, FY2016/2017, Ksh 500 million. The total amount projected for the program in the Medium Term period upto 2017 being Ksh 2.3 billion covering 230,000 households
- vi. So far, sensitization of county level policy makers, technical officers, ward administrators, and relevant stakeholders operating in all the 14 counties has been done.
- vii. Due to inadequate rains in March-June season 2016, there were payouts for made in Diff and Bute insurance units of Wajir County. The payouts were triggered by forage cover falling to 18.32%. During the exercise, a total of 275 beneficiaries were each paid Ksh12,824.00 which 18.32% of Ksh 70,000, being the sum insured.

The Committee notes the progress towards the implementation of the resolution, but is concerned that the amounts paid out are negligible.

### **C) Public petition on degazetment of Legal Notice 103, the custom and excise act to grant remission of excise duty at 50% in respect to beer made from sorghum or millet**

The Petition by sorghum farmers was presented to the House by Hon. Joseph M'Eruaki, MP on 24th February 2015.

The Petitioners prayers were:-

- The National degazets Legal Notice 103(2) of 18th June 2013
- National Treasury reviews and reverses the Excise duty grant to 100%
- The Government invest more in drought resistant crops
- The Government support alternative uses of sorghum including production of Bio-fuel

### **IMPLEMENTATION STATUS**

In response to the Committee on Implementation letter requesting updates on the implementation of the report, the Ministry of Agriculture, Livestock and Fisheries responded by informing Members that-

- Traditional high value food crops program is on- going in ASAL areas, focusing on seed bulking and capacity building to farmers
- Kenya Cereal Enhancement Program( KCEP) is being implemented in Nakuru, Bungeoma, Kakamega, Tranzoia, Kitui, Embu and Tharaka Nithi Counties
- KCEP program for sorghum value chain is in the final stages of entering into arrangement with East Africa Breweries Limited (EABL) for purchase of sorghum for beer production therefore providing ready market for the produce.
- The KCEP program is also in discussion with JKUAT and Unga Company Limited, among others, on production of animal feeds, flour mix and noodles using sorghum and cassava.
- The amendment of the Custom and Excise Act by the National Treasury had been effected

*In the foregoing, it was noted that the prayers of the petitioners were sufficiently addressed.*

#### **d) Petition regarding the privatization of KCC, presented by Hon. Dr. Joyce Laboso on 22 October 2014**

Petitioner prays that the National Assembly, through the Departmental Committee on Agriculture, Livestock and Cooperatives:- (i) intervenes to have a special audit on KCC done by the Auditor-General, in accordance with Article 229, Section 5, to ascertain the circumstances that led to the collapse of KCC as well as the current ownership structure of New KCC and a report thereto submitted to the National Assembly for action; (ii) urges the Privatisation Commission to ensure sustainable transfer of ownership of New KCC to Kenyan dairy farmers in accordance with the shareholding structure proposed by the farmers rather than through the NSE; and, (iii) urges the Cabinet Secretary responsible for cooperatives, in compliance with Section 29 of the Privatisation Act, to limit the eligible investors to dairy farmers groups and individual dairy farmers supplying milk to New KCC and that, funds generated from privatisation be channeled towards revamping the Kenya dairy industry

## IMPLEMENTATION STATUS

The Cabinet Secretary, Trade and Cooperatives in his response to the Committee confirmed that the implementation process was ongoing since Ministry had registered KCC Dairy Cooperative Ltd to facilitate Dairy farmers to raise funds towards purchase of stakes in the Privatized new KCC Ltd (Registration Certificate no.16605)

### **e) Petition on the Nyeri county coffee production, marketing and payments of farmers' dues( Hon Esther Murugi, MP)**

Following the devolution of agriculture vide the Kenya Constitution 2010, the Nyeri county Government constituted a task force to study the coffee Industry and make recommendations towards its revitalization, its recommendations were that the Nyeri coffee is centrally milled and marketed.

## IMPLEMENTATION STATUS

The Committee observed that the issue of production, milling and marketing of coffee in Central Kenya in general was being addressed through a Presidential Task Force, whose report was handed over to the President for implementation.

## **2.8 MINISTRY OF ENERGY & PETROLEUM**

### **a) A resolution by the House Motion urging the Government to liberalize power distribution, Hon. David Bowen**

*THAT, aware that Kenya as East Africa's largest economy remains a minor electricity supplier with a low penetration level of about 15%; concerned that Kenya Power, as a strategic national agency, appears to be grossly inefficient in its operations, still having 85% of the population unconnected and facing a fast-growing population of 3% annually; also noting that power outages and surges have become the norm especially with the onset of long rains, sometimes causing electrical faults that result in fires and loss of property which is never compensated by Kenya Power; and further concerned that Kenya Power has portrayed a lackluster approach to handling customer complaints which leaves customers disadvantaged due to a lack of alternatives in electricity providers, **this House urges:-***

- *the Government to liberalize power distribution thereby breaking the monopoly of Kenya Power in order to encourage competition, improve efficiency, and reduce the cost of power; and*
- *Kenya Power to offer compensation to those who have encountered fires and loss of property due to power outages and surges.*

## **IMPLEMENTATION STATUS**

*The Committee has received presentations from the Ministry of Energy and Petroleum, KPLC, Sector experts and other key stakeholders in the Energy Sector.*

*From these interactions, it is noted that:*

- Kenya Power is **not** by any legislation the only power distributor in Kenya as evident in sections 43 and 44 of the Energy Act, 2006. Section 43 (1) of the Energy Act envisages different players supplying electrical energy thus the need for submission of contracts to the Energy Regulatory Commission. Section 44 of the Energy Act provides for every person licensed to supply electrical energy to use a form of contract approved by the Commission.
- Clause 176 of the Energy Bill, 2015, provides that a person who wishes to carry out the generation, exportation, importation, transmission, distribution and retail supply of electricity must apply for a licence to the Energy Regulatory Authority. Clause 191 (1) also provides that a generation licence authorizes the licensee to operate the generating station or plant stated in the licence and connect to a distribution or transmission network in accordance with the provisions of this Act or the regulations made there under.
- On compensation mechanism, the Committee noted that the KPLC compensates where liability has been established. Compensation is given for loss of life, property as well as way leaves passing through private property. During the financial year 2014/2015, 1018 claims were reported out of which 870 were settled satisfactory while 28 were found to have no liability.

The Committee notes that the dominance of KPLC in power distribution could be due to market forces and not necessarily due to non-liberalization of the sector.

### ***House resolution urging that the Government shifts its attention from the development of Nuclear Energy***

*THAT, aware that the Kenya Nuclear Electricity Board ( KNEB) was created and tasked with spearheading the development of Nuclear Energy in the country; deeply concerned that the construction and maintenance of a nuclear plant is a highly technical, expensive and risky undertaking that potentially exposes a country to the threat of nuclear radiation and the challenge of disposal of radioactive nuclear waste; further aware that due to these inherent risks in nuclear energy production, many of the developed countries like Germany, India, Japan and South Africa, amongst others, have increasingly embarked on the systematic shut-down of their nuclear plants and instead are promoting the development of clean renewable energy, especially wind and solar energy; noting that Austria, which hosts the United Nations International Atomic Energy Agency, has terminated the development of any nuclear energy, this House resolves that the Government shifts its attention from the development of nuclear energy and instead invest in the development of renewable or green energy, which is safe and abundant in the country.*

## IMPLEMENTATION STATUS

The Committee received response from the Government stating:

- Kenya's power demand is projected to increase significantly in the near future as the country strives to become a middle income and industrialized country. The country will require approximately 21620MW to power the development projects and electrification targets for the country by 2031.
- Nuclear power has been identified as suitable source for the country's future power mix as it is safe, reliable, competitively priced and adequate.
- The Kenya Nuclear Electricity Board (KNEB) was established with a mandate to undertake preparatory activities towards development and implementation of the Nuclear Power Programme in the country.
- The board has completed a pre-feasibility study of the nuclear power programme in the country and is currently undertaking the grid study to assess the suitability and stability of the national grid to accommodate nuclear power plant.
- The Ministry argues that Germany still relies on nuclear energy while Japan is re starting its nuclear plants. The Ministry further states that both South Africa and India have flourishing nuclear energy industries with no plans of shutting down any plants.

The Committee met experts in the sector based at the University of Nairobi (Dr. Otuoma and Dr. Situma). In addition, a delegation of the Committee visited Russia on a fact finding tour and established that globally, nuclear energy remains an important condition for industrial take off.

The Committee found that the facts advanced in the resolution were not accurate and that the identified experts seemed to authenticate the Government's position. The Committee also found that KNEB had made great strides in developing Kenya's nuclear potential and thus the concerns of the resolution had been overtaken by events.

- b) Resolution that Tana and Athi River Development Authority (TARDA) and Kenya Electricity Generating Company (Kengen) should stop draining water from their dams to River Tana, come up with a mechanism to control the flooding and consider compensating the people who have been affected.**

## IMPLEMENTATION STATUS

The Committee received submission from the Ministry of Energy stating as follows:

- Construction of dams for generation of hydroelectricity does not aggravate flooding, since dams are water reservoirs which absorb water which would otherwise flow unhindered to low lying downstream areas;
- Hydro mode of electricity generation is the most affordable and accounts for 50% of all power generated in Kenya;
- The Ministry in conjunction with Ministry of water has embarked on various measures geared towards alleviating the effects of flooding such as construction of small dams and weirs on small tributaries feeding the main rivers to delay onset of floods;

- The Ministry of Energy & petroleum in conjunction with the Ministry of Water & Irrigation to undertake the following to reduce flooding in Tana River:
  - Creation of buffer zones between rivers and residential or farmlands
  - Construction of dikes along river banks in flood prone areas
  - Construction of check dams along tributaries of Tana and other seasonal rivers.
  - Construction of a High Grand Falls Multipurpose Dam Project.

The Committee made a visit to the Tana Delta to ascertain the actual status on the ground and report to the House accordingly. The visit to Tana River County was undertaken on 27<sup>th</sup> and 28<sup>th</sup> November 2015 and later on 17<sup>th</sup> March 2017 the Committee visited the proposed site for the Grand High Fall dam in Tharaka Nithi County which is expected to alleviate the problem of flooding at the Tana Delta Basin.

## 2.9 MINISTRY OF TRANSPORT AND INFRASTRUCTURE

### a) Resolution of the House on liberalization of air Fares

Resolution on Motion by Hon. Omar Mwinyi, on Liberalization of Air Fares on 29<sup>th</sup> October, 2014.

*THAT, aware that air transport in Southern and Eastern Africa is growing with three major African carriers including Kenya Airways Limited dominating international and domestic flights with international traffic in the region having grown at an annual average rate of 6.2 per cent between 2001 and 2007; Further, aware that Kenya Airways Limited provides 70 per cent international traffic through Nairobi compared to South African Airways and Ethiopian Airlines at 33 per cent and 83 per cent respectively in their hubs; Noting that Kenya Airway Limited enjoys monopoly in air transport in Kenya thus determining the rate of fares at will due to the monopoly they enjoy and that demand for air travel has increased tremendously; Given that there is no regulatory body in place to supervise and ensure fair opportunity for competition by different airlines to ensure checks on the excesses of the airlines and that a number of airlines that applied for license to operate domestic flights are yet to get approvals; **this House resolves that the Government puts in place measures to fully liberalize the air fares including awarding licenses to other operators to make air travel affordable as a result of fair competition***

### IMPLEMENTATION STATUS

The Committee considered the response from the Ministry of Transport and Infrastructure on 21<sup>st</sup> April 2015 and noted that:

- The Civil Industry in Kenya is comprised of both Local and Foreign International Airlines whose operations are regulated by the Kenya Civil Aviation Authority (KCAA) through issuance of Air Services Licenses.

- The Government has liberalized the air transport industry as provided in the Civil Aviation (Licensing of Air Services) Regulations, 2009 and therefore airlines freely fix their tariffs. However they are expected to set reasonable prices.
- Kenya Civil Aviation Authority (KCAA) subjects applications for licences to a transparent process. All applications are processed and concluded within three months as required by the Civil Aviation (Licensing of Air Services) Regulations, 2009. Airlines granted air service licenses by the Authority may commence operations as soon as they meet the technical standards for safety and security.
- After issuance of an Air Service License, airlines frequently take a while to commence operations due to a number of factors, including the standard technical requirements of KCAA put in place to ensure safety, challenges experienced by airlines in purchasing/leasing aircraft and attracting and retaining qualified personnel.
- The Kenya Civil Aviation Authority has re-issued and also issues Air Service Licenses to ninety six (96) airlines in the last one year. Sixty nine (69) are in operations while twenty seven (27) have not commenced operations.

The Committee noted the list of the 96 Airlines registered to operate in Kenya submitted by the Ministry on 15<sup>th</sup> May 2015(Appendix XV).

The Committee is of the view that the aviation industry in the Country is liberalized and that the non-operationalization of registered airlines is due to market forces such as high costs of purchasing or leasing aircrafts and the inability to attract and retain qualified and experienced staff.

#### **b) House resolution on development of a policy on operation of commercial motor cycles (Boda Boda)**

On 22<sup>nd</sup> October, 2014, the National Assembly adopted a motion by Hon. David Ochieng' urging the Government to develop a policy on operations of commercial motorcycles (Boda boda).

*THAT, aware that there is increased use of commercial motorcycles as a means of transport all over the country, which in turn has led to a concomitant increase in the number of commercial motorcycles, commonly known as bodabodas; acknowledging the role played by the bodaboda as in enhancing access to transport, communication and commercial activity, especially in rural Kenya, which is characterized by poor road networks; deeply concerned that most of the bodaboda operators are not properly trained and licensed to operate the motorcycles, leading to frequent motorcycle accidents and loss of lives; noting the prohibitively high costs of acquiring training and motorcycle riding licences; deeply disturbed that most bodaboda operators face incessant harassment from law enforcement officers; taking into account the invaluable contribution of the bodaboda operators to the Kenyan economy; this House resolves that the Government immediately develops a policy on operations of commercial motorcycles*

*(bodabodas), subsidizes the costs of acquisition of training and commercial motorcycle riding licences, establishes regional motorcycle riding licensing units and develops public awareness campaigns to ensure safety in commercial motorcycle transport in Kenya.*

### **IMPLEMENTATION STATUS**

Following the resolution, the Committee on Implementation sought a report from the Cabinet Secretary in charge of Transport and Infrastructure regarding the implementation of the resolution. The Cabinet Secretary submitted as follows:

- i. The Ministry had developed the ‘National Transport and Safety Authority (Operation of Motor Cycle Regulations, 2015) to regulate the operation of motorcycle transport sector in the country
- ii. Regarding the measures taken to subsidize the costs of acquisition of training and commercial motorcycle riding licenses, the matter does not fall within the mandate of National Transport and Safety Authority (NTSA)
- ~~iii. The Authority does not license motorcycles since that is a mandate of the County government. NTSA only registers motorcycles.~~
- iv. The Authority is also conducting public awareness on safety in 20 identified crash prone counties and a new Curriculum of training, testing and licensing of drivers, instructors and examiners to be launched.
- v. Further NTSA enforcement officers are undertaking routine Boda Boda regulations enforcement interfaced with regular sensitization and public education.

During the month of July 2016, the committee visited the counties of Uasin Gishu, Trans Nzoia, Bomet, Machakos and Kitui on a fact-finding mission and to assess the level of compliance of NATSA regulations on the commercial motorcycles (boda boda)

During the visit, Members found that:-

- i. The level of compliance to the new regulations was very low mainly due to Boda boda riders and owners ignorance and apathy by the traffic police and county administration
- ii. Most Bodaboda riders do not possess driving licenses, full ridding gear and most motorbikes are not insured
- iii. Some counties governments had provided budgets for training, public awareness and subsidized the cost of acquiring riding licenses
- iv. NTSA had in conjunction with the local Traffic department and county administration has organized riders in saccos of about 100 riders each
- v. Sensitization was being conducted by NTSA in conjunction with County commissioners
- vi. establishment of county transport and road safety committees was ongoing

### **C) House resolution on accessibility to public buildings by persons with disability**

The Motion by nominated MP, Hon. Jacob Mwaura, MP

*That aware that article 54(c) of the constitution provides that a person with disability is entitled to reasonable access to all places, public transport and information; further aware that section 21 of the Persons with Disability Act, 2003 provides that persons with disabilities are entitled to a barrier-free and disability-friendly environment to enable them have access to buildings, roads and other social amenities, assistive devices and other equipment's to promote their mobility; concerned that over the years, persons with disabilities have not been given the right to enjoy all their fundamental freedoms; cognizant of the fact that accessibility is vital in increasing the mobility of these individuals and reducing the ratio of dependency on people; this House urges that the government develops a clear plan of action to ensure the necessary buildings and that the National Construction Authority only approves designs for new public structures that are compliant with the minimum accessibility standards (KS 21542) for persons with disabilities.*

#### **IMPLEMENTATION STATUS**

In response to a written request by the Committee on Implementation, the PS State department of Housing and Urban Development on 20<sup>th</sup> April 2016 stated that the Ministry had drafted the following Bills, and Regulations that provide for the needs of the Physically Challenged;-

- i) Built Environment Bill;
- ii) The Building Surveyors Bill
- iii) The National Building Regulations and;
- iv) The National Building Maintenance Policy.

Specifically, the National Building Regulations 2012 outlines the special requirements for persons with disability in every stage of the building construction process.

These regulations covered buildings to be designed for use by persons with disability, initial access, ramps, dropped curbs, lifts, corridors and lobbies, doors and water closet cubicles for persons with disability among others.

### **D) Petition regarding corruption at the weighbridges in the country.**

The Petition was presented by Hon Sanjeev Birdi on behalf of Kenya long Distance Truck drivers and the Allied workers Union.

The Petition stated as follows:

*THAT, aware that in the recent past there have been widespread allegations of corruption and harassment of Kenya Long Distance Truck Drivers and the Allied Workers Union by the Kenya National Highways Authority (KeNHA) officials and weighbridge managers who have been charged with the responsibility of manning weighbridges across the country;*

*THAT, the Kenya National Highways Authority (KeNHA) officials and weighbridge managers have caused unnecessary challenges due to alleged accusations of overloading by the truck drivers, which has led to untoward delays in delivery of goods to their destinations and even caused losses to the transporters;*

*THAT, the harassment and delays caused to drivers at weighbridges has led to loss of jobs, and on several occasions exposed them to starvation and prone to cold- related diseases due to lack of food, water and lodges at weighbridges as evidenced by the attached affidavit;*

*THAT, on several occasions trucks' keys and importation documents have been confiscated by weighbridge officials which has intensified hindrances in moving the trucks;*

*THAT, most weighbridge stations do not have health facilities to cater for the long distance drivers who may fall sick on the way as they await clearance on the weighbridges;*

Petitioners pray that the National Assembly through the Departmental Committee on Transport, Housing, and Public works:-

- Investigates corruption allegations made by Kenya Long Distance Truck Drivers and Allied Workers Union on some of the KeNHA officials and weigh bridge managers.
- Investigates whether there are clear weighing specifications for special trucks.
- Investigates how many weigh bridge stations have health facilities to cater for long distance truck drivers.

### **IMPLEMENTATION STATUS**

In response to the request by the Committee on Implementation for the implementation status, the Cabinet Secretary stated as follows:

- The Kenya National Highways manages 9 static weighbridges namely Mtwapa, Mariakani, Isinya, Athi River (Mlolongo), Juja Gilgil, Webuye Rongo and Busia.
- The following measures have been put in place to improve service delivery and reduce corruption at the weighbridges around the country.
  - The improvement involves construction of modern weighbridge on either side of the road to enable trucks to be weighed in the direction of travel
  - Addition of multi deck weigh scales to reduce weighing time
  - Construction of High Speed Weigh in Motion Systems(HSWIM) on either side of the weighbridge for screening and automatic clearance of compliant trucks
  - Construction of Auxiliary lines dedicated to trucks in order to remove congestion and blockage by overlapping private cars
  - Conversion of existing static single weigher (SAW) into a Slow speed in Motion to reduce weighing time

Other measures include the following:-

- Administrative management of snarl-ups through suspension of weighing for a defined period where trucks are recorded and forwarded to the succeeding weighbridges
- Collaboration with the Axle Load Enforcement Unit and the Traffic base Commanders to facilitate smooth flow of traffic
- Installation of CCTV cameras to monitor operations.

Regarding inadequate amenities at the weighbridges, the CS informed Members that the weighbridge management team endeavors to ensure that cases are dispensed expeditiously but some time delays occur if a truck is arrested late Friday or over the weekend where the accused has to be taken to court on Monday.

The PS however informed the Committee that all weighbridges have ablution amenities to cater for drivers and any other weighbridge users. The Authority is also in the process of putting up shower rooms in Mariakani and Athi River weighbridge

*e) Report on the 40 Kilometer Road traversing Mbiri, Mugoiri and Murarandia wards, presented by Hon. Irungu Kangata, MP*

The Ministry has allocated Ksh. 100 Million through the Kenya Rural Roads Authority for the FY 2015/2016 to construct the outstanding 10KM of this road to Low Volume Seal (LVS) standard. **To ascertain the status of implementation of the project, the Committee conducted an inspection visit on 17/3/2017 and met the contractors on the ground and confirmed that the works are ongoing.**

*f) Report on the Northern Corridor Transport Improvement Project in particular, Lesseru, Kitale-Marich Pass(A1) Presented by Hon. David Pkosing, MP*

The following safety measures have been put in place by the Ministry of Transport and Infrastructure:

- Retro reflective delineators (Cat eye reflectors) have been installed on all curves within the affected 6Km section.
- Guardrails totaling 500 meters have been installed at high risk sections
- Thirty (30) enhanced and reflective road signs have been installed in this section
- Speed control bumps have been erected in key positions of the roads
- KENHA has also engaged a consultant (Specialist) in Highway matter to review and address the terrain of the existing road and propose design alternatives.

*g) Report on the Construction of a footbridge on Waiyaki way linking ABC place and the National Council for Persons with Disabilities(NCPD), presented by (Hon. Isaac Mwaura, MP)*

The Cabinet Secretary Transport and Infrastructure submitted the following status report to the Committee:

- A Zebra crossing has been marked at an appropriate location to access NCPD offices
- NTSA is enforcing a 50Km speed limit on the section of the road

The construction of the footbridge on Waiyaki was to be incorporated in the ongoing design for the James Gichuru road. *The Committee visited the site on 21/7/2016 and ascertained the status.*

**h) *Report on the Petition on Erection of bumps on Mate road in Kathuana town, presented by Hon. Onesmus Muthomi Njuki, MP***

KenHA instructed the maintenance contractor in-charge of the road to place bumps and signs on the above location, October 2015. **The Committee visited the site on 17/3/2017 and confirmed that the bumps have been erected**

**i) *Report on the Petition on Tarmarcking the Gatiguu -Mevast-Matangini-Ithanga-Kirathani, MayuuyaNg'anga'-Mukuyu road, presented by Hon. Njuguna Kimani, MP***

The Road has been prioritized under the Phase 2 of the Low Volume Seal (LVS) roads program in 2016/2017. The tendering process has since commenced. The Committee visited the road on 17/3/2017 and confirmed that the tender bids have already been evaluated and awaiting award.

**j) *Report of the petition on the status of Komarock Road presented by Hon. James Gakuya, MP***

The Ministry has procured a routine maintenance contractor for the road. *The Committee visited the site on 21/7/2016 and confirmed that 5.8 km out of the 7km stretch raised by the Petitioner had been done.*

**k) *Report on the petition on upgrading of Old Mombasa Road, A, B & C by Hon. Sunjeev Birdi, MP***

The road works were done and the road is now open to the public. *The Committee visited the site on 21/7/2016 and ascertained the status*

## 2.10 MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

### a) Resolution On Friendly Waste Disposal

On 24th July 2013, the House passed a resolution arising from a motion by Hon. James Gakuya, urging the Government to amongst other measures devise for friendly waste disposal that should also include putting up recycling plants within the dumpsites, that will ensure garbage collection and disposal from the point of generation.

### IMPLEMENTATION STATUS

The Cabinet Secretary in her letter to the Committee dated 11th April 2014 stated that NEMA had rolled out a 10-point strategy for the County Governments to improve existing dumpsites, to minimize pollution and their impact on the environment.

The Committee thereafter made visits to 5 Counties (Mombasa, Nairobi, Nakuru, Kisumu, Kiambu) to gauge the level of compliance in the country, and also toured Japan and Austria, to appraise itself with international best practices.

The Cabinet Secretary further informed Members that:-

- Waste Management in the country is poor
- No County has complied with the NEMA standards
- Many Counties have been unable to identify adequate land for dumpsites
- The Ministry was receiving inadequate support from the County administrations in the area of service delivery since waste management is a devolved function.
- NEMA currently lacks adequate human, legislative and budgetary resources to meet the demand of its mandate.

The CS also enumerated some key milestones attained by NEMA such as :

- NEMA had recently taken to court authorities that violate the regulations
- Segregation of waste was being enforced at the collection centers and households were being encouraged on the same
- Seminars on investing in waste dubbed 'Waste is Wealth' campaigns were being conducted countrywide
- The Ministry is partnering with the Ministry of Education on the implementation of Environmental Education in schools

A Ministerial team in conjunction with the government of Japan was developing a centralized medical waste management and establishment of sanitary landfills.

The Committee further noted that waste management is a devolved function hence monitoring of the standard of management is difficult due to inadequate communication and information sharing between the Ministry and County administrations.

**ii) House resolution to dedicate one Thursday of every month by all Kenyans to cleaning and beautification of public places, by Hon. Dr. Wilbur Ottichillo, MP)**

**The Motion**

*THAT*, aware that Article 42 of our Constitution accords every person the right to a clean and healthy environment and that Article 69(1)(d) mandates the State to encourage public participation in the management, protection and conservation of the environment; deeply concerned that our homes, roads, public and private premises, work places, recreational areas and general environment are littered with plastics, solid and liquid wastes as well as lacking good general environmental aesthetics, this House resolves that the Government declares one Saturday of each month be dedicated by every Kenyan household, organized groups, public and private institutions and corporate organizations to cleaning and beautifying their immediate environment and public places and also initiates a proactive programme in all our schools to inculcate the culture of keeping our environment clean and healthy.

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**IMPLEMENTATION STATUS**

During the deliberation on the response by the Cabinet Secretary, Ministry of Environment and Natural Resources, Members felt that the Cabinet Minister failed to address the subject matter of the resolution.

The response only enumerated various environmental ('cleaning-up') initiatives by the Ministry but did not indicate the measures taken by the Ministry towards the implementation of the resolution.

**iii) Resolution on the implementation of the petition on eviction of residents of Gwass Hill by Kenya Forest Service (KFS)**

The petition by residents of Gwass Hill within Suba Constituency was presented to the House on 12<sup>th</sup> November 2014 by Hon. John Mbadi pursuant to Article 119(1) of the Constitution of Kenya and pursuant to the provisions of Standing Order 225(2). The petitioners prayed that Parliament intervenes to have Gwass Hill forest area clearly demarcated and the people's property that was unlawfully destroyed be compensated.

**IMPLEMENTATION STATUS**

In response to the letter from the Committee on Implementation regarding the implementation status of the Petition, the Ministry informed the Committee that:

- i. A total of 25KM boundary was re-established and a total of 40 beacons placed in their right positions
- ii. The Ministry target to planting 35,000 tree seedlings during the long rains of April-May 2016
- iii. The Ministry will initiate the process of engaging the stakeholders with a view of gazetting the critical water catchment areas.

- iv. KFS is currently supporting the Gwassi Community Forest Association and the adjacent communities to establish on-farm wood lots and reduce pressure on the natural forest.

The Committee was satisfied with the steps taken by the Ministry.

**iv) Petition by Geoffrey Elphas Kokonya on behalf of Bukhayo Council of Elders regarding construction of a dam along Sio River**

On 18th June 2015, Mr. Geoffrey Elphas Kakonya on behalf of Bukhayo Council Of Elders, presented a petition pursuant to Standing Order 225 (2) regarding the construction of dam along river Sio.

The petition sought to draw the attention of the House to the following, that:-

- West Kenya Sugar Company had initiated construction of a sugar plant at Olepito in Busia county;
  - The Olepito Sugar plant is located along Nambale – Busia road in Teso – South Sub-County and a dam is being constructed at Manyole area in Nambale which is about 6 km away;
  - The West Kenya Sugar Company never consulted the residents of Bukhayo nor conducted a public participation exercise over the intended construction of a water dam at Manyole area;
  - Article 69 of the Constitution stipulates that the state shall ensure sustainable exploitation, utilization, management and conservation of the environment and natural resources, and ensure equitable sharing of accruing benefits and encourage public participation in the management, protection and conservation of the environment which the company has violated;
  - The construction of water dam at Manyole will cause shortage of water on the lower side of the river as it serves residents in Busia Town, Matayos town, Mundika town, Secondary schools and primary schools in Matayos Sub-County (population of more than 124,445 people);
  - Installation of water pumps across the river will affect fish migration and fishing activities.
- 
- ✓ Since there is no ongoing construction of a dam as indicated in the prayers of the petitioners and therefore the prayer cannot be granted. There is also enough water in the Sio River as per the submissions by the Water Resource Management Authority to support use by the residents of Busia and its environs and also for use by factories;
  - ✓ The National Environment and Management Authority (NEMA) and Water Resource Management Authority (WRMA) should carry out public participation as required under Article 69(d) of the constitution for major projects that may affect water levels at the river and undertake continuous monitoring of the river flow;
  - ✓ Proactive steps should be taken by NEMA and WRMA to inform the community on the intention of the West Kenya Sugar company to abstract water at Nambale-Malanga bridge;

- ✓ The Committee recommends that the issue of distance between sugars factories need to be addressed through legislation since it is leading to unhealthy business rivalry that is not suitable for development of the sugar sector in the region.

## **IMPLEMENTATION STATUS**

The Committee noted that no dam was being constructed, hence the issued raised in the petition have been overtaken by events

### **v. *PETITION ON THE HUMAN WILDLIFE CONFLICT IN LAIKIPA NORTH SUB-COUNTY***

#### **THE PETITION**

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On Thursday, 27<sup>th</sup> July, 2016, Hon. Sarah Korere, MP presented a petition on behalf of residents of Laikipia North Sub- County regarding human wildlife conflict.

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The petition sought to draw the attention of the House to the following, that:-

- ✓ Residents of Laikipia North Sub- County have been engaged in human and wildlife conflict for a long period.
- ✓ The Wildlife Conservation and Management Act , 2013 contemplates formulation of innovative measures for mitigating human wild-life conflict and compensating victims of human wild-life conflicts
- ✓ The said Act provides that in mitigating human wildlife conflicts, precedence shall be accorded to the rights and privileges of communities living adjacent to conservation and protected areas
- ✓ Residence of various group Ranches in Laikipia North Sub-County have been battling incessant attacks by elephants, resulting in human and livestock deaths; injuries and destruction of crops and property in the region.
- ✓ Recently elephants attacked schools children from Dol Dol, Kiwanja. Ilkinyei and Ol-arjiju primary schools, among others, thereby forcing children to skip school in fear of the danger posed by the elephants on the loose
- ✓ The elephants have not just taken over the community's watering points thus obstructing residents from accessing water for domestic and livestock use but have also been destroying key public installation such as school fences and water pipes thus triggering endless human wildlife conflict.

- ✓ In late May 2014 disillusioned residents of Laikipia County staged peaceful demonstration against inaction by the KWS, only to be fiercely dispersed by police who shot live bullets in the air ,leaving several people injured
- ✓ Between 2013 and 2016 about thirteen people had lost their lives after being attacked by elephants yet only one of the victim's families has so far been compensated.
- ✓ Effort by the local leaders to amicably resolve the perennial stalemate with the management of the KWS have been met with futility and frustration
- ✓ The matter presented in this petition is not pending before any constitutional or legal body

**The petitioners prayed that the National Assembly through the Committee on Environment and Natural Resources intervenes and stop the conflict between human and wildlife.**

### **RECOMMENDATIONS TO THE PRAYERS OF THE PETITIONERS**

In response to the prayers by the Petitioners, the Committee on Environment recommended that:-

- DolDol, Kiwanja ,Ilkinyei and Ol-arjiju primary schools around the forest to be fenced.
- Residents to be compensated of the damage caused to their animals and property.
- Human death which are very emotive to be compensated
- Corridors to be opened up by the owners of big ranches in Laikipia North belonging to the white settlers.
- The number of Rangers in the area to be increased and establishment of Rangers station in the area.
- Migratory corridors to be opened for easy movement of the elephants

### **IMPLEMENTATION STATUS**

The Committee on implementation wrote to the Ministry of Environment and Natural Resources on 8<sup>th</sup> Feb, 2017 pursuant to standing orders 209. The Cabinet Secretary responded to the prayers on 22<sup>nd</sup> Feb, 2017 stating as follows.

- ✓ **DolDol, Kiwanja, Ilkinyei and Ol-arjiju primary schools around the forest to be fenced.**
- ✓ The estimates and BQs for electric fencing of the four schools are underway. After completion, KWS will source and allocate the necessary resources for implementation of the projects. These projects will be implemented once funds are disbursed from the National Treasury
- ✓ **Wildlife corridors mapping**

- ✓ KWS has plans of mapping out all historical migratory corridors in Ilpolei, Mukogodo, Kimanju, ngare, Sang'aa and Arijju areas of Laikipia North Sub-county as well as create awareness on co-existence with wildlife
  - ✓ **Laikipia CWCCC**
  - ✓ KWS has prepared Budget for facilitation of all 47 committees to ensure that claims being held at County level are deliberated on and recommended for payment by the Treasury
  - ✓ **Rangers outpost at Doldol sub-station**
  - ✓ Rangers have been deployed to Doldol substation to ensure quick response to human wildlife conflicts as a result of wildlife moving in and out of the Mukogodo forest
  - ✓ **Compensation**
- 
- ✓ Only one case has been paid since this petition. The cases were from Laikipia Central Sub-County for one Mr. Peter Kariuki. However, the remaining cases will be paid once the money is disbursed by the Treasury

vi. **Petition by the residents of Bura Constituency on the Degazetment of Legal Notices No. 39 & 40 of 2013 on the declaration of Bangale and Mbalambala as forest areas.**

The committee made the following observations:-

- The gazettement of the land as a forest area was done in 2013 after the Forest Act, 2005 had come into operation; the Committee noted that the procedure for gazettement requires Public Participation as stipulated in the Third Schedule of the Act.
- It was insufficient to use the District Development Committee and full Council of the then Tana River County Council to inform the gazettement, instead more local community participation should have been done.
- 70% of the land that has been gazetted is very rich in minerals e. g gypsum. The gazettement of these areas has denied the community access to the resources in the forest.
- Section 28 of the Forest Act, 2005 stipulates that variation of boundaries or revocation of local or state authority forest shall only be published following a proposal recommended by the Kenya Forest Service. The proposal should have been subjected to an independent Environmental Impact Assessment and public consultation in accordance with the Third Schedule.

## COMMITTEE RECOMMENDATIONS

In response to the prayers by the petitioners, the committee recommends that:-

- ✓ Nothing that Settlement in the area preceded the gazettement of the area as a forest, and taking into account the needs of the people settled in the area verses the need for conservation of the forest, the Kenya Forest Service should consider initiating a proposal to parliament for approval to vary the boundaries of the forest in line with section 28 of the Forest Act, 2005.
- ✓ The Kenya Forest Service needs to create awareness on the rights of people living around the forests and the resources they are allowed to access as well as the need to conserve the forest

- ✓ **IMPLEMENTATION STATUS**

The Committee notes that the variation of forest boundaries requires the approval of Parliament. The ministry has not brought such a request to Parliament in accordance with the law

### **vii. Petition on the human wildlife conflict in Meru County**

The petition was tabled before the House pursuant to Standing Order No. 225 (2)(a) by the Hon. Florence Kajuju MP, on behalf of residents of Meru County regarding human wildlife on Thursday ,3<sup>rd</sup> December ,2015

The petition sought to draw the attention of the House to the following, that:-

- Residents of Meru County have been engaged in human and wildlife conflict for a long period.
- Recently over 300 stray elephants trampled down fences, ruined farmlands and damaged crops and homes, caused injuries and loss of life;
- The residents of Meru County have suffered extreme crop loss and destruction, hunger, and suffering;
- There remains deep anxiety and fear in Kithoka , Nkunga and Tigania West areas and other parts of the larger Meru County due to the continued wanton destruction of crops by the elephants;

- The Kenya wildlife Service wardens take a long duration to respond to the residents' distress. Concerned that only twenty kilometers(20 km) of the entire park area is fenced hence making it easier for the animals to stray more often;
- The matter presented in this petition is not pending before any constitutional or legal body;

In response to the above prayers, the Committee on Environment recommended that:

- ✓ Erection of a 54KM permanent electric fence on the hot spot areas in Meru County.
  - ✓ Residents to be compensated of the damage caused to their crops by wildlife.
  - ✓ Human death which are very emotive to be compensated
  - ✓ Employment of fence maintenance to monitor the fence.
- 
- ✓ A belt of 100M of Tea Leaves to be planted along the fence to help in it maintenance

## **IMPLEMENTATION STATUS**

The Committee on Implementation wrote to the Cabinet Secretary Environment pursuant to the standing order 209 seeking the Implementation status of the resolution. In response the CS stated that the Ministry did not have adequate funds for compensation of victims of human wild-life conflict she further stated that the Ministry had written to the National Treasury seeking for additional funding to address the matter.

### **2.11 MINISTRY OF LANDS**

#### **i)Resolution on the eviction of Muthanga farmers from their land**

Petition by the Members of Ex-Muthanga Farm Farmers Company limited which was presented to Parliament by Member of Parliament for Kabete South the late Hon. Joseph Nyumu,

The petitioners prayed that the Departmental Committee on Lands investigates the matter and intervenes with a view to assisting the farmers access the land or if the squatters are to remain, ways of compensation for the owners to be sought.

During deliberation on the Petition on 11<sup>th</sup> Feb, 2016 Members observed that there were inconsistencies in the response from the Ministry of Lands. In addition, the matter was a case of absentee property owners verses the squatters and, the matter was already in court.

The Committee noted with concern that the Ministry (Lands), being the cause of the confusion in the allocation and transfer of the said land, should be further engaged on the matter.

Further noting that the matter could result to an upsurge of tribal conflict pitting Kenyan two communities, the Committee resolved to call the CS (Lands) to appear before its sitting on 1

March 2016 to update the Members on:

- The current position of the Ministry regarding the Muthanga Farm
- Ministry's efforts on the proposed land buy-off from the registered owners
- Ministry's roadmap on the resolution of the matter which has remain unresolved for decades and has a potential of triggering ethnic clashes

During the meeting the Permanent Secretary Ms. Fatma El-Maawy, on behalf of the Cabinet Secretary appeared before the Committee on 1<sup>st</sup> March, 2016 and informed Members that:-

- i. Land records have revealed differences in ownership of parcels of land at Muthanga farm where some parcels indicated as owned by specific individuals from the Presidential Commission and actually owned by different individuals on the green cards.
- ii. Various transactions(eg Subdivisions, charges, sales transfers) on specific parcels continued to take place
- iii. The dispute spans over 25 years and therefore a multiple generation of squatters are to be dealt with in the formulation of a lasting solution to the issue
- iv.

### **IMPLEMENTATION STATUS**

On Implementation of the Committee recommendations, the Cabinet Secretary thus:

- Land LR No. 9947/2 does not exist as a single entity. It was subdivided and allocated to individual shareholders and negotiation with individual owners has proved cumbersome
- A number of the registered owners have charged their parcels of land to various banks
- There is a pending court case, HCCC No. 1159 of 2000, Nairobi. It would therefore be prejudicial to act on this matter before the case is concluded
- Committing the Ministry to compensate the registered land owners is not tenable since compulsory acquisition is only provided for acquisition of land for public purpose only

*Both the Committee Ministry was in favour of awaiting for the court process to be concluded before a way forward is determined. However, the relevant Ministries could initiate outreach activities among the affected communities in conjunction with the Ministry of Interior to explore feasible options and avert potential flare ups , and thereafter;*

### **ii) Resolution on leased land set aside for Moi International Airport**

The Member of parliament for Changamwe constituency, Hon Shimbwa Omar Mwinyi and M.P presented a petition to parliament on 27<sup>th</sup> August , 2014 , on behalf of residents of changamwe constituency regarding the status of the leased land meant for expansion of Moi International Airport.

### **IMPLEMENTATION STATUS**

The member sought the intervention of Committee towards investigating the matter with a view to have the Government discontinue any further leasing of land Plot No 12223/VI/MN belonging to natives of Bokole in Airport Ward and plot No 1066 sec. VI/MN in port Reitz Ward in

Changamwe constituency and the parcels of land be allocated for public use by resident of Changamwe.

Plot NO 1066 sec VI/MN measuring 19 acres in port Reitz Ward Changamwe constituency belongs to the Kenya Airport and it lying idle after the airport expansion was shifted west wards. Part of the land has been taken up by an individual who has put a container yard and access routes of the land have been closed off to the public.

The Committee made a visit to the Bokole and in Port Rietz on 22/2/2017, Members found that the National Lands Commission had made progress by revoking 6 titles title deeds which had been illegally obtained by private developers and was in the process of recovering the rest. It was resolved that NLC expedites the process and to make the said land available for the development of community's social amenities.

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### iii) Resolution on the implementation of grabbing of land belonging to Chuka primary school

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The petition by residents of Igamba Ng'ombe residents was presented to the House by the area MP Hon. Muthomi Njuki pursuant to Article 119(1) of the Constitution of Kenya and pursuant to the provisions of Standing Order 225(2) and was committed to the Departmental Committee on Lands.

The Committee held several meetings and called witnesses regarding the matter and made the recommendation, '*that the National Land Commission allocates the Land to the School and that the Ministry of Lands and Housing should issue a title deed for the said school within 30 days*'.

### **IMPLEMENTATION STATUS**

In response to the letter from the Committee on Implementation regarding the implementation status, the Ministry informed the Committee that the National Land Commission has since allocated the said land to the school. The title deed of land will be issued once the stipulated fee is paid and the Survey Plan forwarded to the NLC by the Director of Survey.

*Members were satisfied with the implementation of the petition.*

### **iv) Petition for the recognition of land title deeds and removal of caveats on land title deeds in Narok south**

On 4<sup>th</sup> June 2014, the Member of Parliament for Ndhiwa Constituency, Hon Agostino Neto, M.P presented a Petition to Parliament for the recognition of land title deeds, removal of caveats on land title deeds in properties formerly known as Enkaroni and Enakishomi group ranches situated in Narok South, Narok County.

The Petitioner prayed that:

- Petitioners get back their land, their titles recognized and any caveats on the said titles, if any lifted so that they can enjoy their right to property; and

- Funds be allocated to the communities in the affected areas to help in the construction of schools, hospitals and other public amenities on the said properties.

The Departmental Committee on Lands held various sessions in Parliament and met with Cabinet Secretaries for Land and Environment, the Chairman, National Land Commission and the Ministry of land officials in Narok and received information regarding the petition

In its report tabled on the floor of the House on 3<sup>rd</sup> March 2015, the Committee on Lands made the following recommendations:

- Ministry of Lands should place caveats only on titles of those who have encroached on forest land and not blanket caveats on all titles as is currently the case
- The Ministries of Land and Environment should demarcate and differentiate private land and forest land
- The Ministry of Environment together with the Narok County Government should embark on a major reforestation on the encroached areas within the Mau complex
- The Ministry of Land, together with the NLC should identify parcels encroaching on the forest. For those encroaching, the NLC Should adjudicate on the dispute
- The National Cohesion and Integration Commission should move in with speed to promote peace among the residents

### **IMPLEMENTATION STATUS**

In response to the letter from the Committee on Implementation to the Cabinet Secretaries responsible for Land and Environment as well as the CEOs of NLC and the NCIC to report on the status of implementation of the report the following was observed:-

Response from the CEO National Land Commission dated 23<sup>rd</sup> February 2016 stating that recommendation No. 4, which requires that the NLC adjudicates the dispute on encroachment, has not been implemented as the Commission is still awaiting the demarcation of the land by the Ministries responsible for Land and Environment so as to identify those that have encroached.

The Cabinet Secretary Environment wrote to the Committee on Implementation on 7<sup>th</sup> March 2016 and submitted as follows:

- That Ol posimoru Forest was gazetted in 1957 vide proclamation no. 196 of 5<sup>th</sup> March 1957. It covered an area of 36,974.71 Ha. At the time of gazettelement, the boundaries of the forest reserve were reflected on Boundary Plan No. 180/71. The boundaries of this forest not marked on the ground because of the natural boundaries of Ol Posimoru Forest, which are; Maasai Mau Forest to the South, Eastern Mau Forest to the North, Mara River to the West and Ewaso Ng'iro to the East.
- During the same period, three adjudication sections were created to the North of the forest covering a total of 20, 115 Ha. The areas are Kamar, Kileba and Ol Posimoru.
- In 2015, a cutline was marked to check the encroachment that was as a result of settlements that were encroaching into the forest. However, the joint demarcation exercise between the Ministry of Lands, Housing and Urban Development and the Ministry of Environment has not been carried out.

- After the determination of the cutline, two forest guard camps were established along the cutline. This has helped to check the encroachment from the Maasai Mau Settlement Scheme and improved vegetation cover in Ol Posimoru Forest.

v. *Implementation status of the report on Land issues in Taita Taveta County*

The matter on land issues in Taita Taveta County come before Parliament as a result of public outcry and the rising tension in the area due to heightened land conflict between the owners of Teita sisal estate and the local community.

The committee tabled its report to the House in 25<sup>th</sup> June, 2015 with the following key recommendation;

- *The Ministry of Lands, Housing and Urban Development through the Director of survey should carry out a survey with a view to ascertaining the boundaries as per the records of 1992 from the Survey of Kenya, so as to separate the 33,000 acres that belongs to Teita Sisal Estate (LR Nos. LR 3880/5 (3880/4/R), LR 11378, LR 6924 and LR 9487(Dam) from the total acreage of 33,284 acres), and the neighbouring trust lands, so that the rest is given back to the community.*
- *The Government through the Ministry of Land Housing and Urban Development and the National Lands Commission should determine if there is any encroachment on the road, airstrip, sanctuary, trust land around Tasha Hill and railway reserves by Teita Sisal Estate Limited.*
- *The National Land Commission, Ministry of Lands, Housing and Urban Development and other stakeholders should fulfill their legal mandate of identification of beneficiaries and administration in settlement programs in Taita Taveta, Coast and other parts of the Country urgently. This will facilitate the long awaited access to land ownership and management by residents of Mwatate (Singila Majengo), Taveta and other parts of the country (Section 134 of the Land Act).*

The Cabinet Secretary submitted a report to the Committee on 23<sup>rd</sup> May 2017 on the status of implementation of the recommendations as follows:

- i) A technical committee made up of all the stake holders was formed to carry out a joint survey of the land in question as per the recommendations of the Committee.

In accordance with the Land Registration Act 2012 sections 15 through 20, positions of fixed boundaries are determined by the Director of Surveys “**(Provided that where all the boundaries are defined under section 19 (3), the determination of the position of any uncertain boundary shall be done as stipulated in the Survey Act, Cap. 299)**”. In practice however, several approaches may be employed.

- The land owners/disputants may choose to engage their own independent surveyors to do the work with the Director of surveys to observe and give a final report.
- The Director of surveys may determine the position of the boundaries without consulting anyone and prepare relevant reports.

- The Director of surveys may engage the disputants to appoint technical observers to ensure that the technical interests of their clients are taken care of during the boundary determination exercise.

For the task at hand in Teita Sisal Estate, it was found prudent to involve all interested parties represented by professionals in land matters culminating in adopting approach number 3 (three) hence the report naming “**Joint Survey**”. This would ensure that the final report is acceptable to all parties. The work was done by staff from the Director of surveys under observation and active participation (including constant consultation) by highly qualified and reputable surveyors hired by Mwasima Mbuwa Welfare Association and Teita Sisal Estates.

The Mwasima Mbuwa Welfare Association was represented by **Mr. John. D. Obel (Phone No. +254 725 915780)**, a senior and reputable Licensed land surveyor, **Washington Weere (Phone No. 0722835246)** a specialist in Remote Sensing and Geographic Information Systems (GIS) and **Mr. Thomas Nduku (Phone No. +254 722 743743)** an investigator of profound experience and reputation. Teita Sisal Estate was represented by **Mr. Wallis Hime (Phone No. +254 204 182 386)** a senior and reputable licensed surveyor. The County Government of Taita Taveta was represented by **Mr. Sammy J. Wambua (+254 729 726 486)** a senior land surveyor who is the designate County surveyor. **Mr. Richard K. Amati (Phone No. +254 722 786 208)** a Principal Land Surveyor and a licensed Land Surveyor led the team of experts from the Ministry of Lands. All the parties were present in the field throughout the survey exercise.

On **27th June 2016**, the first stake holder meeting was held under the leadership of the Deputy Governor, Taita Taveta County who also doubles as the County Executive Committee (C.E.C) Member Lands and Mining. All interested parties (Mwasima Mbuwa Welfare Association, Teita Sisal Estate, the County Government, opinion leaders and community leaders amongst others) were represented in the meeting. The Director of Surveys through his Representative Mr. R.K Amati highlighted the mandate of the survey team. He clarified that the role of the survey team was to re-establish the boundaries of the Sisal Estate and thereafter file a report on the finding with the National Assembly. Mr. John D. Obel noted that the actual work was to be done by the Director of surveys; other parties being observers.

**The technical team made the following conclusions and recommendations:**

From the ground survey done, computation results, all the surveyors representing various stake holders concluded the following:-

**Conclusions by the joint technical team**

- ❖ That the total acreage of the four parcels of land under investigation (LR. NO. 3880/5 (3880/4/R), LR. NO. 11378, LR. NO. 6924 and LR. NO. 9487(Dam)) is 30,284 acres.
- ❖ That Teita sisal is operating within part of the four parcels under investigation. This is because the Estate is not utilizing part of LR. NO. 3880/5 that is to the north between Voi – Taveta road and Voi River. There is no encroachment by the Estate into neighbouring trust/private land found.
- ❖ That a boundary point named Tasha was effectively re-established on top of one of the hills and there was no encroachment by either the Sisal Estate or the neighbouring Mwachabo Settlement scheme noted around this hill. It was actually confirmed that the hill remained undisturbed hence forming a conservation area.

- ❖ That there are three classified roads which run through the four parcels of land. These are the Voi – Taveta, the Mwatate – Musau, and the Mwatate – Kasigau roads. They have all not been surveyed. The Mwatate – Kasigau road area has not been reduced from the total acreage of parcels affected. Their size totaled to **176 acres** Approx if a road width of 40m is assumed. These were found to be open for public use all the time.
- ❖ That the 100ft un-surveyed road reserve and whose area is deducted on LR NO 6924 leads nowhere and is nonexistence on the ground. All other roads within the four parcels except the three noted above are unclassified and hence private.
- ❖ That there is a manned barrier at the main entrance to the Estate on a road that may have been leading to the railway station. Another manned barrier was found along an unclassified road leading to Mwandisha Primary school.
- ❖ That the Voi – Taveta railway line runs through LR. NO. 3880/5, the reservation has been deducted from the gross area of the land. The Mwatate railway station (not operational) also falls within the boundaries of LR. NO. 3880/5. The Kenya Railway cooperation confirmed that there is a gazette reservation of 4.8 acres. This has not been surveyed hence not deducted from the gross area for the parcel. The Sisal estate and the community do cultivation along the reserve but no permanent developments were noted apart from the railway station buildings.
- ❖ That the sanctuary is a private venture by the Teita Sisal Estate and is within the four parcels under investigation and registered in their name. It is therefore not a public utility.
- ❖ That the settlement at Singila Majengo and other settlements mentioned under “findings” all fall within LR. NO. 3880/5 which belongs to Teita Sisal Estate. There was no encroachment whatsoever by the Sisal estate into community land noted.

### **Recommendations by the Joint Technical Team**

Noting the presence of various utilities and human settlements within the legal boundaries of the Sisal Estate and in the interest of peaceful co-existence between the Teita Sisal Estate and the community, the working group proposes adoption of the following recommendations.

- ✓ Consider to lawfully excise part of the LR. NO. 3880/5 land already settled by the Community for the benefit of the community.
- ✓ Complete the excision process of the land occupied by Mwandisha Primary school and its right of way and register it under the Ministry in charge of education.
- ✓ The Ministry in charge of roads to survey and reserve all the classified roads that run through the estate land. Secondly the Ministry to consider the classification and subsequent survey of the private roads leading to Kamtonga and Manoa which traverse through the estate land. It was noted that these roads even though private are currently in undisrupted use by the public.
- ✓ For posterity of the Dam, (to the benefit of the Community and the Sisal Estate) the local leadership and the Teita Sisal Estate should discourage and bar members of the public from farming in the area reserved for the dam.
- ✓ The Kenya Railway cooperation to excise the Mwatate railway station land and deduct its area from the gross area for LR. NO. 3880/5. The Sisal Estate security to continue

safeguarding the defunct station buildings against vandalism until such a time when the station will be operational.

- ✓ The Mwasima Mbuwa Welfare Association and the Mwatate community be informed of the outcome of the resurvey and to be cautioned to desist from any further encroachment into the sisal Estate land. The Committee also notes the recommendations by the Cabinet Secretary that Land registration No. 3880/5 be reverted back to the community.

### **Committee Resolution**

The Committee on Implementations upholds the findings and the recommendations of the joint technical team and recommends that the process initiated by the Ministry to find an alternative land for resettlement of residents who have encroached on private land be expedited, the Committee further notes that the recommendations by the Cabinet Secretary are not supported by the findings of the technical team. In addition the Committee upholds the view that Land parcel 3881 currently partly occupied by the community reverts back to the community noting that it is not among the parcels under dispute. The process of reverting parcel numbers 3880/5 and 9487 to the community be expedited.

## **2.12 THE STATE LAW OFFICE**

### **i)Resolution on translation of the Laws of Kenya into Kiswahili – Hon Joyce Lay**

The notice of motion was given on 11<sup>th</sup> February, 2015 and was proposed by the Hon. Joyce Lay, MP (TaitaTaveta County). The motion stated as follows;(Adopted on 15<sup>th</sup> April 2015

*That, aware that Kiswahili is the National as well as official language of the Republic as enshrined in the Constitution; Further aware that equality and freedom from discrimination and access to information are fundamental rights ;Cognizant of the fact that democracy and public participation of the people is a National value and principle of governance as per Article 10 of the Constitution; Deeply concerned that a section of Kenyans have low level of knowledge of their legal rights and laws passed by this House as a result of the existing language barriers ;Convinced that unless we as a nation lay down mechanism for translating the constitution and laws passed by Parliament and County Assemblies into Kiswahili, most Kenyans will continue being partially aware of the Law, this house urges the National Council for Law Reporting to progressively translate the laws of Kenya into Kiswahili.*

Pursuant to standing order 209 the Committee on Implementation wrote to the Attorney General on 26<sup>th</sup> Sept 2015 to submit a report on the implementation status of the resolution. The Attorney General responded on 4<sup>th</sup> November 2016

## IMPLEMENTATION STATUS

The Attorney General responded by stating that the matter currently rest with the draft Revision of the Laws (Amendments) Bill, 2016 by the Hon. Joyce Lay, MP. The objective of the Bill as stated therein is to provide for the enactment of laws in both Kiswahili and English and to provide for translation of existing legislation into Kiswahili for easy understanding and usage by members of the public.

However, the office of Attorney General, in view of the foregoing, advised against the instant Bill which placed the obligation to translate laws on the office of the Attorney General. Instead they proposed that the Kenya National Languages Council was best suited to carry out the translation of legislation into Kiswahili.

The Attorney General urged the House to consider the enactment of the more comprehensive Bill. The Bill should be fast-tracked

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### **ii)Resolution on the decentralization of marriage services**

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The notice of motion was given on 18<sup>th</sup> February, 2015 and was proposed by Hon.Maiuiuinjendi, MP (Malava Constituency).the motion stated as follows (Adopted on 24<sup>th</sup> June 2016)

#### **The Motion**

**That**, aware that the Marriage Act, 2014 was assented to by the President on 29<sup>th</sup> APRIL, 2014 and commenced on 20<sup>th</sup> May, 2014;Noting that the Act was by and large an amalgamation of the previous Act, thus amendments relating to the regulations were minimal in effect; Deeply concerned that there are only twelve offices for the registrar of marriage in the whole country, making it difficult for the hopefuls to issue notice of Marriage; Mindful of the fact that the upwards revision of the marriage certificate acquisition fee is not affordable to many Kenyans, thus inhibiting them from registering marriages as envisaged by the new Act; This house urges **the Government to review the procedure and the cost of marriage registration, and to decentralize the offices of the registrar of marriages to a minimum of all sub-counties so as to reduce bureaucracy and enhance accessibility.**

## IMPLEMENTATION STATUS

The Attorney general informed the committee that since the enactment of the Marriage Act,2014,his office, through the Registrar of Marriages, had endeavored to decentralize Marriage functions to the people. The process of decentralization started with the appointment of registrars in the 13counties where the office was already represented. This was followed by the decentralization of marriages centres through Legal notice No.1989 of the 27<sup>th</sup> March, 2015.

The Office then proceeded to gazette Deputy County Commissioners and Assistant County Commissioners in 34 counties as marriage registrars through Legal Notice No.3304 of the 15<sup>th</sup> May, 2015.

Furthermore, marriage fees were last reviewed years ago, raising the need to increase them to a certain degree to cater for inflation. Currently, the total cost of getting married by notice in church is Ksh. 1,400 while that of certification of a marriage while Ksh. 1,100. It is my(AGs) considered view that these charges are reasonable and affordable to the majority of Kenyans.

The office has also licensed 22,700 Christian marriage officers thereby increasing access outside the Office of the Registrar of Marriages. The office is additionally finalizing the drafting of rules and regulations on Islamic, Hindu and Customary marriages, which will see an increase in the number of licensed ministers of faith. This will further enhance access to marriage services in the country

### **iii. PETITION DATED 2ND AUGUST 2013 CONCERNING ENFORCEMENT OF A COURT ORDER IN WINDING UP CASE NO. 10 OF 1987**

The petition was presented to the National Assembly for the enforcement of a Court order in winding up Case No. 10 of 1987 issued by Justice J. Khaminwa given on 17th March, 2009 and issued at Nairobi on 24th March, 2009 directing that the dissolution and release in the winding up cause be stayed until the amount of Kshs.140,000/= together with interest therein from 1986 be paid to the applicant and also that costs of the application be paid to the applicant. The Justice Committee in considering the petition made the **recommendation** that the **Petitioner should pursue his claim with the Receiver if the claim was properly lodged.**

#### **KEY ISSUES ON THE PETITION**

- Mr. Kingori Mwangi deposited 140,000 Kshs with Pioneer Building Thika Branch on 18th July 1986
- The Building Society collapsed in 1987 and the Court appointed the Official Receiver as the Liquidator for the affairs of the Society
- On 17th October 2007, the Advocates for the Official Receiver and Provisional Liquidator issued a notice in the *Daily Nation* of the intention to apply for order of release and dissolution of Pioneer Building Society, and invited objections within 21 days
- Mr. Kingori Mwangi filed an application dated 15th November 2007 at the High Court in Nairobi being the subject of the current Petition before Parliament **Winding Up Cause No. 10 of 1987**, objecting to orders for release and dissolution of the Society
- On 18th February 2008 the Official Receiver and Provisional Liquidator, through their Advocate filed an objection to the Petitioners application.
- On 17th March 2009, the Court granted the Petitioners plea and Ordered - **which the dissolution is stayed until the Petitioners deposit of Kshs.140, 000 and interest since 1986 was paid. This is the premise on which the petition is based.**
- The Official Receiver argued that the matter was in Court on 2nd March 2012, where the Order of 17th March 2009 was stayed.

## IMPLEMENTATION STATUS

- Given this two differing positions the Committee on Implementation wrote to the Registrar Judiciary on 25th January 2017 to clarify the status. The Registrar, vide letter Ref: CRJ/3 dated 3rd May 2017 confirmed the position **that the matter was last in Court on 17th March 2009, and that no other ruling varying this order has been made. The Committee met the official receiver twice in February and May, 2017 who informed the Committee that Mr Kingori had been offered that outstanding balance on the principal amount of Ksh 140,000 that is Ksh 81,132.15. However Mr. Kingori has rejected the offer insisting that the court order must be executed in full. In the circumstances Mr. Kingori has the option of seeking recourse through the court.**

### 2.13 LABOUR AND SOCIAL WELFARE

#### *i) Petition on poor working conditions of the workers at the Kwale Sugarcane Company*

Petitioners, through Hon Zulekha, Agriculture on 27/8/2015 prayed to the National Assembly, through the ~~Departmental Committee on Labour and Social Welfare: One, investigates the circumstances behind the poor working conditions of the workers at the company. Two, intervenes to have the terms of workers reviewed favorably and three, makes any other recommendations that may be deemed fit in addressing the plight of the said workers~~

## IMPLEMENTATION STATUS

The committee noted that the Company had complied with the prayers of the petition through the initiation of various remedial measures such as;

- ✓ Issuance of letters of appointment
- ✓ Adherence to the wage guidelines as per Kenya Gazette Notice No.9 of 2015
- ✓ Wage arrears paid
- ✓ Protective gears and safety measures provided
- ✓ Provision of proper sanitation food and water to employees
- ✓ Provision of better alternative transport mode
- ✓ Provision of medical schemes for employees and workmen compensation

### **3.0 PENDING BUSINESS**

#### **a) Resolutions of the House whose implementation status is pending before Ministries**

- i) Resolution on creation of an innovation fund for the Youth (Motion by Hon. Isaac Mwaura)
- ii) Resolution to declare Kamukunji grounds a national monument (Hon. Yusuf Hassan)
- iii) Resolution that the House declares cattle rusting a national disaster (Hon. William Cheptumo)
- iv) Resolution on provision of clean and safe water to all public facilities (Hon. Mwadime)
- v) Resolution to create coastal and inland training institutions to build capacity of fishing communities (Hon. Rose Nyamunga)
- vi) Resolution that NACADA launches targeted campaigns in all institutions towards safe disposal of containers (Hon. ...)
- vii) Resolution that all uniformed officers trained using public funds serve at least 10 years after training in the public sector (Hon. Major Walukhe)
- viii) Resolution that Government sets up ICU and blood transfusion centre in every constituency (Hon. Raheem Dawood)
- ix) Resolution on registration of all firearms (Hon. Victor Munyaka)
- x) Resolution on training of all medical personal on emergency medical care (Hon. Susan Musyoka)

#### **b. Adopted Committee Reports whose implementation is pending before Ministries**

- i) Report on the Special Audit of the Judiciary (PAC Report) - Subjudice
- ii) PAC Report 2013/2014 and 2011/2012
- iii) Implementation of SGR Phase I and II (Committee on Transport Report)
- iv) PIC Report on Procurement Process
- v) Report of the Committee on Labour and Social Welfare on Tassian II Settlement Scheme
- vi) Report on displacement of residents due to construction of Maanoni Dam

#### **c. Reports on petitions pending before Ministries**

- i) Petition on utilization of funds for compensation of IDPs in Kisii County
- ii) Petition on VAT levied on Tips and gratuity in the hospitality industry
- iii) Petition on degazettement of Legal Notice No. 86 of the Wildlife Conservation and Management Act regarding Nyambene National Reserve
- iv) Petition on removal of the appointed Liquidator for Chuka Farmers Co-operative Society Limited
- v) Petition on irregular purchase of Trans Nzoia County Referral Hospital land
- vi) Petition on illegal eviction of Twiga farmers from their land
- vii) Petition on the removal of the Commissioner for Co-operative Development
- viii) Petition on dispute over land ownership plot No. 280 Makueni Masongaleni Settlement Scheme
- ix) Petition on Management of Ewaso Nyiro River Resources

- x) The election of Chairperson of the Agricultural Society of Kenya
- xi) Relocation of Matangini Primary School to Sub-standard temporary structure
- xii) Petition on recovery of illegal firearms in North Rift Region
- xiii) Petition on alleged compulsory acquisition of Land reference No. Ngong/Ngong 1959
- xiv) Petition on radicalization of inmates, review of the penal code and amnesty for inmates who have served for more than seven (7) years
- x(iii) Petition on enactment of legislative to provide for the registration of all properties in the County
- x(iv) Petition on amendment of the Cancer prevention and control Act 20112
- xv) Petition on alleged transfer of 1800 acres of land belonging to the Chebororwa Agriculture Training Centre
- xvi) Petition on alleged change of management model of the KTDA
- xvii) Petition on registration and regulation of Laboratory Science Practice
- xviii) Petition on the impending removal of the portrait of Kenyas first President from the Kenya currency
- ~~xix) Petition on alleged non-reimbursement of cash bails by Marimanti Law Court~~
- ~~xx) Petition on revocation of appointment of Mr. David Malatu as the Chief of Dakabarich Location~~
- xxi) Petition on amendments to the Accountants Act No. 15 of 2008
- xxii) Petition on resettlement of Ntirimiti Subuiga Squatters on land parcels No. 2806/3 and 2822/3
- xxiii) Petition on creation of new administrative unit in Karingani area
- xxiv) Petition on alleged land grating and illegal eviction in Isiolo County
- xxv) Petition on establishment of strategic reserves for long life powdered milk
- xxvi) Petition on waiver of VAT levied on textbooks journals and periodicals
- xxvii) Petition on alleged presence of Mungiki and other armed militia in Kiambu County
- xxviii) Petition on relocation of Sub-County Headquarters to Kiambu town
- xxix) Petition on relocation of KK Nkengechia Primary School
- xxx) Delayed carpeting of a Section of the Meru-Mana Road from farm to Murera gate Meru National Park
- xxxi) Petition on lifting of ban for the sale and export of raw macadamia
- xxxii) Petition on the state of Karatina jambo road
- xxxiii) Petition on delayed issuance of citizenship by registration to immigration in Kenya

#### 4.0 COMMITTEE OBSERVATIONS

The Committee on Implementation of the Eleventh Parliament makes the following observations in its endeavor to execute its mandate under Standing Order 209 of the National Assembly Standing Orders:

- i) Some of the resolutions adopted by the House are not SMART. They have no indication of specific action, a specific person or institution responsible for the action and a time frame within which the action is expected. This general nature of resolutions and recommendations of adopted reports make follow-up a challenging task.
- i) Some of the resolutions are in conflict with existing Government policies hence making implementation impossible. For example, while the House adopted a resolution urging the Government to stop any investment in nuclear Energy, the Cabinet had already

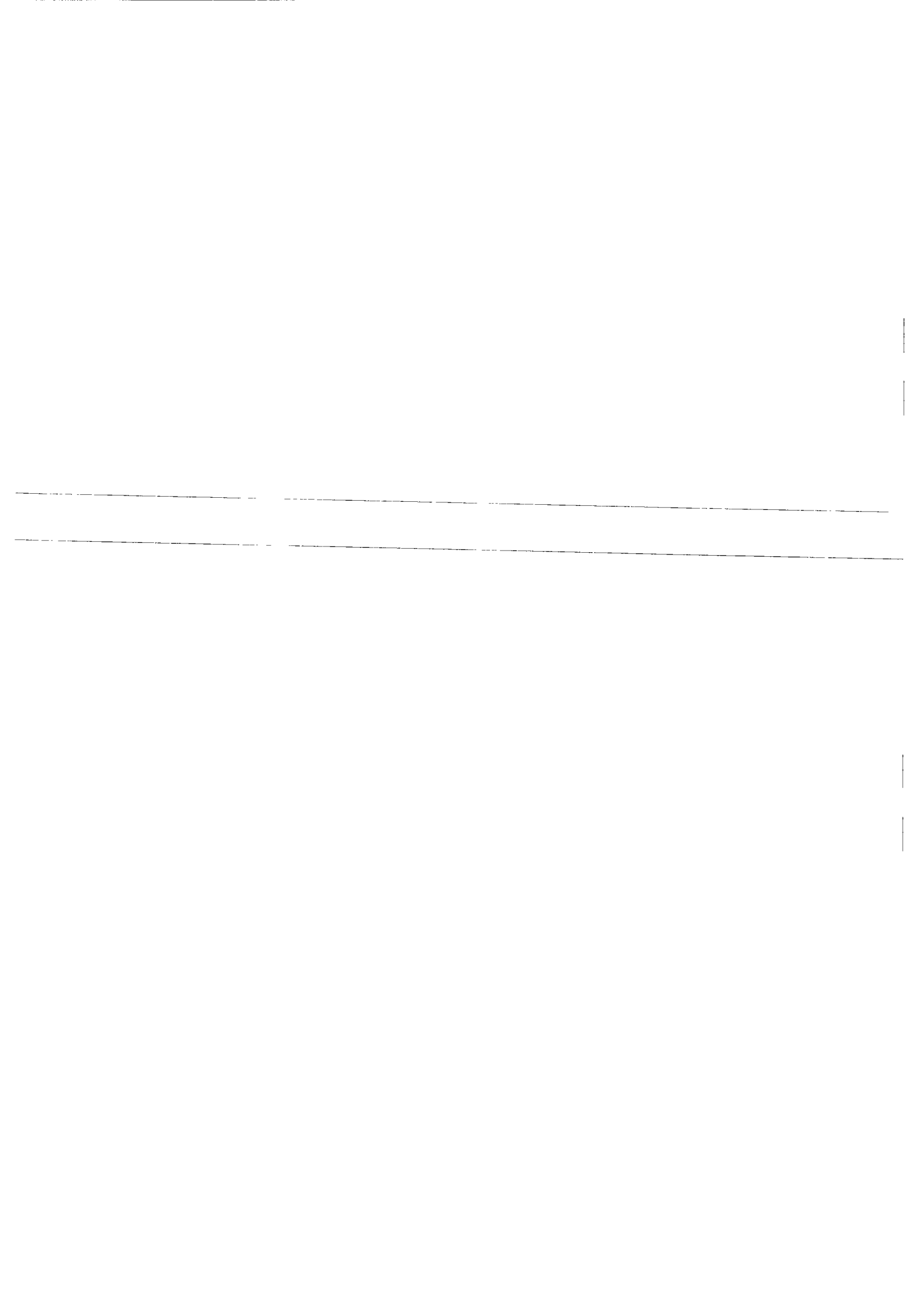
approved such investment and the Ministry of Energy established the Kenya Nuclear Electricity Board.

- ii) There are a number of resolutions that are not in line with existing laws. For example the House adopted resolutions urging the Government to liberalize milk prices, the Energy Sector and the aviation industry yet price controls were removed way back giving room to market forces to determine sector operations with the Government only playing regulatory oversight.
- iii) There are instance where the House passed resolutions that require action by the County Government especially those that touch on devolved functions. A resolution of the House urging the Government to recruit medical personal falls in this category. The National Government retains only the policy formulation function and management of National referral hospitals while the country Government retains the other key role of day to day operations of all other health facilities.
- iv) In some cases Cabinet Secretaries have submitted responses that are unsatisfactory. This has often been linked to frequent changes in the executive that erodes institutional memory leading to either non-response or half-baked responses.
- v) Legislation passed but not supported by financial resources.

## **5.0 COMMITTEE RECOMMENDATIONS**

The Committee makes the following recommendations towards enhancing its effectiveness as a watchdog committee of the House

- i) That all motions introduced in the House be subjected to a thorough back ground check and framed in a way that makes them SMART. This will address all the possible bottlenecks in terms of adherence hence to existing laws, Government policies, accuracy of facts raised and currency
- ii) Research capacity of Committees of Parliament in general and the Committee on Implementation in particular be enhanced.
- iii) The leadership of the Committee on Implementation be selected from the party or coalition of Parties not forming the Government to enable it play its watchdog role effectively
- iv) During the budgeting process due consideration be accorded to resolutions passed by the House attracting financial implications
- v) An online tracking tool for the implementation of House resolutions be developed as a matter of priority.



# **ANNEX 1**

## **ADOPTION LIST**

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# AGENDA - ADOPTION OF THE LEGACY REPORT





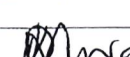
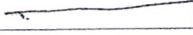
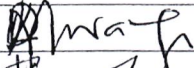


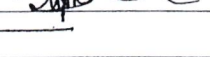



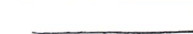
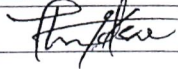
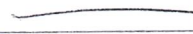







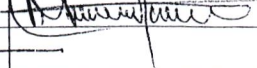



ATTENDANCE LIST

9.30AM

## COMMITTEE ON IMPLEMENTATION

DATE:

5/6/2017 MORNING - ENGLISH POINT  
MEMBERS

NO.	NAME	TITLE	SIGNATURE
1.	The Hon. Roselinda Soipan(Chairperson)	M.P.	
2.	The Hon. David Gikaria(Vice -Chair)		
3.	The Hon. Joseph M'eruaki	MP	
4.	The Hon. Winnie Karimi Njuguna	MP	
5. ✓	The Hon. Jacob Waweru Macharia	MP	
6.	The Hon. Tiras Ngahu		
7.	The Hon. Peter KamandeMwangi	M.O.	
8.	The Hon. Samuel Moroto	MP	
9.	The Hon. Julius KariukiNdegwa	MP	
10.	The Hon. Ali ShariffAthman	MP	
11.	The Hon. Dr. Victor Munyaka		
12.	The Hon. Bernard Bett		
13.	The Hon. Dorcas Kedogo		
14.	The Hon. Philip Rotino		
15.	The Hon. Ibrahim Sane	MP	
16.	The Hon. AsmanKamama		
17.	The Hon. IsaackShaaban Ali		
18.	The Hon. Dr. Paul Otuoma	MP	
19.	The Hon. Mutua Robert (Bishop)	MP	
20.	The Hon. Bernard MunywokiKitungi	MP	
21.	The Hon. DennitahGhati		
22.	The Hon. Ndirangu Kariuki		
23.	The Hon. John Kihagi	Member	
24. ✓	The Hon. Lempurkel Mathew Lekidime	Member	
25.	The Hon. Ferdinand Kevin Wanyonyi		
26.	The Hon. Esther Murugi		
27.	The Hon. Mary Sally Keraa		



**ANNEX 2**

**COMMITTEE MINUTES**

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**MINUTES OF THE 219<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD  
AT THE ENGLISH POINT MARINA HOTEL BOARD , 5<sup>TH</sup> JUNE 2017 AT 9.30AM.**

**PRESENT**

1. Hon Roselinda Soipan, MP- **Chairperson**
2. Hon. David Gikaria, MP -**Vice Chairperson**
3. Hon. Bernard Bett, MP
4. Hon. Ibrahim Sane, MP
5. Hon. Winnie Njuguna, MP
6. Hon. Peter Kamande Mwangi, MP
7. Hon. Julius Ndegwa Kariuki, MP
8. Hon. Bishop Robert Mutemi, MP
9. Hon. John K. Kihagi, MP
10. Hon. Samuel Moroto, MP
11. Hon. Joseph M'eruaki, MP
12. Hon. Mathew Lempurkel, MP
13. Hon. Bernard Kitungi, MP
14. Hon. Dr. Paul Otuoma, MP
15. Hon Jacob Macharia, MP

**ABSENT WITH APOLOGY**

1. Hon. Philip Rotino, MP
2. Hon. Ndirangu Kariuki, MP
3. Hon. Isaack Shaaban A, MP
4. Hon. Sally Keraa, MP
5. Hon. Asman Kamama, MP
6. Hon. Dr. Victor Munyaka, MP
7. Hon. Tiras Ngahu, MP
8. Hon. Dennitah Ghati, MP
9. Hon. Esther Murugi, MP
10. Hon. Alexander Kosgey,
11. Hon. Jacob Macharia, MP
12. Hon. A. Shariff Athumani, MP

**IN ATTENDANCE – NATIONAL ASSEMBLY**

1. Mrs. Florence Abonyo Director, Committee Services
2. Mr. Adan S. Gindicha Clerk Assistant I
3. Mr. James Muguna Research Officer III
4. Ms. Lynette Otieno Legal Counsel

MIN. NO. COI/211/2017 PRELIMINARIES

The Chairperson took the Members through the recap of the activities of the previous day and welcomed Members to fully participate in the review of the Legacy report, reminding them that this would make part of their individual contributions to the success of the 11<sup>th</sup> Parliament.

MIN. NO. COI/212/2017: CONSIDERATION AND ADOPTION OF THE LEGACY REPORT OF THE COMMITTEE

The report was considered paragraph[ by paragraph by the Members present. It was resolved that that the report be adopted with the following amendments :

1. The list of pending business be thoroughly scrutinized to ensure all pending business were captured. ~~A number of petitions not earlier captured were included.~~
2. Recommendation numbers ii and iii touching on need for the House to debate all ~~reports on petitions be discarded~~
3. A recommendation on the need for the enhancement of research capacity of Parliament in general and the Committee in particular be included
4. A recommendation on the need to link the budget process and the resolutions adopted by the House, especially those with financial implications be included
5. A recommendation that the leadership of the Committee be selected from a party or a coalition of parties not forming the Government be included

MIN. NO. COI/213/ 2017: ANY OTHER BUSINESS

The Chairperson thanked all the Members for their positive contribution to the success of the Committee and wished them well in their ongoing reelection campaigns.

MIN. NO. COI/214/2017: ADJOURNMENT

There being no other business, and the time being 25minutes pastTwo O'clock, the Chair adjourned the meeting.

SIGNED .....  
  
(CHAIRPERSON)

DATE 15/06/2017 .....

**MINUTES OF THE 153<sup>RD</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON  
5<sup>th</sup> NOVEMBER, 2015 IN WESTON HOTEL AT 2.30 PM**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Asman Kamama, M.P.
4. The Hon. Peter Kamande Mwangi, M.P.
5. The Hon. Samuel Moroto, M.P.
6. The Hon. Joseph M'eruaki, M.P.
7. The Hon. Philip Rotino, M.P.
8. The Hon. Dennitah Ghati, M.P.
9. The Hon. Mutua Robert (Bishop), M.P.
10. The Hon. Bernard Munywoki Kitungi, M.P.
11. The Hon. John Karanja Kihagi, M.P.
12. The Hon. Isaack Shaaban Ali, M.P.
13. The Hon. Lempurkel Mathew Lekidime, M.P.
14. The Hon. Ferdinand Kevin Wanyonyi, M.P.
15. The Hon. Esther Murugi, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Jacob Macharia, M.P.
2. The Hon. Julius Ndegwa Kariuki, M.P.
3. The Hon. Gideon Ochanda, M.P.
4. The Hon. Dr. Victor Munyaka, M.P.
5. The Hon. Bernard Bett, M.P.
6. The Hon. Winnie Karimi Njuguna, M.P.
7. The Hon. Ndirangu Kariuki, M.P.
8. The Hon. Ali Shariff Athman, M.P.
9. The Hon. Ibrahim Sane, M.P.
10. The Hon. Tiras Ngahu, M.P.
11. The Hon. Alexander Kosgey, M.P.
12. The Hon. Mary Sally Keraa, M.P.
13. The Hon. Dorcas Kedogo, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Adan Gindicha	Clerk Assistant 1
Mr. Salem Lorot	Legal Counsel
Mr. Salat	Serjeant at Arms

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**MINUTE NO. COI/211/2015:      CONSIDERATION THE DRAFT REPORT ON STATUS OF  
COMMITTEE ACTIVITIES FOR TABLING**

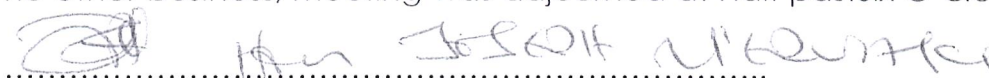
The Chairperson took the Committee through the Draft report where it was resolved that:

1. Matters which had been dispensed in the previous report that was tabled by the Committee earlier in the year be excluded.
2. On resolution on reduction of NHIF penalty **surcharged for late payments from the current 500% to 25%**, the Committee noted that NHIF had effected reduction of the surcharge to 25% administratively hence the need for amendment to the NHIF Act to regularize the change.  
The Committee further noted that The National Hospital Insurance Fund (Amendment) Bill, 2015 which reduces penalties imposed for late payment of contributions to the Fund had was in Senate having undergone 1<sup>st</sup> reading on 18<sup>th</sup> June, 2015.
3. The Committee's report should recommend to the House the need to subject motions to thorough scrutiny and ensure they are well researched on prior to their introduction to the House to ensure all critical and factual information is availed to enable Members make informed decisions and ensure resolutions arising from the motions are implementable and within reasonable time. To achieve this, the Committee will propose amendments to Standing Order 47 of the National Assembly.

**MINUTE NO. COI/212/2015:      ADJOURNMENT**

There being no other business, meeting was adjourned at Half past Six O'clock.

SIGNED



(CHAIRPERSON)

DATE

24/11/2015



MINUTES OF THE 154<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 10<sup>TH</sup> NOVEMBER, 2015 IN BOARDROOM ON 2<sup>ND</sup> FLOOR, PROTECTION HOUSE AT 12.30 PM.

PRESENT

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. Samuel Moroto, M.P.
3. The Hon. Joseph M' eruaki, M.P.
4. The Hon. Philip Rotino, M.P.
5. The Hon. Mutua Robert (Bishop), M.P.
6. The Hon. Bernard Munywoki Kitungi, M.P.
7. The Hon. John Karanja Kihagi, M.P.
8. The Hon. Isaack Shaaban Ali, M.P.
9. The Hon. Lempurkel Mathew Lekidime, M.P.
10. The Hon. Ferdinand Kevin Wanyonyi, M.P.
11. The Hon. Esther Murugi, M.P.
12. The Hon. Jacob Macharia, M.P.
13. The Hon. Gideon Ochanda, M.P.
14. The Hon. Dr. Victor Munyaka, M.P.
15. The Hon. Bernard Bett, M.P.
16. The Hon. Winnie Karimi Njuguna, M.P.
17. The Hon. Dorcas Kedogo, M.P.
18. The Hon. Ali Shariff Athman, M.P.

ABSENT WITH APOLOGY

1. The Hon. David Gikaria, M.P. - Vice-Chairperson
2. The Hon. Asman Kamama, M.P.
3. The Hon. Dennitah Ghati, M.P.
4. The Hon. Julius Ndegwa Kariuki, M.P.
5. The Hon. Ndirangu Kariuki, M.P.
6. The Hon. Ibrahim Sane, M.P.
7. The Hon. Tiras Ngahu, M.P.
8. The Hon. Alexander Kosgey, M.P.
9. The Hon. Mary Sally Keraa, M.P.
10. The Hon. Peter Kamande Mwangi, M.P.

IN -ATTENDANCE

Ms. Lucy Kimathi  
Mr. Adan Gindicha

Senior Clerk Assistant  
First Clerk Assistant

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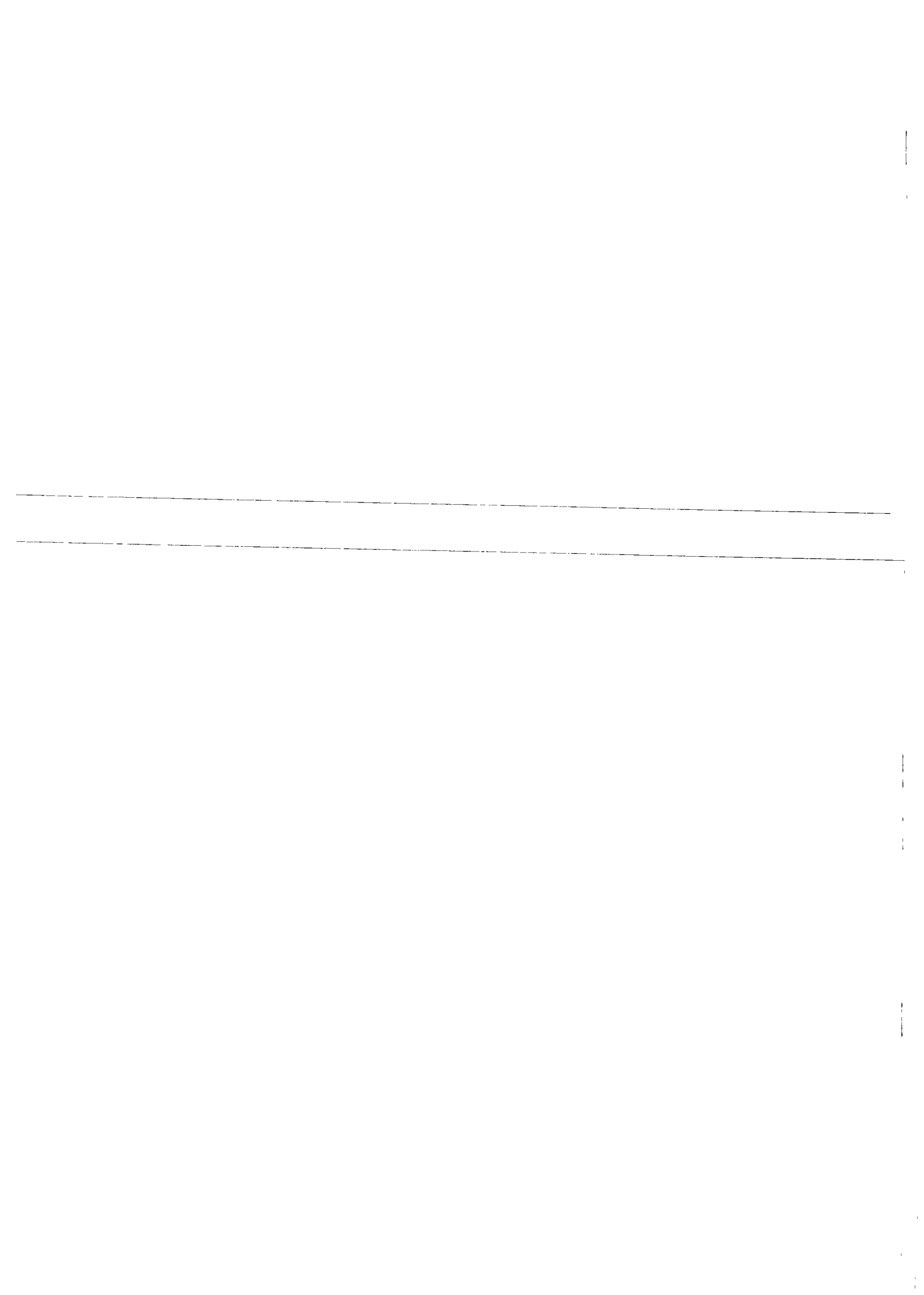
**MINUTE NO. COI/213/2015: MEETING WITH THE ACTING CABINET SECRETARY,  
MINISTRY OF AGRICULTURE, LIVESTOCK AND  
FISHERIES**

The Ag.Cabinet Secretary Mr. Adan Mohamed accompanied by Messrs. Mr. Humphrey Maina ( Chief Executive Officer, Kenya Dairy Board), Mr. Samuel Matoke(Deputy Director, Livestock), Dr. Philip Cherono (Technical Services Manager), Mr. Dominic Kitako ( Principal Agriculture Officer) and Mr. Julius Kiptanui( Director of Livestock Production) appeared before the Committee to respond to issues arising out of a response by the Ministry on the status of implementation of the House on resolution on review of farm gate milk prices to Ksh. 45 per litre.

The Cabinet Secretary took the Committee through a report dated 10<sup>th</sup> November, 2015 which had been signed by Prof. Fred H.K. Segor, Principal Secretary, State Department of Livestock.

Based on the report and interaction with the CS, the Committee noted that:

1. Milk prices in Kenya were decontrolled in 1992, when the Dairy Industry was liberalized, hence prices of milk are determined by market forces, hence fixing prices as resolved can only be through legislation and such a move may not be sustainable and globally competitive.
2. Cost of feeding contributes to 42% of total cost in milk production at farm level;
3. Government had put stop gap measures to bridge the huge differential in pricing of milk at producer and consumer level with the current average farm price ranging between **Ksh. 28-35 per litre**.
4. The Ministry had piloted a programme in Nandi County where dairy farming is professionally managed on behalf of farmers as adopted in Israel. However, the programme faced resistance and will be reintroduced.
5. The Ministry will propose **removal of 16% taxation** on animal feeds and other inputs to reduce cost of milk production and enhance yields for farmers. The taxation accounts to **60% of cost** of milk production.
6. The Ministry with support from the republic of Poland is in the process procuring approximately 1000 bulk milk coolers at a cost of around Ksh. 7 Billions to be distributed to dairy counties across the country.
7. The County milk production is around 2 Billion per annum, which is sufficient and excess exported.**The County only imports baby powder milk.**
8. There is need to encourage private sector participation in Dairy Farming through import duty protection.



**COMMITTEE RECOMMENDATION**

The Committee noted that the report presented by the Ministry was lacking most information on various interventions by the government towards supporting Dairy Industry.

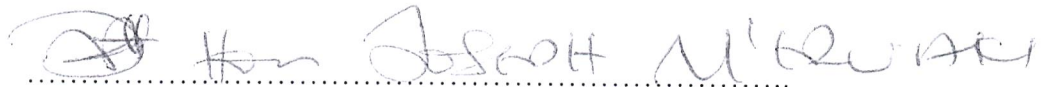
The Cabinet Secretary undertook to furnish the Committee with a more detailed report by Friday, 13<sup>th</sup> November, 2015 close of business.

**MINUTE NO. COI/214/2015:**

**ADJOURNMENT**

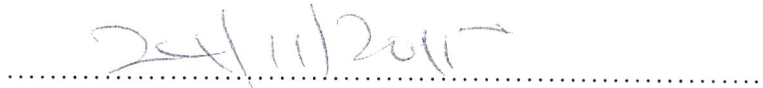
There being no other business, meeting was adjourned at twenty minutes past Two O'clock.

SIGNED



(CHAIRPERSON)

DATE



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MINUTES OF THE 155<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION  
HELD ON THURSDAY 12<sup>TH</sup> NOVEMBER 2015 AT THE CPA ROOM,  
PARLIAMENT BUILDINGS AT 12.30 PM

PRESENT

The following members of the Committee were present

The Hon. Roselinda Soipan, MP	Chairperson
The Hon. Winne Karimi, MP	
The Hon. Bernard Bett, MP	
The Hon. Bernard Munywoki, MP	
The Hon. Ferdinand Wanyonyi, MP	
The Hon. Dorcas Kedogo, MP	
The Hon. Gideon Ochanda, MP	
The Hon. Bishop Robert Mutua, MP	
The Hon. John Kihagi, MP	
The Hon. Mathew Lekidime, MP	
The Hon. Mary Sally Keraa, MP	
The Hon. Isaack Shaaban Ali, MP	
The Hon. Ibrahim Sane, MP	
The Hon. Ali Shariff Athman, MP	
The Hon. Dr. Victor Munyaka, MP	
The Hon. Peter Kamande Mwangi, MP	
The Hon. Samuel Moroto, MP	

ABSENT WITH APOLOGY

The Hon. David Gikaria, MP	- Vice Chairperson
The Hon. Joseph M'eruaki	
The Hon. Tiras Ngahu, MP	
The Hon. Jacob Macharia, MP	
The Hon. Alexander Kosgei, MP	
The Hon. Asman Kamama, MP	
The Hon. Dennitah Ghati, MP	
The Hon. Ndirangu Kariuki, MP	
The Hon. Philip Rotino, MP	
The Hon. Esther Murugi, MP	
The Hon. Julius Ndegwa, MP	

IN ATTENDANCE – NATIONAL ASSEMBLY

Mr. Adan S. Gindicha - First Clerk Assistant

MINUTE NO .COI/173/2015: CONFIRMATION OF MINUTES

Confirmation of Minutes of the 154<sup>th</sup> meeting was deferred to the next Sitting

MINUTE NO. COI/174/2015: ADOPTION OF REPORT ON IMPLEMENTATION STATUS OF HOUSE RESOLUTIONS FOR THE PERIOD APRIL TO NOVEMBER 2015

The Committee considered and adopted the Report with the following amendments:

- On the Executive summary, examples of Counties where the vetting of Police Reservists has been done be provided
- On page 4 examples of resolutions in direct conflict with existing Government policy be provided
- On page 4 a paragraph on tracking tool be included
- On page 9 under the resolutions under the Ministry of Interior and coordination of National Government, the need for the Committee to meet the Cabinet Secretary be expressed
- On page 13, the lists of Girls Boarding Schools upgraded or established be provided
- On page 14, the last paragraph, the words *Committee is satisfied with implementation* be replaced with the *Committee notes positive progress towards implementation*

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- On page 15, the last paragraph the words *Committee is satisfied* be replaced with *Committee will monitor progress*

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- On page 16, paragraph 2, the relevant part of the Health Bill be quoted...part 7 be replaced with clause 7
- On page 16, under the resolution on reduction of NHIF surcharge, the correct name of the Bill before the Senate be quoted
- On page 17, the words the Committee noted that Ksh. 290.6M *was approved* be replaced with *was allocated*
- On page 18, the list of hospitals identified for upgrading be provided

- On page 19, on recruitment of medical personnel, a sentence be added to bring out the role of Senate
- On page 19, under the resolution on Farm Gate prices of milk, the words the *Ministry will propose removal of 16 per cent VAT on animal feeds* be replaced with *the Ministry undertook to initiate the removal of VAT on animal feeds*
- On page 19, under the resolution on Farm Gate milk prices of milk, details of deliberations of the meeting with the CS before included
- On page 21, the relevant parts of the Energy Bill on liberalization of power supply be quoted
- On page 23, A brief bio data of each of the experts be included
- On page 24, a list of the 96 airlines registered to operate in Kenya be provided
- On page 26, Under recommendations it was resolved that the issue of online tool for implementation tracking be included.

#### MINUTE NO.COI/175/2015: ANY OTHER BUSINESS

The Meeting was informed that a delegation of the Committee would visit Rwanda from 15<sup>th</sup> to 21<sup>st</sup> November 2015. The Delegation would comprise six Members as follows:

1. Hon John Kihagi, M.P- Leader of the Delegation
2. Hon Gideon Ochanda, M.P
3. Hon Mary Sally Keraa, MP
4. Hon Ali Shariff Athman, MP
5. Hon Dennitah Ghati, MP
6. Hon Dorcas kedogo, M.P

#### MINUTE NO. COI/176/2015: DATE FOR THE NEXT SITTING

It was resolved that the next sitting of the Committee be held on Tuesday 24<sup>th</sup> November, 2015 at 12.30 P.M

#### MINUTE NO. COI/177/2015: ADJOURNMENT

There being no other Business the Chairperson adjourned the Sitting at 2.25 P.M.

Signed.....

*for*  
*(Signature)*  
Chairperson  
*Hon. Joseph*  
*N. Alvarez*

Date.....

*24/11/2015*

**MINUTES OF THE 119<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON THURSDAY  
25TH JUNE 2015 IN THE MEDIA CENTRE AT 12.30 PM**

**PRESENT**

Hon. David Gikaria, M.P. —Chairing  
Hon. Winnie Karimi Njuguna, M.P.  
Hon. Peter Kamande Mwangi, M.P.  
Hon. Julius Kariuki Ndegwa, M.P.  
Hon. Samuel Moroto, M.P.  
Hon. Ali Shariff Athman, M.P.  
Hon. Dr. Victor Munyaka, M.P.  
Hon. Philip Rotino, M.P.  
Hon. Asman Kamama, M.P.  
Hon. Mutua Robert (Bishop), M.P.  
Hon. Ndirangu Kariuki, M.P.  
Hon. John Karanja Kihagi, M.P.  
Hon. Ferdinand Kevin Wanyonyi, M.P.  
Hon. Esther Murugi, M.P.  
Hon. Mary Sally Keraa, M.P.

**ABSENT WITH APOLOGY**

Hon. Roselinda Soipan, M.P. – Chairperson  
Hon. Joseph M'eruaki, M.P.  
Hon. Bernard Bett, M.P.  
Hon. Ibrahim Sane, M.P.  
Hon. Isaack Shaaban Ali, M.P.  
Hon. Gideon Ochanda, M.P.  
Hon. Bernard Munywoki Kitungi, M.P.  
Hon. Jacob Macharia, M.P.  
Hon. Tiras Ngahu, M.P.  
Hon. Alexander Kosgey, M.P.  
Hon. Dennitah Ghati, M.P.  
Hon. Lempurkel Mathew Lekidime, M.P.

**IN ATTENDANCE**

Ms. Lucy Kimathi- Senior Clerk Assistant  
Ms. Adan Gindicha- First Clerk Assistant

**MINUTE NO. COI/128/2015:**

**CONFIRMATION OF MINUTES**

Minutes of the 118<sup>th</sup> sitting held on 23<sup>rd</sup> June 2015 were confirmed on a proposal by Hon. Mutua Robert, M.P and seconded by Hon. Ferdinand Wanyonyi, M.P. as a true record of the proceedings and signed by the Chairman.

MINUTE NO. COI/129/2015:

MATTERS ARISING

**MEETING WITH THE CABINET SECRETARY FOR ENVIRONMENT AND NATURAL RESOURCES**

The chairman informed members that a letter inviting the Cabinet Secretary for Environment and Natural resources for a meeting on Thursday, 9th July 2015, had been sent out.

MINUTE NO. COI/130/2015:

CONSIDERATION OF REPORT BY THE CABINET SECRETARY FOR EDUCATION, SCIENCE AND TECHNOLOGY ON THE RESOLUTIONS UNDER THE MINISTRY

1. Arising out of a motion by Hon.Hassan Dukicha, the house in its sitting held on 19<sup>th</sup> June, 2013 resolved that **the Government establish girl boarding schools for both primary and secondary in ASAL areas.**

Based on the response given by the ministry, Members noted the following-

- a. Government capitation to schools will be increased gradually, where capitation per child is projected to be enhanced to Ksh.5000 by the end of MTEP II subject to budgetary allocation.
- b. 15 PRIMARY schools in 11 ASAL constituencies are earmarked for rehabilitation and construction in 2014/2015 financial year.
- c. The ministry has not targeted SECONDARY SCHOOLS in ASAL areas for rehabilitation and that infrastructure funds were awarded to schools across the board based on recommendations from the respective County Education Boards.
- d. The Ministry had provided a list of secondary schools in **various counties in ASAL areas who had benefitted from infrastructure Funds disbursement during 2013/2014 financial year AND a list of primary schools from 15 counties proposed to benefit from funding of Ksh 1 Million each in 2014/15 financial year under Vision 2030 flagship.**

The committee was concerned that the report was had not addressed the specific issue sought during its 97<sup>th</sup> meeting, and resolved that the Cabinet Secretary furnish the Committee with a list of girls **boarding schools in each ASAL constituency** within fourteen days.

2. Arising out of a motion by Hon. Gatobu Kinoti, the house in its sitting held on 31<sup>st</sup> July, 2013 resolved that **the Government establish a public databank of all bright and poor students to be in custody of the County Director of Education, and such information be disseminated and made available to the public institutions**

Based on the response from the ministry, Members noted that-

- a. The ministry does not have a data bank for bright and needy students from poor backgrounds, since schools are mandated to identify needy cases and refer them to Constituency Bursary Committees for support.
- b. The Ministry collaborates with both public and private sector for bursary support and sponsorship, where the criteria to determine the beneficiary is the prerogative of the supporting organization, a case in point being Equity Bank who target top students in its programs.

- c. County Education Boards once fully operational are expected to develop and maintain a data bank of all students and schools, including data bank of bright and needy students from poor backgrounds in each county.

The Committee resolved that the response by the ministry was satisfactory in addressing the resolution of the house.

**MINUTE NO. COI/131/2015: ANY OTHER BUSINESS**

1. The Chairman thanked the members for their continued support, through which the committee had been able to scrutinize various resolutions of the house. He emphasized the need for the committee to be proactive on **undertakings given by the National Executive** as per standing order No.209 (2), specifically, the need to scrutinize implementation of executive order arising from the Ethics and Anti- Corruption Commission Report which was tabled on 26<sup>th</sup> March, 2015 during a joint sitting of parliament.  
Members resolved that EACC be invited to furnish the Committee with the status of implementation of the report on Tuesday, 7<sup>th</sup> July 2015.
2. The secretariat was tasked to explore the possibility of organizing a retreat, whose major objective was to enable the committee fast-track all the resolutions that are pending, with a view of coming up with a work plan for the next financial year (2015/16).

**MINUTE NO. COI/132/2015: DATE OF NEXT MEETING**

It was agreed that the next sitting be held on Tuesday 30<sup>th</sup> June 2015 at Half Past Noon.

**MINUTE NO. COI/133/2015: ADJOURNMENT**

There being no other business, the Chairperson adjourned the meeting at Ten minutes to Two O'clock.

SIGNED .....

  
(CHAIRPERSON)

DATE .....

30/06/2015

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**MINUTES OF THE 121<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 2<sup>ND</sup> JULY 2015 IN MEMBER'S LOUNGE, MAIN PARLIAMENT BUILDING AT 12.30 P.M.**

**PRESENT**

Hon. David Gikaria, M.P. (Vice-Chair)- Chairing  
Hon. Joseph M'eruaki, M.P.  
Hon. Winnie Karimi Njuguna, M.P.  
Hon. Jacob Macharia, M.P.  
Hon. Peter Kamande Mwangi, M.P.  
Hon. Dr. Victor Munyaka, M.P.  
Hon. Philip Rotino, M.P.  
Hon. Ibrahim Sane, M.P.  
Hon. Gideon Ochanda, M.P.  
Hon. Mutua Robert (Bishop), M.P.  
Hon. Mary Sally Keraa, M.P.  
Hon. Esther Murugi, M.P.

**ABSENT WITH APOLOGY**

Hon. Roselinda Soipan, M.P. – Chairperson  
Hon. Tiras Ngahu, M.P.  
Hon. Julius Kariuki Ndegwa, M.P.  
Hon. Ali Shariff Athman, M.P.  
Hon. Bernard Munywoki Kitungi, M.P.  
Hon. Ferdinand Kevin Wanyonyi, M.P.  
Hon. Bernard Bett, M.P.  
Hon. Samuel Moroto, M.P.  
Hon. Asman Kamama, M.P.  
Hon. Isaack Shaaban Ali, M.P.  
Hon. Ndirangu Kariuki, M.P.  
Hon. John Karanja Kihagi, M.P.  
Hon. Alexander Kosgey, M.P.  
Hon. Dennitah Ghati, M.P.  
Hon. Lempurkel Mathew Lekidime, M.P.

**IN -ATTENDANCE**

Hon. Abdullahi Diriye, M.P.	-	Mover of the Motion
Ms. Lucy Kimathi	-	Senior Clerk Assistant
Ms. Adan Gindicha	-	First Clerk Assistant

**MINUTE NO. COI/141/2015:**

**CONFIRMATION OF MINUTES**

Confirmation of the minutes of the 120<sup>th</sup> sitting held on 30<sup>th</sup> June 2015 was deferred to the next sitting.

MINUTE NO. COI/142/2015:

CONSIDERATION OF THE REPORT BY THE CABINET SECRETARY FOR INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT ON THE STATUS OF IMPLEMENTATION OF HOUSE RESOLUTION ON ISSUANCE OF NATIONAL IDENTITY CARDS TO ALL ELLIGIBLE KENYANS

Arising out of a motion by Hon. Abdullahi Diriye, the House in its sitting held on 22<sup>nd</sup> October, 2014 resolved that ***the Government to urgently put in place measures that will ensure that all eligible Kenyans are duly registered and issued with national identity cards.***

The Committee in its request dated 4<sup>th</sup> March 2015 sought for a status report on the implementation of the resolution.

Members noted the following out of the Ministry's response dated 5<sup>th</sup> June, 2015-

1. The Ministry has rolled out mobile registration program in all counties and has targeted to register 3.5M applicants by 2017;
2. Based on population statistics by Kenya National Bureau of Statistics, 1.2M Kenyans were expected to attain eighteen years of age by the end of 2014/15 financial year;
3. There are 14 operational Huduma Centers country-wide with a proposal of additional 20. **The Centres would complement the Ministry in issuance of IDs once the process of issuance is digitized through introduction of live capture and transmission;**
4. Migration of 24M records to Integrated Population Registration System was completed, and the process of migrating current card to an electronic ID is on-going.

Based on the Ministry's response, the Committee resolved that the Cabinet Secretary be invited to address the following pertinent issues -

1. Out of 1.2M Kenyans who were expected to attain the age of eighteen years, how many applied and were issued with IDs in constituency;
2. How many applications for new registration for issuance of IDs are pending per county?
3. What measures is the ministry taking to hasten collection of processed IDs?
4. Where are the 14 Huduma Centres located? What is the status of the 20 additional Centres which were proposed? Which areas will they be located? What services are the Centres offering?
5. What is the status on migration to electronic ID?

During deliberations, Members took note of the fact that out of ignorance and desperation, some Kenyans from Wajir County had registered under refugees to enable them access privileges accorded to refugees. As a result, such persons could be denied registration for Kenyan ID, an issue the Committee resolved to raise during the meeting with the Cabinet Secretary.

**MINUTE NO. COI/143/2015: PROGRAMME FOR ASSIGNMENTS OUT OF THE COUNTRY**

Arising out of the fact that the Committee could not actualize most of its planned international assignments during 2014/15 financial year, members resolved that the secretariat need to start formal engagement with the following proposed countries that members planned to visit during the current financial year in their quest to fulfill their mandate-

Ghana	Canada
Botswana	Brazil
Rwanda	Australia
Cuba	

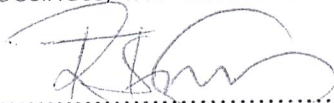
**MINUTE NO. COI/144/2015: DATE OF NEXT MEETING**

It was agreed that the next sitting be held on Tuesday, 7<sup>th</sup> July, 2015 at Half Past Noon.

**MINUTE NO. COI/145/2015: ADJOURNMENT**

There being no other business, the Chairman adjourned the meeting at Half past One O'clock.

SIGNED



.....  
(CHAIRPERSON)

DATE

7/7/2015  
.....

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**MINUTES OF THE 122<sup>ND</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 7<sup>TH</sup> JULY 2015 IN CPA ROOM, MAIN PARLIAMENT BUILDING AT 12.30 P.M.**

**PRESENT**

Hon. Roselinda Soipan, M.P. – Chairperson  
Hon. Joseph M'eruaki, M.P.  
Hon. Winnie Karimi Njuguna, M.P.  
Hon. Jacob Macharia, M.P.  
Hon. Peter Kamande Mwangi, M.P.  
Hon. Julius Kariuki Ndegwa, M.P.  
Hon. Ali Shariff Athman, M.P.  
Hon. Bernard Bett, M.P.  
Hon. Philip Rotino, M.P.  
Hon. Asman Kamama, M.P.  
Hon. Isaack Shaaban Ali, M.P.  
Hon. Gideon Ochanda, M.P.  
Hon. Mutua Robert (Bishop), M.P.  
Hon. Bernard Munywoki Kitungi, M.P.  
Hon. Ndirangu Kariuki, M.P.  
Hon. John Karanja Kinagi, M.P.  
Hon. Ferdinand Kevin Wanyonyi, M.P.  
Hon. Mary Sally Keraa, M.P.  
Hon. Esther Murugi, M.P.

**ABSENT WITH APOLOGY**

Hon. David Gikaria, M.P. (Vice-Chair)  
Hon. Tiras Ngahu, M.P.  
Hon. Dr. Victor Munyaka, M.P.  
Hon. Ibrahim Sane, M.P.  
Hon. Samuel Moroto, M.P.  
Hon. Alexander Kosgey, M.P.  
Hon. Dennitah Ghati, M.P.  
Hon. Lempurkel Mathew Lekidime, M.P.

**IN -ATTENDANCE (National Assembly)**

Hon. Ali Wario, M.P.	-	Friend of the Committee
Ms. Lucy Kimathi	-	Senior Clerk Assistant
Ms. Adan Gindicha	-	First Clerk Assistant
Ms. Farida Ngasura	-	Audio Recording
Ms. Ergine Luteshi	-	Audio Recording
Mr. Abdi Salat	-	Senior Sergeant At Arms
Mr. Ringera Humphrey	-	Parliamentary Research Services
Mr. James Macharia	-	Media Relations Officer

**IN ATTENDANCE( MINISTRY OF ENERGY)**

Eng. Joseph K. Njoroge, MBS	-	Principal Secretary, Ministry of Energy & Petroleum
Dr. Ben Chumo	-	Managing Director, KPLC

Mr. Albert Mugo	-	Managing Director, KenGen
Eng. Isaac Kiva	-	Director, Rural Electrification- MOEP
Ms. Jacqueline Rono	-	MOEP
Mr. Richard Nderitu	-	KenGen
Mr. Joseph Gathuru	-	KPLC

**MINUTE NO. COI/146/2015:**

**EVIDENCE: MEETING WITH THE CABINET SECRETARY FOR ENERGY & PETROLEUM**

Eng. Joseph K. Njoroge, Principal Secretary, Ministry of Energy & Petroleum accompanied by Messrs Ben Chumo (MD-KPLC), Albert Mugo (MD-KenGen), Isaac Kiva (MOEP), Richard Nderitu (KenGen), Joseph Gathuru (KPLC) and Jacqueline Rono (MOEP) appeared before the Committee to respond to implementation status of the house resolutions sent to the Cabinet Secretary

The Principal Secretary informed the Committee that the Cabinet Secretary was held in another Parliamentary Committee at the time, and requested to address the Committee on his behalf, which was granted.

Arising out of a motion by Hon. David Bowen, the House in its sitting held on 11<sup>th</sup> July, 2013 urged-

1. **The Government to liberalize power distribution, thereby breaking the monopoly of Kenya Power & Lighting Company (KPLC) in order to encourage competition, improve efficiency and reduce the cost of power;**
2. **KPLC to offer compensation to those who have encountered fires and loss of property due to power outages and surges.**

Based on the report from the Ministry of Energy and Petroleum as presented by the Principal Secretary (PS), Members noted that-

1. The report did not capture most critical information that the PS had shared with the Committee on measures the Ministry had put in place as they gradually liberalize the energy sector, to enhance social equity and cushion Kenyans against increased cost of supply;
2. The Ministry, KPLC, KenGen and Energy Regulatory Board being the main players in the energy sector had embarked on various programs as per their mandates geared towards efficiency in management of the energy. However, dissemination of information on the programs was poor;
3. The report did not address issues of compensation for loss of property and/livelihood and was not signed by the accounting officer.

The Committee resolved that Ministry enhance its report with all the information shared during the meeting and a signed copy of the same be availed to the secretariat by close of business on Thursday 9<sup>th</sup> 2015 for consideration.

Arising out of a motion by Hon. Ali Wario, the House in its sitting held on 18<sup>th</sup> July, 2015 resolved that Tana and Athi River Development Authority (TARDA) and Kenya Electricity Generating Company (Kengen) should stop draining water from their dams to River

**Tana , come up with a mechanism to control the flooding and consider compensating the people who have been affected.**

Based on the report from the Ministry of Energy and Petroleum as presented by the Principal Secretary (PS), Members noted that-

1. Construction of dams for generation of hydroelectricity does not aggravate flooding, since dams are water reservoirs which absorb water which would otherwise flow unhindered to low lying downstream areas;
2. Hydro mode of electricity generation is the most affordable and accounts for 50% of all power generated in Kenya;
3. The Ministry in conjunction with Ministry of water has embarked on various measures geared towards alleviating the effects of flooding e.g construction of small dams and weirs on small tributaries feeding the main rivers to delay onset of floods;
4. KPLC has a comprehensive insurance policy for compensation in case of loss through power surge and/black out. However, there must be sufficient proof of loss/damage;
5. The Ministry had recommended various measures that needed to be put in place to reduce the flooding-
  - a. Creation of buffer zones between rivers and residential or farmlands
  - b. Construction of dikes along river banks in flood prone areas
  - c. Construction of check dams along tributaries of Tana and other seasonal rivers.

Based on the critical issues that the Ministry wanted to share with the Committee in line with the implementation status of the resolutions, the PS requested for a retreat with the Committee, to enable the Ministry share more information on various programs that were being implementing towards ensuring that the cost of electricity is reduced.

**The Committee resolved that the Ministry of Energy take the lead in ensuring that appropriate mitigation measures to minimize the negative effect of flooding are put in place, and that compensation for loss is handled on time.**

**MINUTE NO. COI/147/2015: DATE OF NEXT MEETING**

It was agreed that the next sitting be held on Thursday, 9<sup>th</sup> July, 2015 at Half Past Noon.

**MINUTE NO. COI/145/2015: ADJOURNMENT**

There being no other business, the Chairman adjourned the meeting at Half past Two O'clock.

SIGNED .....  
(CHAIRPERSON)

DATE ..... 28/7/15





The Hon Wamalwa, the mover of the motion thanked the Committee for inviting him to its Sitting and requested that the Committee moves fast to ensure the implementation of the resolution of the House.

It was resolved that a meeting be scheduled with the Cabinet Secretary, Education, Science and Technology to enable the Committee acquire an insight on the matter on 18<sup>th</sup> August 2015

MINUTE NO. C01/149/2015:      DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Thursday 30<sup>th</sup> July 2015 at 12.00PM

MINUTE NO. C01/150/2015:      ADJOURNMENT

And the time being Fifty Five Minutes Past One O'clock, the Chairperson adjourned the Sitting.

SIGNED: .....  .....  
(CHAIRPERSON)

DATE: 4/8/15 .....

MINUTES OF THE 126<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION  
HELD ON TUESDAY 28<sup>TH</sup> JULY 2015 AT THE BOARDROOM ON 2<sup>ND</sup> FLOOR  
PROTECTION HOUSE AT 12.30 PM

PRESENT:

The following Members of the Committee were present

The Hon Roselinda Soipan, M.P- Chairperson

The Hon John Kihagi, M.P

The Hon Winnie Njuguna, M.P

The Hon. Philip Rotino, M.P

The Hon Bernard Munywoki, M.P

The Hon Joseph M'eruaki, M.P

The Hon Bernard Bett, M.P

The Hon Julius Ndegwa, M.P

The Hon Ali Shariff Athman, M.P

The Hon Peter Kamande, M.P

The Hon Esther murugi, M.P

The Hon Ferdinand Wanyonyi, M.P

The Hon Robert Mutua, M.P

The Hon Mathew Lempurkel, M.P

The Hon Dr. Victor Munyaka, M.P

The Hon Jacob Macharia, M.P

The Hon Samuel Moroto, M.P

The Hon Mary Sally Keraa, M.P

The Hon Gideon Ochanda, M.P

ABSENT WITH APOLOGY

The Hon David Gikaria, M.P- Vice Chairperson

The Hon Isaack Shaaban, M.P

The Hon Asman Kamama, M.P

The Hon Tiras Ngahu, M.P

The Hon Alexander Kosgey, M.P

The Hon Dennitah Ghati, M.P

The Hon Ndirangu Kariuki, M.P

The Hon Ibrahim Sane, M.P

## IN ATTENDANCE

The Hon Chrisanthus Wamalwa, M.P

## IN ATTENDANCE(NATIONAL ASSEMBLY)

Ms. Phyllis Mirungu- Principal Clerk Assistant

Mr Adan Gindicha- First Clerk Assistant

## MINUTE NO. COI/146/2015: CONFIRMATION OF MINUTES

Minutes of the 121<sup>st</sup> and 122<sup>nd</sup> Sittings of the Committee held on 2<sup>nd</sup> and 7<sup>th</sup> July 2015 respectively were confirmed by the Members present. The minutes of the 121<sup>st</sup> Sitting were proposed by Hon Jacob Macharia, M.P and seconded by Hon Philip Rotino, M.P while those of the 122<sup>nd</sup> Sitting were proposed by the Hon Bernard Mutua, M.P and seconded by Hon Julius Ndegwa, M.P.

## MINUTE NO. COI/ 147/ 2015: MATTERS ARISING

Vide Minute no. COI/142/2015

The Secretariat was tasked to set a date for the meeting with the Cabinet Secretary Interior and Coordination of National Government on the Report from the Ministry on the status of implementation of the resolution of the House on issuance of Identification Cards to all eligible Kenyans.

Vide Minute no. COI/143/2015

The meeting was informed that the Parliament of Rwanda has accepted the Committee's request for a benchmarking visit and that the visit has been scheduled for 11<sup>th</sup> to 17<sup>th</sup> October 2015.

It was resolved that priority for the visit be accorded to Members who never had an opportunity to travel with the Committee during the just concluded Financial Year. It was further resolved that this should not be used to their disadvantage when considering delegations for foreign visits during the current financial year.

## MINUTE NO. COI/148/2015: CONSIDERATION OF THE REPORT ON STATUS OF IMPLEMENTATION OF THE RESOLUTION OF THE HOUSE ON UPGRADING OF KITALE TECHNICAL TRAINING INSTITUTE TO A FULL UNIVERSITY AND RENAMING IT WAMALWA KIJANA UNIVERSITY

The Committee considered the report and noted that:

- The report completely ignored the component of the resolution on renaming the institute to Wamalwa Kijana University
- The report is full of contradictions in terms of facts provided
- It does not acknowledge the position of Commission on University Education in establishment of Universities. Members were concerned that there was no reference at all to the Commission on this matter and that no evaluation report was appended to back the Ministry's position was provided.

MINUTES OF THE 127<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION  
HELD ON THURSDAY 30<sup>th</sup> JULY 2015 AT THE MEDIA CENTRE, PARLIAMENT  
BUILDING AT 12.30 PM

PRESENT:

The following Members of the Committee were present

The Hon David Gikaria—Vice Chairperson-- **Chairing**

The Hon John Kihagi, M.P

The Hon Bernard Munywoki, M.P

The Hon Joseph M'eruaki, M.P

The Hon Bernard Bett, M.P

The Hon Samwel Moroto, M.P

The Hon Philip Rotino, M.P

The Hon Julius Ndegwa, M.P

The Hon Ali Shariff Athman, M.P

The Hon Peter Kamande ,M.P

The Hon Ferdinand Wanyonyi, M.P

The Hon Robert Mutua, M.P

The Hon Mathew Lempurkel, M.P

The Hon Dr. Victor Munyaka, M.P

The Hon Jacob Macharia, M.P

The Hon Mary Sally Keraa, M.P

The Hon Gideon Ochanda, M.P

The Hon Ndirangu Kariuki, M.P

ABSENT WITH APOLOGY

The Hon Roselinda Soipan, M.P- Chairperson

The Hon Isaack Shaaban, M.P

The Hon Asman Kamama, M.P

The Hon Tiras Ngahu, M.P

The Hon Alexander Kosgey, M.P

The Hon Dennitah Ghati, M.P

The Hon Ibrahim Sane, M.P

The Hon Esther Murugi, M.P

The Hon Winnie Njuguna, M.P

IN ATTENDANCE(NATIONAL ASSEMBLY)

Mr Adan Gindicha- First Clerk Assistant

MINUTE NO. COI/151/2015: CONFIRMATION OF MINUTES

It was resolved that the confirmation of the minutes of the 126<sup>th</sup> Sitting be differed to the next Sitting of the Committee.

MINUTE NO. COI/152/2015: CONSIDERATION OF THE REPORT ON RETREAT WITH KPLC ON THE RESOLUTION OF THE HOUSE ON LIBERALIZATION OF POWER DISTRIBUTIION

The Committee considered the report and noted that:

- Connectivity to power stands at 45 per cent with 1.4 million customers being connected in the last two years.
- KPLC Targets to connect 70 per cent of the population by 2017 and 100 per cent by 2020.
- Over the past few years, KPLC has seen a huge increase in the number of customers, increase in profitability, decrease in dependence on hydro power, establishment of the smart grid and the increase of MW on the grid among others.
- The draft Energy Bill is with the Ministry of Energy which aims at supporting open access to the distribution network while taking into account existing contractual agreement. The Bill also envisages to incorporate county Governments in reticulation services in line with national policy
- The tariff structure is set by Energy Regulatory Commission where 50 per cent of the cost to consumers goes to third parties such as VAT, WARMA, ERC, REP Levy and forex adjustment.
- The law as it is currently allows for entry of private entities into the generation of power although KPLC remains the only off taker.
- KPLC has compensation mechanism for loss of life and property with 1018 cases reported in 2014/ 2015 out of which 87 cases were settled, while 28 were found to have no liability.

It was resolved that the Committee charts the way forward in regards to compensation, customer care, response to emergencies, the issue of power outages and penetration level by KPLC during the proposed Committee retreat in Mombasa.

MINUTE NO. COI/153/2015: DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Tuesday 4<sup>th</sup> August 2015 at 12.00PM

MINUTE NO. COI/ 154/ 2015: ANY OTHER BUSINESS

It was resolved that the Committee holds a retreat in Mombasa from 6<sup>th</sup> to 9<sup>th</sup> August 2015 to fast track pending Committee Business

MINUTE NO. COI/155/2015: ADJOURNMENT

And the time being Fifteen Minutes Past Two O'clock, the Vice Chairperson adjourned the Sitting.

SIGNED:   
(CHAIRPERSON)

DATE: 4/21/2015

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MINUTES OF THE 135<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION  
HELD ON TUESDAY 18<sup>TH</sup> AUGUST 2015 AT THE BOARDROOM ON SECOND  
FLOOR PROTECTION HOUSE , AT 12.00 P.M

PRESENT

The following members of the Committee were present

The Hon. Ibrahim Sane, MP                                    Acting - Chairperson  
The Hon. Joseph M'eruaki, MP  
The Hon. Dr. Victor Munyaka, MP  
The Hon. Peter Kamande, MP  
The Hon. Samuel Moroto, MP  
The Hon. Bernard Bett, MP  
The Hon. Philip Rotino, MP  
The Hon. Isaac Shaaban Ali, MP  
The Hon. Bernard Munywoki, MP  
The Hon. Ferdinand Wanyonyi, MP  
The Hon. Mary Sally Keraa, MP  
The Hon. Gideon Ochanda, MP  
The Hon. Julius Ndegwa, MP

ABSENT WITH APOLOGY

The Hon. Roselinda Soipan, MP-                                    -Chairperson  
The Hon. David Gikaria, MP     - Vice Chairperson  
The Hon. Winnie Karimi, MP  
The Hon. Tiras Ngahu, MP  
The Hon. Jacob Macharia, MP  
The Hon. Alexander Kosgei, MP  
The Hon. Asman Kamama, MP  
The Hon. Dennitah Ghati, MP  
The Hon. Ndirangu Kariuki, MP  
The Hon. Lempurkel Lekidime, MP  
The Hon. Bishop Mutua, MP  
The Hon. John Kihagi, MP  
The Hon. Esther Murugi, MP

IN ATTENDANCE – NATIONAL ASSEMBLY

Mr. Adan S. Gindicha                                    - First Clerk Assistant  
Mr. Salem Lorot                                        - Legal Counsel II

MINUTE NO .COI/173/2015: CONFIRMATION OF MINUTES

Minutes of the 128<sup>th</sup> Sitting were confirmed by the Members present and signed by the acting Chairperson.

MINUTE NO. COI/174/2015: CONSIDERATION OF REPORT BY THE CABINET SECRETARY TRANSPORT AND INFRASTRUCTURE ON THE RESOLUTION OF THE HOUSE ON MODERNIZATION AND EXPANSION OF JOGOO AND LANDHIES ROADS

The Committee considered the Report and noted that

- The Government has been negotiating with the Government of Brazil for support of infrastructure development in Kenya since 2011 which includes a project to construct interchanges in Eastlands of Nairobi.
- The intersections targeted in the project are located along Landhies and Jogoo roads including Haille Sellasie Avenue- Landhies Road- Ring Road Ngara Roundabout, City Stadium Roundabout and Jogoo Road – First Avenue Eastleigh- Likoni Road – Rabai Road intersections
- The Cabinet Secretary did not provide any time frames for the start of the project.

The Committee therefore resolved that the Cabinet Secretary Transport and Infrastructure be invited to meet the Committee to give an indication of projected start and end dates and milestones attained so far towards the implementation of the House resolution.

MINUTE NO. COI/175/2015: ANY OTHER BUSINESS

It was confirmed that the Committee retreat with experts will take place as scheduled on Friday 21<sup>st</sup> at Simba Lodge Naivasha. The Secretariat informed the Committee that sixteen Members had confirmed participation at the Retreat. It was further resolved that the delegations to Brazil and India be considered at the next Sitting.

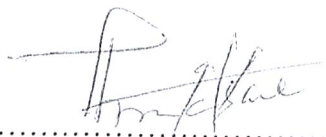
MINUTE NO. COI/176/2015: DATE FOR THE NEXT SITTING

It was resolved that the next sitting of the Committee be held on Tuesday 25<sup>th</sup> August, 2015 at 12.30 P.M

MINUTE NO. COI/177/2015: ADJOURNMENT

There being no other Business the acting Chairperson adjourned the Sitting at 1.55 P.M.

Signed.....

  
for Chairperson

Date..... 25/08/2015

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**MINUTES OF A RETREAT HELD BETWEEN THE COMMITTEE ON IMPLEMENTATION & KENYA POWER AND LIGHTING COMPANY HELD ON 14<sup>TH</sup>-16<sup>TH</sup> JULY, 2015 AT LAKE NAIVASHA SOPA RESORT**

**PRESENT**

- Hon. Roselinda Soipan, M.P. - Chairperson
- Hon. David Gikaria, M.P. - Vice Chairperson
- Hon. Winnie Karimi Njuguna, M.P.
- Hon. Peter Kamande Mwangi, M.P.
- Hon. Joseph M'eruaki, M.P.
- Hon. Jacob Waweru Macharia, M.P.
- Hon. Samuel Moroto, M.P.
- Hon. Dr. Victor Munyaka, M.P.
- Hon. Philip Rotino, M.P.
- Hon. Isaack Shaaban Ali, M.P.
- Hon. Gideon Ochanda, M.P.
- Hon. Mutua Robert (Bishop), M.P.
- Hon. Bernard Munywoki Kitungi, M.P.
- Hon. Mary Sally Keraa, M.P.
- Hon. John Karanja Kihagi, M.P.
- Hon. Ferdinand Kevin Wanyonyi, M.P.
- Hon. Lempurkel Mathew Lekidime, M.P.

**APOLOGIES**

- Hon. Bernard Bett, M.P.
- Hon. Ibrahim Sane, M.P.
- Hon. Tiras Ngahu, M.P.
- Hon. Alexander Kosgey, M.P.
- Hon. Dennitah Ghati, M.P.
- Hon. Julius Kariuki Ndegwa, M.P.
- Hon. Ali Shariff Athman, M.P.
- Hon. Asman Kamama, M.P.
- Hon. Ndirangu Kariuki, M.P.
- Hon. Esther Murugi, M.P.

**IN ATTENDANCE**

- Hon. Eng. James Rege, M.P. -Former Chairperson, Energy Committee of N/A
- Dr. Ben Chumo -Managing Director & CEO (KPLC)
- Eng. K.P Mungai -General Manager, Business Strategy (KPLC)
- Mr. Stanley Mutwiri -General Manager, Infrastructure Development (KPLC)
- Mr. Owiti Awuor -Manager, Legal Services (KPLC)
- Mr. Johnson Ole Turana -Manager, Corporate Communication (KPLC)
- Mr. Ernest Kiano -Manager, business Planning (KPLC)
- Ms. Beatrice Meso -Corporate Affairs & Company( KPLC) (Secretary
- Ms. Wacheke Mbugua -Manager, Sales & Marketing( KPLC)

Ms. Lucy Kimathi	-Clerk assistant (N/A)
Mr. Adan Gindicha	-Clerk Assistant (N/A)
Mr. Albert Atunga	-Serjeant- At-Arms (N/A)
Mr. Abdi Kuta	-Security Officer (N/A)
Ms. Anne kigoro	-Research Officer (N/A)
Ms. Rehema Chepkorir	-Audi-recording Officer (N/A)

**MINUTE NO. COI/2015:**

**PRELIMINARIES**

The Managing Director, KPLC welcomed Members to the two days retreat and appreciated thanked the members for honouring invitation to engage the company whose objective was to apprise the Committee on the activities that the company was undertaking towards ensuring efficiency in management of the energy sector.

He acknowledged commitment of the Committee towards building partnership with KPLC as an implementing agency of House Resolution. He thanked the Committee for approving the retreat, as requested by the Principal Secretary, Ministry of Energy when he appeared before the Committee on behalf of the Cabinet secretary to give an update on implementation of a motion on liberalization of power distribution. He highlighted on the objectives of the retreat, which were:

1. To understand the energy sector in Kenya, Africa and Globally and the impact of liberalization of power in Kenya ;
2. To understand the legal framework within the energy sector in Kenya;
3. To understand compensation mechanism by KPLC;
4. To get responses on various array of issues of concerns by Kenyans in their interaction with KPLC;
5. To foster a positive relationship with the institution to enhance flow of information between the institution and the Committee.

~~In her opening remarks, the Chairperson of the Committee On implementation thanked the Ministry of Energy, through Kenya Power & Lighting Company for organizing the retreat, which would address a resolution of the National Assembly emanating out of a motion by Hon. David Bowen urging the government to liberalize power distribution.~~

She reiterated on the importance of the energy sector as a key driver of the economy, and the role of KPLC as the main distributor of power.

Specifically, she emphasized on the need for KPLC to address specific concerns that had been raised by Members at the previous meeting, which would be core at addressing the motion.

**MINUTE NO. COI/2015:**

**PRESENTATIONS BY KPLC**

Members noted the following through various presentations made to the Committee by KPLC senior management-

- The cost of power is determined by the Energy Regulatory Commission (ERC) and not KPLC.
- Power outages are universal and need to be managed. KPLC is dedicating more

resources to upgrade its systems.

- The low quality of transformers supplied to KPLC in the recent past exacerbated the problem of power outages due to frequent breakdown (35,000 transformers out of 40,000 being faulty). The company has upgraded specifications for the current supply to ensure that their lifespan is long (around 23 years). There are currently 40,000 transformers in use on the grid while another 35,000 are awaiting repair.
- The company has a compensation claim procedure in place to ensure compensation is given for loss of life, property as well as wayleaves passing through a property:
  - Complaint is made in writing
  - Technical engineers submit technical reports on liability
  - A Loss Adjustor determines liability and quantify the loss or damage
  - Customer provides documents to show proof of ownership
  - Payment is made to the customer by the insurer
  - Process takes on Average 72 days
- KPLC is audited by the Auditor General through a private company, in this case Deloitte & Touche).
- The tariff structure is set by the Energy Regulatory Commission(ERC),where
  - 50% of the bill goes to KPLC as Fixed Charge and Consumption
  - 13% goes to the Government as VAT
  - 37% goes to third party levies i.e. Fuel Cost Charge, Forex Adjustment, Inflation Adjustment, WARMA( Water Resource Management Authority), ERC Levy, REA (Rural Electrification Authority) Levy.
- Erratic Billing is a major issue that the company has endeared to tackle in the recent past This has been caused by the fact that most meters go unread and therefore billing is done using estimates.
- In 2012, Kenya paid \$ 17 cents per kWh of power, this has since gone down to \$ 14.5 cents in 2015.Tanzania has cheaper power but is most inadequate and unreliable. Countries like Germany who depend on renewable power pay \$35 per kWh of power.
- The Government has partnered with Africa Development Bank (ADB), to connect

Primary Schools in the country to the grid.

- The Government has further partnered with the World Bank, to connect those who live up to 2kms away from the power line, to the grid.
- The charge for a Single Phase connection since 2004 has been Kshs 35,000. However, the actual cost as per experts engaged by the Government is Ksh. 100,000. KPLC has been allocated Kshs 2.7 Billion in the current financial year to bridge this gap (Ksh.65, 000) and ensure connection charges for single phase remain at Ksh. 35,000.
- Under **The Last Mile Project**, the Government has acquired a long term loan, where the cost of connectivity will reduce to Ksh. 15,000 with the Government bearing the extra cost of Ksh. 85,000. Customers within the radius of 600m will be connected, and those who are unable to pay will be accorded an affordable 36 months payment plan. **The 1<sup>st</sup> Phase of the Last Mile project is set to be launched on September 1<sup>st</sup> 2015.**
- KPLC hopes to achieve 70% connectivity to power in the country by 2017 from the current 45%.

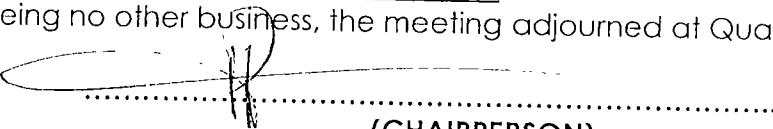
**Arising from the presentations and discussions, the committee resolved the following-**

- To seek more information from an expert in energy sector, particularly on liberalization of power distribution.
- ~~To engage other players in the Energy Sector (ERC, KENGEN, GDC, WARMA) on the rationale of having a significant cost of power borne by consumers being associated with levies charged by Third Party.~~
- Full implementation of the Energy Act. The Bill is currently in Parliament.
- The Committee and KPLC to foster a positive working relationship going forward, as a way of promptly addressing issues in the sector.

**MINUTE NO. COI/2015: ADJOURNMENT**

There being no other business, the meeting adjourned at Quarter Past six O'clock.

SIGNED



(CHAIRPERSON)

DATE

29/09/2015



#### MINUTE NO .COI/178/2015: CONFIRMATION OF MINUTES

Minutes of the 135<sup>th</sup> Sitting were confirmed by the Members present and signed by the acting Chairperson after having been proposed by the Hon Ferdinand Wanyonyi and seconded by The Hon Bernard Bett.

#### MINUTE NO. COI/179/2015: CONSIDERATION OF REPORT BY THE CABINET SECRETARY EDUCATION, SCIENCE AND TECHNOLOGY ON THE SAN MARCO SPACE COMPANY

The Committee considered the Report and noted that

- The matter of San Marco Space Company has been before Parliament since 2012
- The key issue that remain unresolved is the renewal of bilateral agreement between Kenya and Italy, given that the current fifteen year agreement has expired
- Other contentious issues include: The benefits that have accrued to Kenya since 1963 when the initial agreement was signed and management of the facility
- There seem to be a tussle between the Ministries of Education and Defence on the management of the facility
- Stakeholder consultations spear headed by the Office of the Deputy President are ongoing to iron out contentious issues in the draft agreement.
- The recommendations of the report adopted by the House on 24<sup>th</sup> June 2014 remain unimplemented by the Ministry of Education despite the Science and Technology Act, 2013 placing space science activities under the Ministry

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The Committee therefore resolved that the Cabinet Secretary Defence be invited to meet the Committee to give an insight on the activities of the Company. It was also resolved that the Committee thereafter visits the company to get apprised on the situation on the ground.

#### MINUTE NO.COI/180/2015: ANY OTHER BUSINESS

The meeting was informed that an inspection visit regarding the resolution of the House on Kenya Police Reservists has been scheduled for 3<sup>rd</sup> and 4<sup>th</sup> September in West Pokot County.

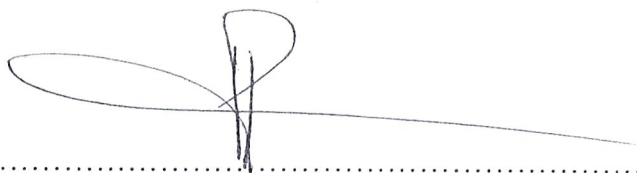
The acting Chairperson further informed the meeting that the Cabinet Secretary, Interior and Coordination of National Government who was expected to meet the Committee during the meeting had requested for a rescheduling of the meeting to a later date.

MINUTE NO. COI/181/2015: DATE FOR THE NEXT SITTING

It was resolved that the next sitting of the Committee be held on Thursday 27<sup>th</sup> August, 2015 at 12.30 P.M

MINUTE NO. COI/182/2015: ADJOURNMENT

There being no other Business the acting Chairperson adjourned the Sitting at 11. 48 AM.

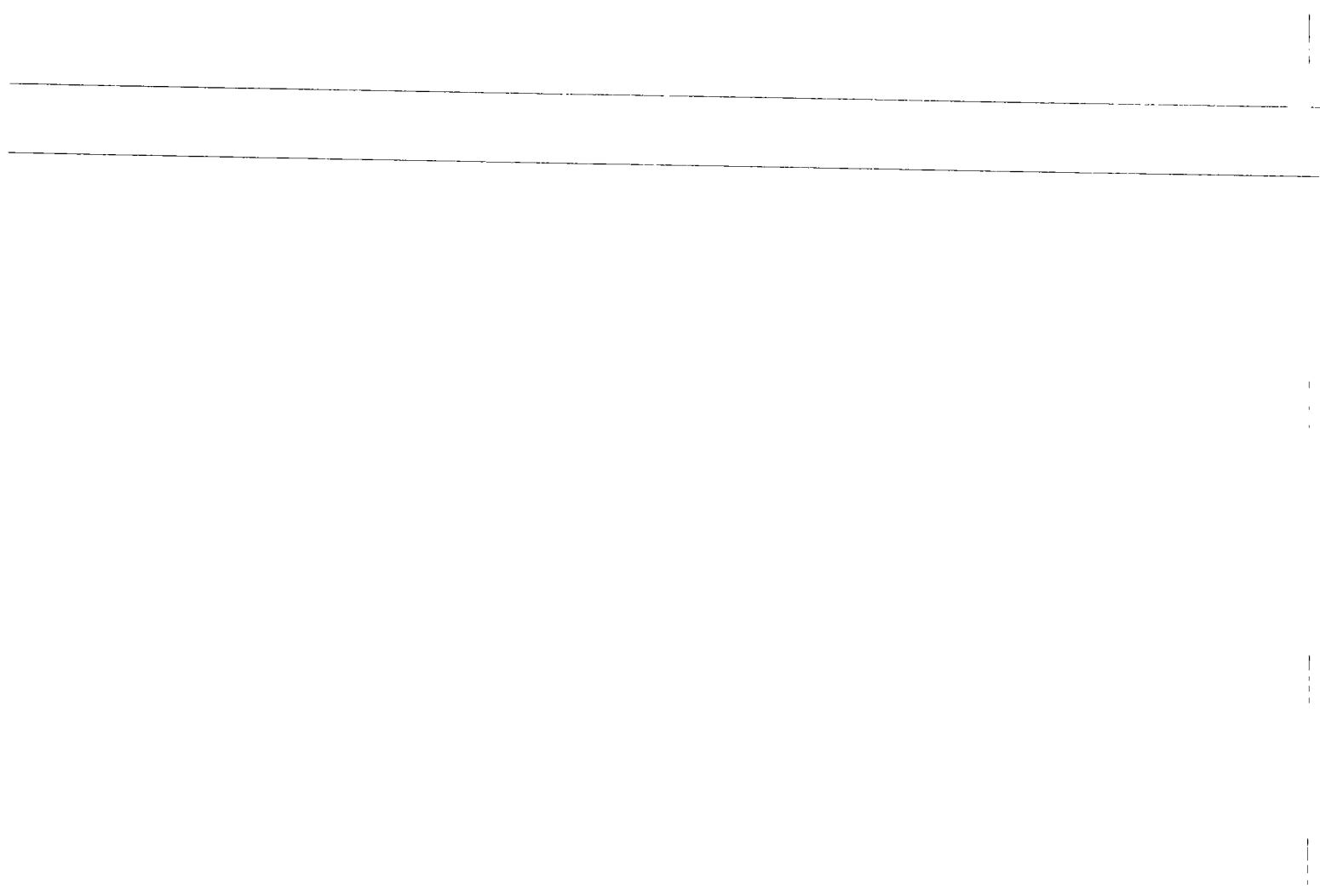


Signed.....

Chairperson

Date.....

29/09/2015



MINUTES OF THE 140<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON  
27<sup>TH</sup> AUGUST, 2015 IN BOARDROOM ROOM, 11<sup>TH</sup> FLOOR, PROTECTION HOUSE AT 12.30 P.M.

PRESENT

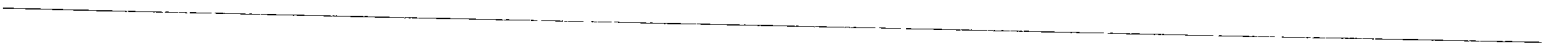
Hon. Roselinda Soipan, M.P. – Chairperson  
Hon. Joseph M'eruaki, M.P.  
Hon. Julius Kariuki Ndegwa, M.P.  
Hon. Samuel Moroto, M.P.  
Hon. Philip Rotino, M.P.  
Hon. Ibrahim Sane, M.P.  
Hon. Isaack Shaaban Ali, M.P.  
Hon. Mutua Robert (Bishop), M.P.  
Hon. Bernard Munywoki Kitungi, M.P.  
Hon. Ndirangu Kariuki, M.P.  
Hon. John Karanja Kihagi, M.P.  
Hon. Lempurkel Mathew Lekidime, M.P.  
Hon. Mary Sally Keraa, M.P.

ABSENT WITH APOLOGY

Hon. David Gikaria, M.P. (Vice-Chair)  
Hon. Winnie Karimi Njuguna, M.P.  
Hon. Jacob Macharia, M.P.  
Hon. Asman Kamama, M.P.  
Hon. Ali Shariff Athman, M.P.  
Hon. Bernard Bett, M.P.  
Hon. Peter Kamande Mwangi, M.P.  
Hon. Gideon Ochanda, M.P.  
Hon. Ferdinand Kevin Wanyonyi, M.P.  
Hon. Esther Murugi, M.P.  
Hon. Tiras Ngahu, M.P.  
Hon. Dr. Victor Munyaka, M.P.  
Hon. Alexander Kosgey, M.P.  
Hon. Dennitah Ghati, M.P.  
Hon. Dorcas Kedogo, M.P.

IN -ATTENDANCE

Hon. (Dr.) Wilbur Ottichilo, M.P.	-Mover of the motion under consideration
Ms. Lucy Kimathi	-Senior Clerk Assistant
Ms. Adan Gindicha	-First Clerk Assistant
Mr. Salem Lorot	-Legal Counsel
Mr. James Macharia	-Media Officer



**MINUTE NO. COI/160/2015: PRELIMINARIES**

The Chairperson opened the meeting with prayers, and welcomed members to the meeting. She thanked Hon. (Dr.) Wilbur Ottichilo, M.P. the mover of the motion for which the Committee was considering its implementation for honoring Committee invitation.

**MINUTE NO. COI/161/2015: CONSIDERATION OF RESPONSE BY THE MINISTRY OF ENERGY & PETROLEUM**

The Committee noted that on Thursday, 19th February, 2015, the National Assembly adopted the following motion by Hon. (Dr.) Wilbur Ottichilo urging the government to shift its attention from the development of nuclear energy and instead invests in the development of renewable or green energy, which is safe and abundant in the country.

The motion:

*THAT, aware that the Kenya Nuclear Electricity Board (KNEB) was created and tasked with spearheading the development of Nuclear Energy in the country; deeply concerned that the construction and maintenance of a nuclear plant is a highly technical, expensive and risky undertaking that potentially exposes a country to the threat of nuclear radiation and the challenge of disposal of radioactive nuclear waste; further aware that due to these inherent risks in nuclear energy production, many of the developed countries like Germany, India, Japan and South Africa, amongst others, have increasingly embarked on the systematic shut-down of their nuclear plants and instead are promoting the development of clean renewable energy, especially wind and solar energy; noting that Austria, which hosts the United Nations International Atomic Energy Agency, has terminated the development of any nuclear energy, this House resolves that the Government shifts its attention from the development of nuclear energy and instead invests in the development of renewable or green energy, which is safe and abundant in the country.*

**The Committee noted the following from the response by the Ministry-**

1. Kenya's power demand is projected to increase significantly in the near future as the country strives to become a middle income and industrialized country. The

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country will require approximately 21620MW to power the development projects and electrification levels targeted for the country by 2031;

1. The analysis show that the projected growth in electricity demand is not equally matched by the available resources in the country that include Geothermal (5530MW), Hydro (1039MW), Coal (2720MW), Medium Speed Diesel (1955MW), imports (2000MW), Natural gas (2340MW) and renewable sources of energy at (2.36MW). Nuclear energy is expected to contribute 4000MW in the national grid;
2. Nuclear power has been identified as a suitable source for the Country's future power mix as it is safe, reliable, competitively priced and adequate;
3. The benefits of nuclear power are numerous, they include: competitive cost of power, clean power generation free of greenhouse gas emissions, stable electricity with high availability throughout the year, high safety records in over 50 years of operation in many countries in the world, and high fuel efficiencies among other benefits;
4. The Kenya Nuclear Electricity Board was established with a mandate to undertake preparatory activities towards development and implementation of the Nuclear Power Programme in order to enhance the production of affordable and reliable electricity from nuclear power in Kenya;
5. The Board is currently undertaking the grid studies to assess the suitability and stability of the National grid to accommodate nuclear power plants.
6. Various countries without existing nuclear power technology in their power systems have expressed interest in investing in nuclear electricity production, while developed countries with existing nuclear plants have been expanding their capacities;
7. Nuclear energy across the world elicits varied reactions in relation to plant safety, management or radioactive waste and proliferation concerns in the wake of heightened terrorism;

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8. The International Atomic Energy Agency (IAEA) was awarded the prestigious Nobel Peace Prize for 'its efforts in preventing nuclear energy from being used for military purposes and most importantly for ensuring that nuclear energy for peaceful purposes is used in the safest possible way;
9. Despite continued shut down of its plants, Germany still heavily relies on nuclear energy both locally and through imports. Japan is restarting its plants after conducting stress tests. Both South Africa and India have flourishing have flourishing nuclear energy industries with no plans of shutting down any plants;
10. All this is an indication that nuclear energy remains a viable energy options that guarantees energy, security, affordability, reliability and is especially so in countries like Kenya seeking to be middle income industrialized country by 2030.

The Chairperson invited Hon. (Dr.) Wilbur Otlichilo to apprise the Committee on the issue given his technical training( Doctorate in Environmental Science) and his experience through study tours in developed countries where the technology is being applied.

From his presentation, Members noted that;

1. The Motion was driven by the need for Kenya to utilize other alternative sources of energy (wind, sun, geothermal), commonly referred to as 'Green energy" which is easily available, environmental friendly and affordable.
2. Most countries are embracing green energy, reducing reliance in fossil energy, a factor which has led to a significant reduction in international oil prices.
3. It would be very costly both financially and socially to put up a Nuclear plant in Kenya due to the following;
  - a. Ksh.900Billion would be required to generate 1200 Megawatts, hence investors would not be attracted to this venture
  - b. Lack of expertise to run the sector, since it takes 5-20 years to train a competent nuclear expert
  - c. Complex infrastructure, where it would take 10-20 years to put up a nuclear reactor
  - d. Challenges of storing nuclear waste, which is radio-active, since it takes 100-1 billion years to degrade and require complex storage facilities.
  - e. Challenges of abundance of fresh water for production of nuclear energy, and requirement for the areas to be sparsely populated.

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The Committee noted that the response from the Ministry was AGAINST the resolution of the house, and resolved that the CS be invited to apprise the Committee on specific interventions the Ministry has put in place towards investment in development of renewable or green energy, which is safe and abundant in the country.

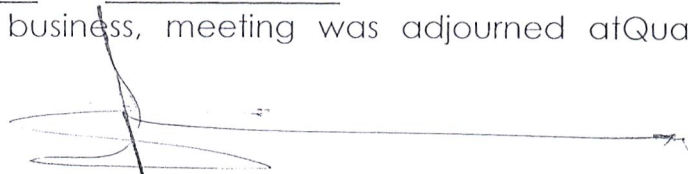
**MINUTE NO. COI/162/2015: Any Other Business**

1. The Chairperson informed the meeting of the CS Interior & Coordination of National Government of his request to reschedule the meeting with the Committee to Tuesday 1<sup>st</sup>, September, 2015. The meeting acceded to the request and resolved that the meeting be held at 10.30 am.
2. The Chairperson informed the Committee that Twelve members had confirmed availability to visit WEST POKOT County on 3<sup>rd</sup>-5<sup>th</sup> September on KPR issues. In addition, members were informed of a similar visit in Lamu County on 15<sup>th</sup> to 17<sup>th</sup> September, 2015 and urged to confirm availability with the secretariat.

**MINUTE NO. COI/163/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter to Two O'clock.

SIGNED .....



(CHAIRPERSON)

DATE .....

13-10-2015

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**MINUTES OF THE 141<sup>st</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 29<sup>TH</sup> SEPTEMBER, 2015 IN THE SMALL DINNING ROOM AT 12.30 P.M.**

**PRESENT**

Hon. Philip Rotino, M.P. - Chairing  
Hon. Joseph M'eruaki, M.P.  
Hon. Winnie Karimi Njuguna, M.P.  
Hon. Peter Kamande Mwangi, M.P.  
Hon. Julius Kariuki Ndegwa, M.P.  
Hon. Samuel Moroto, M.P.  
Hon. Ali Shariff Athman, M.P.  
Hon. Bernard Bett, M.P.  
Hon. Mutua Robert (Bishop), M.P.  
Hon. Bernard Munywoki Kitungi, M.P.  
Hon. John Karanja Kihagi, M.P.  
Hon. Lempurkel Mathew Lekidime, M.P.  
Hon. Mary Sally Keraa, M.P.  
Hon. Dorcas Kedogo  
Hon. Ferdinand Kevin Wanyonyi, M.P.  
Hon. Esther Murugi, M.P.

**ABSENT WITH APOLOGY**

Hon. Roselinda Soipan, M.P. - Chairperson  
Hon. David Gikaria, M.P. - Vice-Chairperson  
Hon. Jacob Macharia, M.P.  
Hon. Asman Kamama, M.P.  
Hon. Ibrahim Sane, M.P.  
Hon. Isaack Shaaban Ali, M.P.  
Hon. Ndirangu Kariuki, M.P.  
Hon. Gideon Ochanda, M.P.  
Hon. Tiras Ngahu, M.P.  
Hon. Dr. Victor Munyaka, M.P.  
Hon. Alexander Kosgey, M.P.  
Hon. Dennitah Ghati, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi Senior Clerk Assistant  
Mr. Salem Lorot Legal Counsel  
Mr. Humphrey Ringera Research Officer  
Mr. Albert Atunga Serjeant -At -Arms

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**MINUTE NO. COI/1/2015: PRELIMINARIES**

The meeting noted that the Chairperson was out of the country on official duties. Hon. Philip Rotino, M.P. was elected to chair the meeting as per the provisions of standing order 188

**MINUTE NO. COI/2/2015: CONFIRMATION OF MINUTES OF MINUTES OF 137<sup>TH</sup> MEETING**

The Minutes of 137<sup>th</sup> meeting between the Committee and Kenya Power & Lighting Company were confirmed as a true record of the proceedings of the meeting on a proposal by Hon. Hon. Mutua Robert (Bishop), M.P and seconded by Hon. Winnie Njuguna, M.P.

**MINUTE NO. COI/3/2015: MATTERS ARISING FROM 137<sup>TH</sup> MEETING**

- Members noted that the Committee had held a retreat on **20<sup>th</sup> August, 2015** to engage experts in energy sector towards implementation of House resolution on liberalization of power sector.
- The Committee would consider holding a retreat in the first week of November during the short recess to meet other players in the Energy Sector (ERC, KENGEN, GDC, WARMA) on the rationale of having a significant cost of power borne by consumers being associated with levies charged by Third Part.

**MINUTE NO. COI/4/2015: CONFIRMATION OF MINUTES OF MINUTES OF 139<sup>TH</sup> MEETING**

The Minutes of 139<sup>th</sup> meeting to consider a report on SAN MARCO SPACE COMPANY IN MALINDI were confirmed as true record of the proceedings of the meeting on a proposal by Hon. Samuel Moroto, M.P. and seconded by Hon. Ali Shariff Athman, M.P.

**MINUTE NO. COI/5/2015: MATTERS ARISING FROM 137<sup>TH</sup> MEETING**

The Committee noted that the Cabinet Meeting in charge of Education was scheduled to meet it on October 6<sup>th</sup> 2015 at 12.00 noon, where he was expected to apprise members on specific issues relating to the company.

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**MINUTE NO. COI/6/2015: CONSIDERATION OF COMMITTEE PLAN OF ACTIVITIES**

Members took note of the following scheduled of activities for the month of October-December 2015.

**SHORT RECESS:** Friday, 30th October - Monday, 9th November, 2015

**LONG RECESS:** Friday, 4th December, 2015

REFERENCE	ISSUE	STATUS
IN-HOUSE	<ul style="list-style-type: none"> <li>Confirmation of Minutes of 137<sup>th</sup> &amp; 139<sup>th</sup> meetings</li> <li>Consideration and adoption of programme of activities for October-December, 2015</li> </ul>	29 <sup>th</sup> Sept.2015 (Tuesday)
IN-HOUSE	Consideration of Draft report on KPR issue	1 <sup>st</sup> October, 2015(Thursday)
<b>119<sup>th</sup> SITTING</b> MINUTE NO. COI/130/2015	The Cabinet Secretary for Education, Science And Technology to: <ol style="list-style-type: none"> <li>Furnish the Committee with a list of girls boarding schools in each ASAL constituency;</li> <li>Status on upgrading of Kitale Technical Institute</li> <li>To address issues on San Marco space company</li> </ol>	Meeting with CS on October 6 <sup>th</sup> (Tuesday) 2015 at 12.00 noon.
<b>121<sup>st</sup> SITTING</b> MINUTE NO. COI/142/2015	Cabinet Secretary for Interior & Coordination of National Government to report on the <ol style="list-style-type: none"> <li>Status of issuance of National Identity Cards to all eligible Kenyans</li> <li>Implementation status of resolution on "Kenya Police Reservist" in ASALs land following the enactment of The National Police Service (Amendment) Act No. 11 of 2014.</li> </ol>	Meeting with CS on October 8 <sup>th</sup> (Thursday) 2015 At 12.00 noon.
	<b>Visit to Republic of Rwanda</b>	12th -16th 2015
<b>128<sup>th</sup> SITTING</b> MINUTE NO. COI/150/2015	To engage Cabinet Secretary in charge of Ministry of Transport and Infrastructure and the Director General, National Transport and Safety Authority to be invited to address various gaps noted in the report on Development of Policy on operations of Commercial Motor Cycles (Boda Boda).  Bungoma County Assembly's Committee on Implementation benchmarking visit	<b>Proposed dates to meet the CS Tuesday 22<sup>nd</sup>, October, 2015 at 12.00 noon.</b> <i>Committee thereafter to undertake inspection visits in SIAYA &amp; BUSIA counties.</i>  22 <sup>nd</sup> October, 2015
<b>Proposed retreat to Mombasa</b>	Committee to:- <ol style="list-style-type: none"> <li>Consider presentation by Hon. (Dr.) Wilbur Ottichilo on visit to Japan Nuclear Plant</li> </ol>	<b>Proposed retreat 23<sup>rd</sup> (Friday) -24<sup>th</sup> (Saturday) October, 2015</b>

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<p><b>118<sup>TH</sup> SITTING</b> MINUTE NO. COI/124/2015</p>	<p>2.Engage CS Energy &amp; Petroleum and Kenya Nuclear Electricity Board to apprise on specific interventions the Ministry has put in place towards investment in development of renewable or green energy, which is safe and abundant in the country as resolved during 140<sup>th</sup> sitting.</p> <p>Cabinet Secretary for Environment &amp; Natural Resources to report on Implementation of recommendation arising out of visits undertaken by the Committee to Japan and Austria.</p> <p>Committee to consider request by <b>the County Assembly of Mombasa Committee</b> on implementation who had requested to engage it on 28th -2nd October, 2015.</p>	<p><b>Tuesday, 27<sup>th</sup> October, 2015</b> <b>at 12.00 noon.</b></p>
<p><b>SHORT RECESS</b></p>	<p><b>To engage other players in energy sector on liberalization of KPLC: ERC, GDC, KENGEN,WARMA</b></p>	<p><b>29<sup>th</sup> (Thursday) October to 1<sup>st</sup> (Sunday) November 2015.</b></p>
<p>120<sup>TH</sup> SITTING MIN.NO. COI/136/2015</p>	<p>Meeting Cabinet Secretary Agriculture regarding the implementation status of the resolution of the House on review of Farm Gate prices of milk to Ksh 45 per litre.</p>	<p><b>10<sup>th</sup> November, 2015 at 12.00 noon.</b></p>
<p><b>120<sup>TH</sup> SITTING</b> MINUTE NO. COI/136/2015</p>	<p>Meeting with Cabinet Secretary for Foreign Affairs and International Trade to report on implementation status of EAP</p>	<p><b>Proposed Tuesday 17<sup>th</sup>, November 2015</b></p>
<p><b>Proposed field visit</b></p>	<p>Inspection visit to Tana River/ Tana and Athi River Development Authority (TARDA) to ascertain measures the Ministry of water has put in place to mitigate "artificial flooding" though releasing water from dam to rivers and compensation mechanisms for the affected.</p>	<p><b>Proposed 20<sup>th</sup> -21<sup>st</sup> November, 2015.</b></p>
<p><b>End of year retreat</b></p>	<p>Committee retreat to review planned targets as per its workplan and projection of activities for the fourth session in 2016.</p>	<p><b>Proposed 26<sup>th</sup> (Thursday) to 28<sup>th</sup> (Saturday) 2015.</b></p>

Other activities carried out

**1. RETREATS**

- a. Committee retreat on **15<sup>th</sup> July, 2015** to engage Kenya Power & Lighting Company on the resolution of the house on liberalization of power distribution and compensation for loss due to power outages/faults.
- b. Committee retreat held on **7<sup>th</sup> -8<sup>th</sup> August, 2015** to consider 16<sup>th</sup> PIC report

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1. Response on implementation of recommendation that CEO of Kenya Literature Bureau adhere to Treasury Circulars on investment of surplus funds and recovery of money owed by employees was found satisfactory ,hence the matter settled.
  2. Response by Higher Education Loans Board (HELB) on Loan recoveries not satisfactory, hence the Committee resolved that the Accounting Officer be invited to give apprise the committee on implementation status.
  3. To develop work plan for 2015/16 Financial Year.
  - c. Committee retreat on **20<sup>th</sup> August, 2015** to engage experts in energy sector towards implementation of House resolution on liberalization of power sector.
- 2. INSPECTION VISITS**
- a. Visit to West Pokot County on **2<sup>nd</sup> – 5<sup>th</sup> September 2015** to follow up on implementation status of the House Resolution passed on 26<sup>th</sup> September, 2013 on review of terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi -Arid Areas (ASALs).
  - b. Visit to Lamu County on **15<sup>th</sup> -16<sup>th</sup> Septemeber, 2015** to follow up on implementation status of the House Resolution passed on 26<sup>th</sup> September, 2013 on review of terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi -Arid Areas (ASALs).
3. Awaiting 30<sup>th</sup> September, 2015 being the deadline within which all evictees, including Enosupukia ones would be profiled as undertaken by Ministry of Devolution & Planning in their response on Enosupukia resettlement issue.
- 4. OPERATIONALIZATION OF LEGISLATION**
- To consider **audit report** on operationalization of legislation for the 11<sup>th</sup> parliament, being part of Committee's mandate as enshrined in the standing order 209(2) b.
- 5. PETITIONS**
- Awaiting responses (**by 23<sup>rd</sup> September, 2015**) from various ministries on implementation status on the following petitions;
- a. **Ministry of Transport**
    - i. Upgrading of old Mombasa road/Masai roads A,B & C
    - ii. Northern Corridor Transport Improvement Project
    - iii. Erection of bumps and road signs on Mate Road
    - iv. Tarmacking of Galimu-Mcvast-Mukuyu road
    - v. Status of Komarock road
    - vi. Stoppage of Kenya airways operations on Nairobi-Eldoret route
    - vii. Upgrading of 40KM road traversing Mbiri Mugoiri and Murarandia wards
  - b. **Ministry of Lands; National Lands Commission**
    - i. Status of leased land meant for expansion of Moi International Airport
  - c. **Ministry of Lands; Ministry of Interior & Coordination of National Government**
    - i. Eviction of bona fide owners of land in Muthaiga farm
- 6. INTERNATIONAL ASSIGNMENTS**
- India visits rescheduled to 7<sup>th</sup> to 14<sup>th</sup> February, 2016.

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Members tasked the secretariat to come up with proposals for international study tours based on the various scheduled assignments. Concern was raised that most of the requests for international visits were not honored.

**MINUTE NO. COI/7/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter to Two O'clock.

SIGNED

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(CHAIRPERSON)

DATE

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8/10/2015

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**MINUTES OF THE 141<sup>st</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 29<sup>th</sup> SEPTEMBER, 2015 IN THE SMALL DINNING ROOM AT 12.30 P.M.**

**PRESENT**

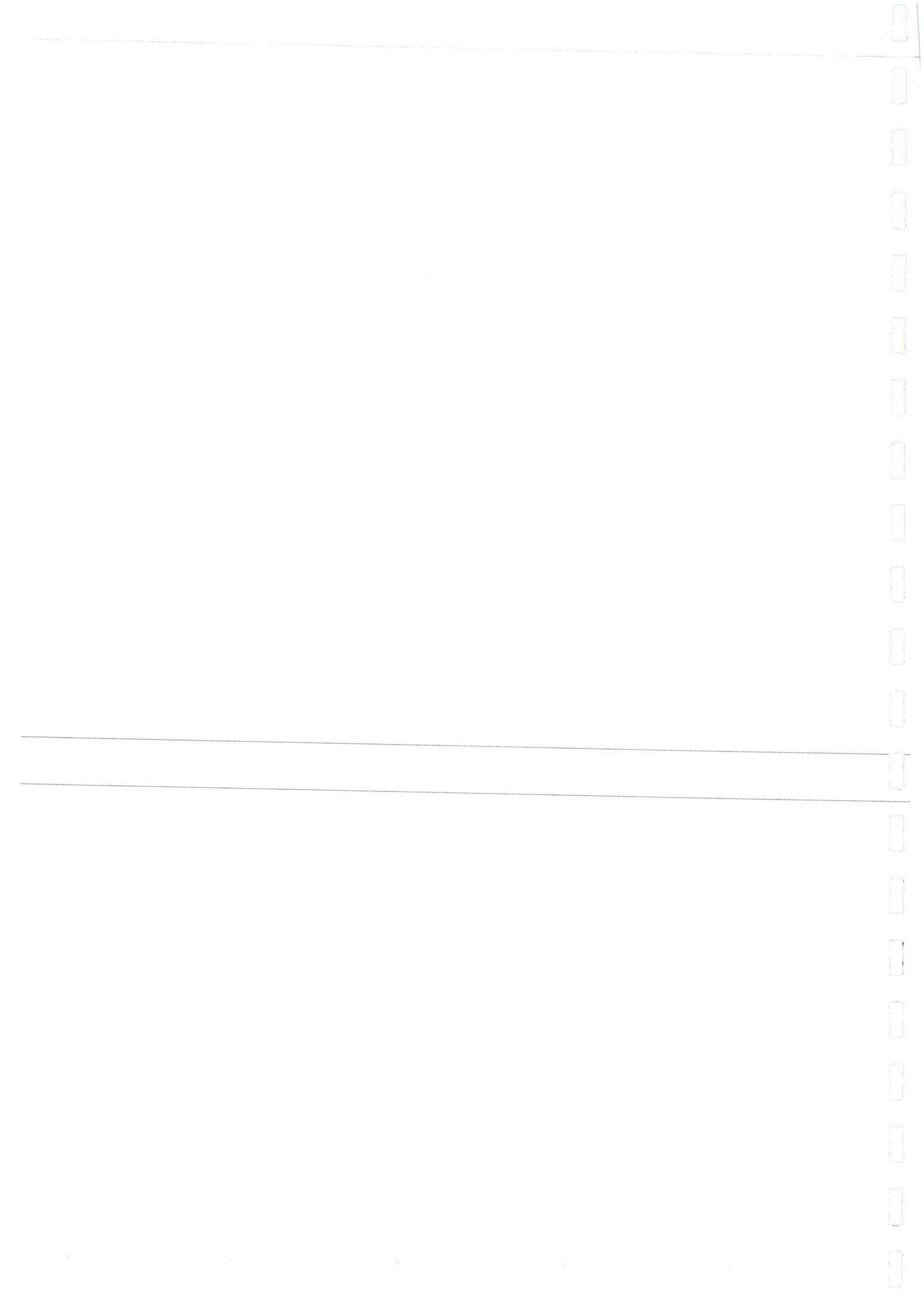
Hon. Philip Rotino, M.P. - Chairing  
Hon. Joseph M'eruaki, M.P.  
Hon. Winnie Karimi Njuguna, M.P.  
Hon. Peter Kamande Mwangi, M.P.  
Hon. Julius Kariuki Ndegwa, M.P.  
Hon. Samuel Moroto, M.P.  
Hon. Ali Shariff Athman, M.P.  
Hon. Bernard Bett, M.P.  
Hon. Mutua Robert (Bishop), M.P.  
Hon. Bernard Munywoki Kitungi, M.P.  
Hon. John Karanja Kihagi, M.P.  
Hon. Lempurkel Mathew Lekidime, M.P.  
Hon. Mary Sally Keraa, M.P.  
Hon. Dorcas Kedogo  
Hon. Ferdinand Kevin Wanyonyi, M.P.  
Hon. Esther Murugi, M.P.

**ABSENT WITH APOLOGY**

Hon. Roselinda Soipan, M.P. - Chairperson  
Hon. David Gikaria, M.P. - Vice-Chairperson  
Hon. Jacob Macharia, M.P.  
Hon. Asman Kamama, M.P.  
Hon. Ibrahim Sane, M.P.  
Hon. Isaack Shaaban Ali, M.P.  
Hon. Ndirangu Kariuki, M.P.  
Hon. Gideon Ochanda, M.P.  
Hon. Tiras Ngahu, M.P.  
Hon. Dr. Victor Munyaka, M.P.  
Hon. Alexander Kosgey, M.P.  
Hon. Dennitah Ghati, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi Senior Clerk Assistant  
Mr. Salem Lorot Legal Counsel  
Mr. Humphrey Ringera Research Officer  
Mr. Albert Atunga Serjeant -At -Arms



**MINUTE NO. COI/1/2015: PRELIMINARIES**

The meeting noted that the Chairperson was out of the country on official duties. Hon. Philip Rotino, M.P. was elected to chair the meeting as per the provisions of standing order 188

**MINUTE NO. COI/2/2015: CONFIRMATION OF MINUTES OF MINUTES OF 137<sup>TH</sup> MEETING**

The Minutes of 137<sup>th</sup> meeting between the Committee and Kenya Power & Lighting Company were confirmed as a true record of the proceedings of the meeting on a proposal by Hon. Hon. Mutua Robert (Bishop), M.P and seconded by Hon. Winnie Njuguna, M.P.

**MINUTE NO. COI/3/2015: MATTERS ARISING FROM 137<sup>TH</sup> MEETING**

- Members noted that the Committee had held a retreat on **20<sup>th</sup> August, 2015** to engage experts in energy sector towards implementation of House resolution on liberalization of power sector.
- The Committee would consider holding a retreat in the first week of November during the short recess to meet other players in the Energy Sector (ERC, KENGEN, GDC, WARMA) on the rationale of having a significant cost of power borne by consumers being associated with levies charged by Third Part.

**MINUTE NO. COI/4/2015: CONFIRMATION OF MINUTES OF MINUTES OF 139<sup>TH</sup> MEETING**

The Minutes of 139<sup>th</sup> meeting to consider a report on SAN MARCO SPACE COMPANY IN MALINDI were confirmed as true record of the proceedings of the meeting on a proposal by Hon. Samuel Moroto, M.P. and seconded by Hon. Ali Shariff Athman, M.P.

**MINUTE NO. COI/5/2015: MATTERS ARISING FROM 137<sup>TH</sup> MEETING**

The Committee noted that the Cabinet Meeting in charge of Education was scheduled to meet it on October 6<sup>th</sup> 2015 at 12.00 noon, where he was expected to apprise members on specific issues relating to the company.



**MINUTE NO. COI/6/2015: CONSIDERATION OF COMMITTEE PLAN OF ACTIVITIES**

Members took note of the following scheduled of activities for the month of October-December 2015.

**SHORT RECESS:** Friday, 30th October - Monday, 9th November, 2015

**LONG RECESS:** Friday, 4th December, 2015

REFERENCE	ISSUE	STATUS
IN-HOUSE	<ul style="list-style-type: none"> <li>Confirmation of Minutes of 137<sup>th</sup> &amp; 139<sup>th</sup> meetings</li> <li>Consideration and adoption of programme of activities for October-December, 2015</li> </ul>	29 <sup>th</sup> Sept.2015 (Tuesday)
IN-HOUSE	Consideration of Draft report on KPR issue	1 <sup>st</sup> October, 2015(Thursday)
<b>119<sup>th</sup> SITTING</b> MINUTE NO. COI/130/2015	The Cabinet Secretary for Education, Science And Technology to: <ol style="list-style-type: none"> <li>Furnish the Committee with a list of girls boarding schools in each ASAL constituency;</li> <li>Status on upgrading of Kitale Technical Institute</li> <li>To address issues on San Marco space company</li> </ol>	Meeting with CS on October 6 <sup>th</sup> (Tuesday) 2015 at 12.00 noon.
<b>121<sup>st</sup> SITTING</b> MINUTE NO. COI/142/2015	Cabinet Secretary for Interior & Coordination of National Government to report on the <ol style="list-style-type: none"> <li>Status of issuance of National Identity Cards to all eligible Kenyans</li> <li>Implementation status of resolution on "Kenya Police Reservist" in ASALs land following the enactment of The National Police Service (Amendment) Act No. 11 of 2014.</li> </ol>	Meeting with CS on October 8 <sup>th</sup> (Thursday) 2015 At 12.00 noon.
	<b>Visit to Republic of Rwanda</b>	12th -16th 2015
<b>128<sup>th</sup> SITTING</b> MINUTE NO. COI/150/2015	To engage Cabinet Secretary in charge of Ministry of Transport and Infrastructure and the Director General, National Transport and Safety Authority to be invited to address various gaps noted in the report on Development of Policy on operations of Commercial Motor Cycles (Boda Boda).  Bungoma County Assembly's Committee on Implementation benchmarking visit	<b>Proposed dates to meet the CS Tuesday 22<sup>nd</sup>, October, 2015 at 12.00 noon.</b> Committee thereafter to undertake inspection visits in SIAYA & BUSIA counties.  22 <sup>nd</sup> October, 2015
<b>Proposed retreat to Mombasa</b>	Committee to:- <ol style="list-style-type: none"> <li>Consider presentation by Hon. (Dr.) Wilbur Otlichilo on visit to Japan Nuclear Plant</li> </ol>	<b>Proposed retreat 23<sup>rd</sup> (Friday) -24<sup>th</sup> (Saturday) October, 2015</b>

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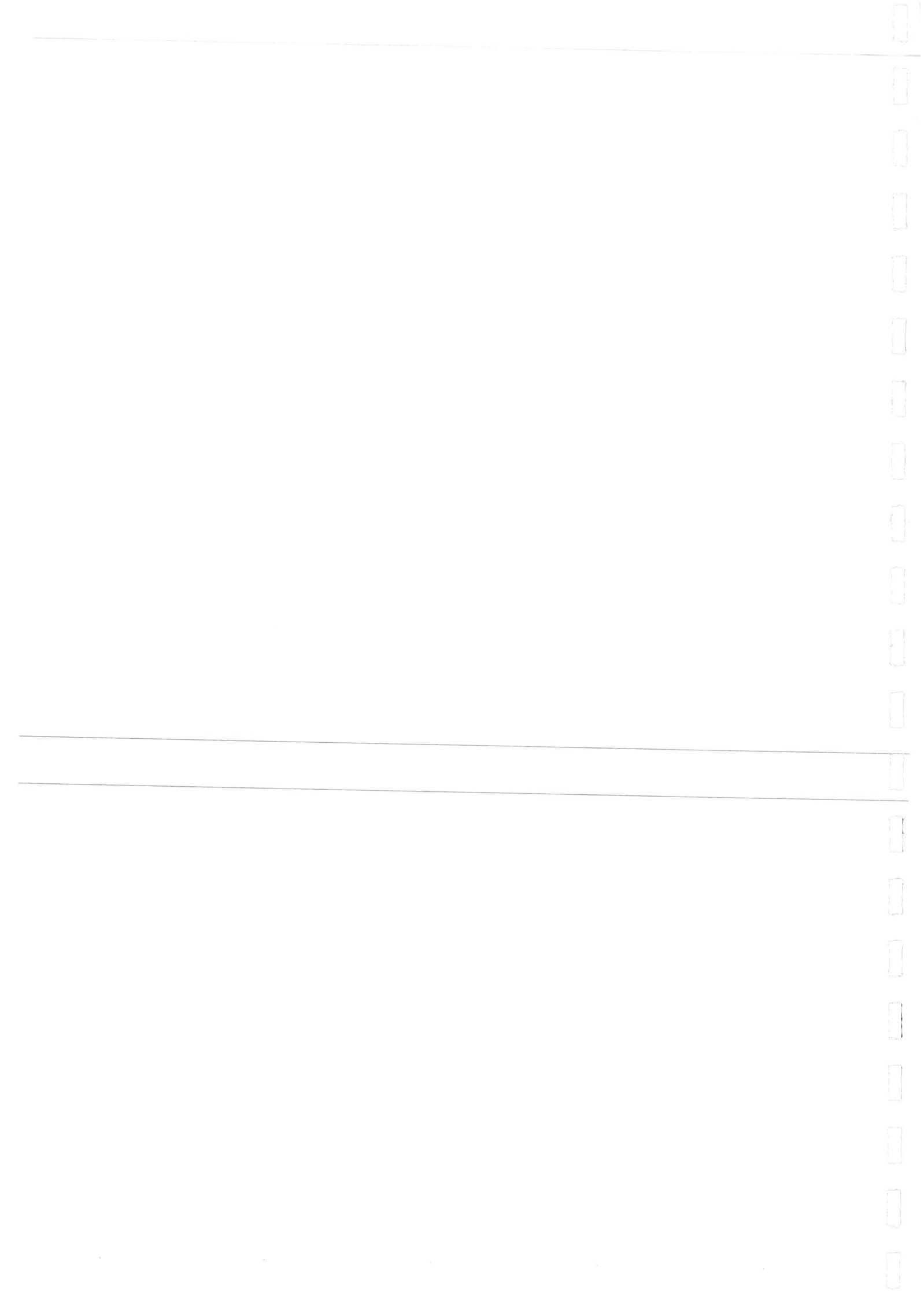
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<p><b>118<sup>TH</sup> SITTING</b> MINUTE NO. COI/124/2015</p>	<p>2.Engage CS Energy &amp; Petroleum and Kenya Nuclear Electricity Board to apprise on specific interventions the Ministry has put in place towards investment in development of renewable or green energy, which is safe and abundant in the country as resolved during 140<sup>th</sup> sitting.</p> <p>Cabinet Secretary for Environment &amp; Natural Resources to report on Implementation of recommendation arising out of visits undertaken by the Committee to Japan and Austria.</p> <p>Committee to consider request by <b>the County Assembly of Mombasa Committee</b> on implementation who had requested to engage it on 28th -2nd October, 2015.</p>	<p>Tuesday, 27<sup>th</sup> October, 2015 at 12.00 noon.</p>
<p><b>SHORT RECESS</b></p>	<p><b>To engage other players in energy sector on liberalization of KPLC: ERC, GDC, KENGEN,WARMA</b></p>	<p>29<sup>th</sup> (Thursday) October to 1<sup>st</sup> (Sunday) November 2015.</p>
<p>120<sup>TH</sup> SITTING MIN.NO. COI/136/2015</p>	<p>Meeting Cabinet Secretary Agriculture regarding the implementation status of the resolution of the House on review of Farm Gate prices of milk to Ksh 45 per litre.</p>	<p>10<sup>th</sup> November, 2015 at 12.00 noon.</p>
<p><b>120<sup>TH</sup> SITTING</b> MINUTE NO. COI/136/2015</p>	<p>Meeting with Cabinet Secretary for Foreign Affairs and International Trade to report on implementation status of EAP</p>	<p>Proposed Tuesday 17<sup>th</sup> , November 2015</p>
<p><b>Proposed field visit</b></p>	<p>Inspection visit to Tana River/ Tana and Athi River Development Authority (TARDA) to ascertain measures the Ministry of water has put in place to mitigate "artificial flooding" though releasing water from dam to rivers and compensation mechanisms for the affected.</p>	<p>Proposed 20<sup>th</sup> -21<sup>st</sup> November, 2015.</p>
<p><b>End of year retreat</b></p>	<p>Committee retreat to review planned targets as per its workplan and projection of activities for the fourth session in 2016.</p>	<p>Proposed 26<sup>th</sup> (Thursday) to 28<sup>th</sup> (Saturday) 2015.</p>

Other activities carried out

**1. RETREATS**

- a. Committee retreat on **15<sup>th</sup> July, 2015** to engage Kenya Power & Lighting Company on the resolution of the house on liberalization of power distribution and compensation for loss due to power outages/faults.
- b. Committee retreat held on **7<sup>th</sup> -8<sup>th</sup> August, 2015** to consider 16<sup>th</sup> PIC report



1. Response on implementation of recommendation that CEO of Kenya Literature Bureau adhere to Treasury Circulars on investment of surplus funds and recovery of money owed by employees was found satisfactory ,hence the matter settled.
  2. Response by Higher Education Loans Board (HELB) on Loan recoveries not satisfactory, hence the Committee resolved that the Accounting Officer be invited to give apprise the committee on implementation status.
  3. To develop work plan for 2015/16 Financial Year.
- c. Committee retreat on **20<sup>th</sup> August, 2015** to engage experts in energy sector towards implementation of House resolution on liberalization of power sector.
- 2. INSPECTION VISITS**
- a. Visit to West Pokot County on **2<sup>nd</sup> – 5<sup>th</sup> September 2015** to follow up on implementation status of the House Resolution passed on 26<sup>th</sup> September, 2013 on review of terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi -Arid Areas (ASALs).
  - b. Visit to Lamu County on **15<sup>th</sup> -16<sup>th</sup> Septemeber, 2015** to follow up on implementation status of the House Resolution passed on 26<sup>th</sup> September, 2013 on review of terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi -Arid Areas (ASALs).
3. Awaiting 30<sup>th</sup> September, 2015 being the deadline within which all evictees, including Enoosupukia ones would be profiled as undertaken by Ministry of Devolution & Planning in their response on Enoosupukia resettlement issue.
- 4. OPERATIONALIZATION OF LEGISLATION**  
To consider **audit report** on operationalization of legislation for the 11<sup>th</sup> parliament, being part of Committee's mandate as enshrined in the standing order 209(2) b.
- 5. PETITIONS**  
Awaiting responses (**by 23<sup>rd</sup> September, 2015**) from various ministries on implementation status on the following petitions;
- a. **Ministry of Transport**
    - i. Upgrading of old Mombasa road/Masai roads A,B & C
    - ii. Northern Corridor Transport Improvement Project
    - iii. Erection of bumps and road signs on Mate Road
    - iv. Tarmacking of Gatimu-Mcvast-Mukuyu road
    - v. Status of Komarock road
    - vi. Stoppage of Kenya airways operations on Nairobi-Eldoret route
    - vii. Upgrading of 40KM road traversing Mbiri Mugoiri and Murarandia wards
  - b. **Ministry of Lands; National Lands Commission**
    - i. Status of leased land meant for expansion of Moi International Airport
  - c. **Ministry of Lands; Ministry of Interior & Coordination of National Government**
    - i. Eviction of bona fide owners of land in Muthaiga farm
- 6. INTERNATIONAL ASSIGNMENTS**  
India visits rescheduled to 7<sup>th</sup> to 14<sup>th</sup> February, 2016.

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Members tasked the secretariat to come up with proposals for international study tours based on the various scheduled assignments. Concern was raised that most of the requests for international visits were not honored.

**MINUTE NO. COI/7/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter to Two O'clock.

SIGNED

  
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(CHAIRPERSON)

DATE

8/10/2015  
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MINUTES OF THE 141<sup>ST</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 29<sup>TH</sup> SEPTEMBER, 2015 IN THE SMALL DINNING ROOM AT 12.30 P.M.

**PRESENT**

Hon. Philip Rotino, M.P. - Chairing  
Hon. Joseph M'eruaki, M.P.  
Hon. Winnie Karimi Njuguna, M.P.  
Hon. Peter Kamande Mwangi, M.P.  
Hon. Julius Kariuki Ndegwa, M.P.  
Hon. Samuel Moroto, M.P.  
Hon. Ali Shariff Athman, M.P.  
Hon. Bernard Bett, M.P.  
Hon. Mutua Robert (Bishop), M.P.  
Hon. Bernard Munywoki Kitungi, M.P.  
Hon. John Karanja Kihagi, M.P.  
Hon. Lempurkel Mathew Lekidime, M.P.  
Hon. Mary Sally Keraa, M.P.  
Hon. Dorcas Kedogo  
Hon. Ferdinand Kevin Wanyonyi, M.P.  
Hon. Esther Murugi, M.P.

**ABSENT WITH APOLOGY**

Hon. Roselinda Soipan, M.P. - Chairperson  
Hon. David Gikaria, M.P. - Vice-Chairperson  
Hon. Jacob Macharia, M.P.  
Hon. Asman Kamama, M.P.  
Hon. Ibrahim Sane, M.P.  
Hon. Isaack Shaaban Ali, M.P.  
Hon. Ndirangu Kariuki, M.P.  
Hon. Gideon Ochanda, M.P.  
Hon. Tiras Ngahu, M.P.  
Hon. Dr. Victor Munyaka, M.P.  
Hon. Alexander Kosgey, M.P.  
Hon. Dennitah Ghati, M.P.

**IN - ATTENDANCE**

Ms. Lucy Kimathi Senior Clerk Assistant  
Mr. Salem Lorot Legal Counsel  
Mr. Humphrey Ringera Research Officer  
Mr. Albert Atunga Serjeant - At - Arms

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**MINUTE NO. COI/164/2015: PRELIMINARIES**

The meeting noted that the Chairperson was out of the country on official duties. Hon. Philip Rotino, M.P. was elected to chair the meeting as per the provisions of standing order 188

**MINUTE NO. COI/165/2015: CONFIRMATION OF MINUTES OF MINUTES OF 137<sup>TH</sup> MEETING**

The Minutes of 137<sup>th</sup> meeting between the Committee and Kenya Power & Lighting Company were confirmed as a true record of the proceedings of the meeting on a proposal by Hon. Hon. Mutua Robert (Bishop), M.P and seconded by Hon. Winnie Njuguna, M.P.

**MINUTE NO. COI/166/2015: MATTERS ARISING FROM 137<sup>TH</sup> MEETING**

- Members noted that the Committee had held a retreat on **20<sup>th</sup> August, 2015** to engage experts in energy sector towards implementation of House resolution on liberalization of power sector.
- The Committee would consider holding a retreat in the first week of November during the short recess to meet other players in the Energy Sector (ERC, KENGEN, GDC, WARMA) on the rationale of having a significant cost of power borne by consumers being associated with levies charged by Third Part.

**MINUTE NO. COI/167/2015: CONFIRMATION OF MINUTES OF MINUTES OF 139<sup>TH</sup> MEETING**

The Minutes of 139<sup>th</sup> meeting to consider a report on SAN MARCO SPACE COMPANY IN MALINDI were confirmed as true record of the proceedings of the meeting on a proposal by Hon. Samuel Moroto, M.P. and seconded by Hon. Ali Shariff Athman, M.P.

**MINUTE NO. COI/168/2015: MATTERS ARISING FROM 137<sup>TH</sup> MEETING**

The Committee noted that the Cabinet Meeting in charge of Education was scheduled to meet it on October 6<sup>th</sup> 2015 at 12.00 noon, where he was expected to apprise members on specific issues relating to the company.

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**MINUTE NO. COI/169/2015: CONSIDERATION OF COMMITTEE PLAN OF ACTIVITIES**

Members took note of the following scheduled of activities for the month of October-December 2015.

**SHORT RECESS:** Friday, 30th October - Monday, 9th November, 2015

**LONG RECESS:** Friday, 4th December, 2015

REFERENCE	ISSUE	STATUS
IN-HOUSE	<ul style="list-style-type: none"> <li>• Confirmation of Minutes of 137<sup>th</sup>&amp; 139<sup>th</sup> meetings</li> <li>• Consideration and adoption of programme of activities for October-December, 2015</li> </ul>	29 <sup>th</sup> Sept.2015 (Tuesday)
IN-HOUSE	Consideration of Draft report on KPR issue	1 <sup>st</sup> October, 2015(Thursday)
119 <sup>th</sup> SITTING MINUTE NO. COI/130/2015	<p>The Cabinet Secretary for Education, Science And Technology to:</p> <ol style="list-style-type: none"> <li>1. Furnish the Committee with a list of girls boarding schools in each ASAL constituency;</li> <li>2. Status on upgrading of Kitale Technical Institute</li> <li>3. To address issues on San Marco space company</li> </ol>	Meeting with CS on October 6 <sup>th</sup> (Tuesday) 2015 at 12.00 noon.
121 <sup>ST</sup> SITTING MINUTE NO. COI/142/2015	<p>Cabinet Secretary for Interior &amp; Coordination of National Government to report on the</p> <ol style="list-style-type: none"> <li>1. Status of issuance of National Identity Cards to all eligible Kenyans</li> <li>3. Implementation status of resolution on "Kenya Police Reservist" in ASALs land following the enactment of The National Police Service (Amendment) Act No. 11 of 2014.</li> </ol>	Meeting with CS on October 8 <sup>th</sup> (Thursday) 2015 At 12.00 noon.
	<b>Visit to Republic of Rwanda</b>	12th -16th 2015
128 <sup>TH</sup> SITTING MINUTE NO. COI/150/2015	<p>To engage Cabinet Secretary in charge of Ministry of Transport and Infrastructure and the Director General, National Transport and Safety Authority to be invited to address various gaps noted in the report on Development of Policy on operations of Commercial Motor Cycles (BodaBoda).</p> <p>Bungoma County Assembly's Committee on Implementation benchmarking visit</p>	<p><i>Proposed dates to meet the CS Tuesday 22<sup>nd</sup>, October, 2015 at 12.00 noon.</i></p> <p><i>Committee thereafter to undertake inspection visits in SIAYA&amp;BUSIA counties.</i></p> <p>22<sup>nd</sup> October, 2015</p>
Proposed retreat to Mombasa	<p>Committee to:-</p> <ol style="list-style-type: none"> <li>1. Consider presentation by Hon. (Dr.) Wilbur Ottichilo on visit to Japan Nuclear Plant</li> </ol>	<i>Proposed retreat 23<sup>rd</sup> (Friday) - 24<sup>th</sup> (Saturday) October, 2015</i>

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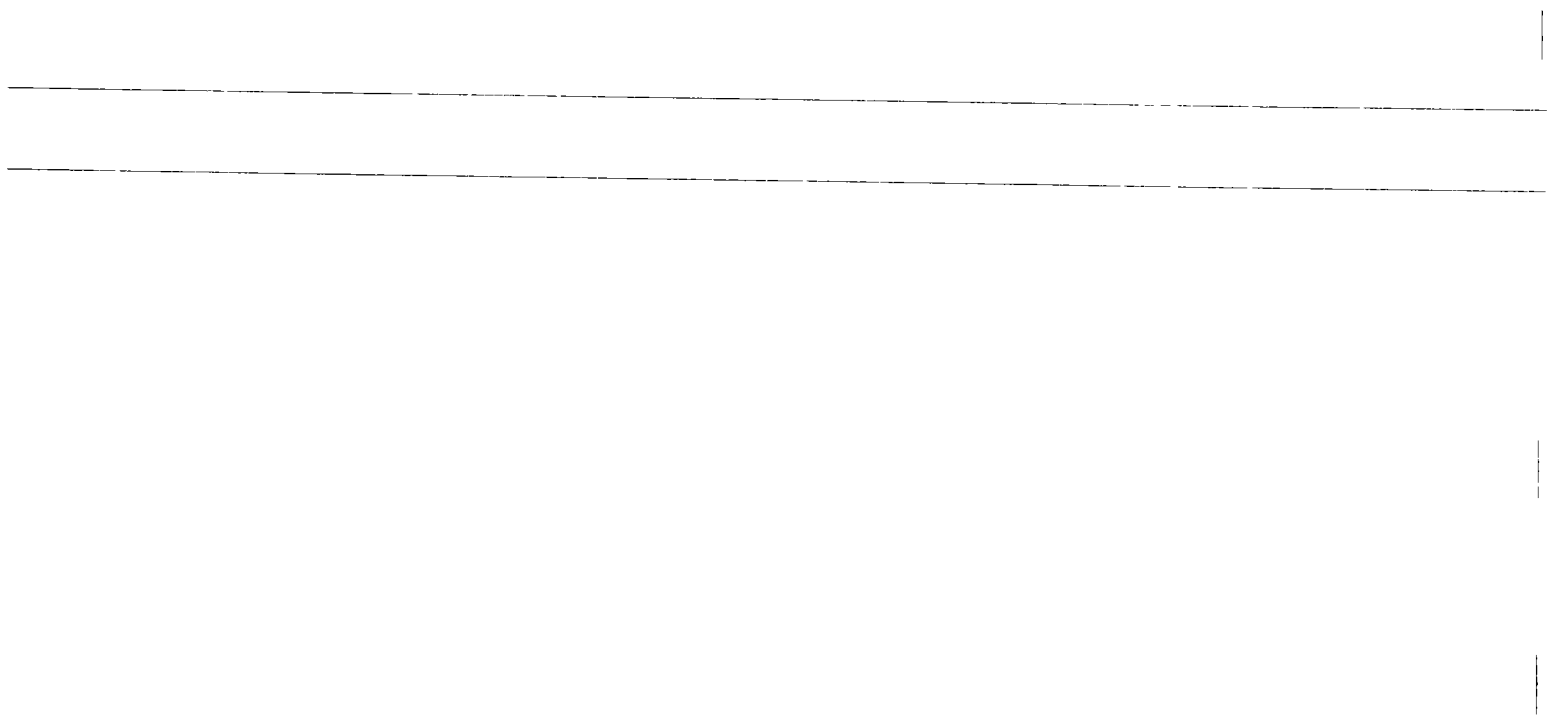
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<p>118<sup>TH</sup> SITTING MINUTE NO. COI/124/2015</p>	<p>2.Engage CS Energy &amp; Petroleum and Kenya Nuclear Electricity Board to apprise on specific interventions the Ministry has put in place towards investment in development of renewable or green energy, which is safe and abundant in the country as resolved during 140<sup>th</sup> sitting.</p> <p>Cabinet Secretary for Environment &amp; Natural Resources to report on Implementation of recommendation arising out of visits undertaken by the Committee to Japan and Austria.</p> <p>Committee to consider request by the County Assembly of Mombasa Committee on implementation who had requested to engage it on 28<sup>th</sup> -2<sup>nd</sup> October, 2015.</p>	<p>Tuesday, 27<sup>th</sup> October, 2015 at 12.00 noon.</p>
<p>SHORT RECESS</p>	<p>To engage other players in energy sector on liberalization of KPLC: ERC, GDC, KENGEN, WARMA</p>	<p>29<sup>th</sup> (Thursday) October to 1<sup>st</sup> (Sunday) November 2015.</p>
<p>120<sup>TH</sup> SITTING MIN.NO. COI/136/2015</p>	<p>Meeting Cabinet Secretary Agriculture regarding the implementation status of the resolution of the House on review of Farm Gate prices of milk to Ksh 45 per litre.</p>	<p>10<sup>th</sup> November, 2015 at 12.00 noon.</p>
<p>120<sup>TH</sup> SITTING MINUTE NO. COI/136/2015</p>	<p>Meeting with Cabinet Secretary for Foreign Affairs and International Trade to report on implementation status of EAP</p>	<p>Proposed Tuesday 17<sup>th</sup> , November 2015</p>
<p>Proposed field visit</p>	<p>Inspection visit to Tana River/ Tana and Athi River Development Authority (TARDA) to ascertain measures the Ministry of water has put in place to mitigate "artificial flooding" through releasing water from dam to rivers and compensation mechanisms for the affected.</p>	<p>Proposed 20<sup>th</sup> -21<sup>st</sup> November, 2015.</p>
<p>End of year retreat</p>	<p>Committee retreat to review planned targets as per its workplan and projection of activities for the fourth session in 2016.</p>	<p>Proposed 26<sup>th</sup> (Thursday) to 28<sup>th</sup> (Saturday) 2015.</p>

Other activities carried out

1. RETREATS

- a. Committee retreat on 15<sup>th</sup> July, 2015 to engage Kenya Power & Lighting Company on the resolution of the house on liberalization of power distribution and compensation for loss due to power outages/faults.
- b. Committee retreat held on 7<sup>th</sup> -8<sup>th</sup> August, 2015 to consider 16<sup>th</sup> PIC report



1. Response on implementation of recommendation that CEO of Kenya Literature Bureau adhere to Treasury Circulars on investment of surplus funds and recovery of money owed by employees was found satisfactory, hence the matter settled.
  2. Response by Higher Education Loans Board (HELB) on Loan recoveries not satisfactory, hence the Committee resolved that the Accounting Officer be invited to give apprise the committee on implementation status.
  3. To develop work plan for 2015/16 Financial Year.
- c. Committee retreat on **20<sup>th</sup> August, 2015** to engage experts in energy sector towards implementation of House resolution on liberalization of power sector.

## 2. INSPECTION VISITS

- a. Visit to West Pokot County on **2<sup>nd</sup> – 5<sup>th</sup> September 2015** to follow up on implementation status of the House Resolution passed on 26<sup>th</sup> September, 2013 on review of terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi -Arid Areas (ASALs).
  - b. Visit to Lamu County on **15<sup>th</sup> -16<sup>th</sup> Septemeber, 2015** to follow up on implementation status of the House Resolution passed on 26<sup>th</sup> September, 2013 on review of terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi -Arid Areas (ASALs).
3. Awaiting 30<sup>th</sup> September, 2015 being the deadline within which all evictees, including Enoosupukia ones would be profiled as undertaken by Ministry of Devolution & Planning in their response on Enoosupukia resettlement issue.

## 4. OPERATIONALIZATION OF LEGISLATION

To consider **audit report** on operationalization of legislation for the 11<sup>th</sup> parliament, being part of Committee's mandate as enshrined in the standing order 209(2)b.

## 5. PETITIONS

Awaiting responses (**by 23<sup>rd</sup> September, 2015**) from various ministries on implementation status on the following petitions;

### a. Ministry of Transport

- i. Upgrading of old Mombasa road/Masai roads A,B & C
- ii. Northern Corridor Transport Improvement Project
- iii. Erection of bumps and road signs on Mate Road
- iv. Tarmacking of Gatimu-Mcvast-Mukuyu road
- v. Status of Komarock road
- vi. Stoppage of Kenya airways operations on Nairobi-Eldoret route
- vii. Upgrading of 40KM road traversing Mbirimugoiri and Murarandia wards

### b. Ministry of Lands; National Lands Commission

- i. Status of leased land meant for expansion of Moi International Airport

### c. Ministry of Lands; Ministry of Interior & Coordination of National Government

- i. Eviction of bona fide owners of land in Muthaiga farm

## 6. INTERNATIONAL ASSIGNMENTS

India visits rescheduled to 7<sup>th</sup> to 14<sup>th</sup> February, 2016.

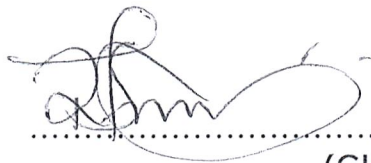


Members tasked the secretariat to come up with proposals for international study tours based on the various scheduled assignments. Concern was raised that most of the requests for international visits were not honored.

**MINUTE NO. COI/170/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter to Two O'clock.

SIGNED



.....  
(CHAIRPERSON)

DATE

..... 08.10.15 .....

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MINUTES OF THE 142<sup>nd</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 1<sup>st</sup> OCTOBER, 2015 IN THE SMALL DINNING ROOM AT 12.30 P.M.

**PRESENT**

1. The Hon. Philip Rotino, M.P. - Chairing
2. The Hon. Winnie Karimi Njuguna, M.P.
3. The Hon. Julius Kariuki Ndegwa, M.P.
4. The Hon. Samuel Moroto, M.P.
5. The Hon. Ali Shariff Athman, M.P.
6. The Hon. Jacob Macharia, M.P.
7. The Hon. Isaack Shaaban Ali, M.P.
8. The Hon. Dr. Victor Munyaka, M.P.
9. The Hon. Mutua Robert (Bishop), M.P.
10. The Hon. John Karanja Kihagi, M.P.
11. The Hon. Lempurkel Mathew Lekidime, M.P.
12. The Hon. Mary Sally Keraa, M.P.
13. The Hon. Dorcas Kedogo, M.P.
14. The Hon. Ferdinand Kevin Wanyonyi, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Joseph M'eruaki, M.P.
4. The Hon. Peter Kamande Mwangi, M.P.
5. The Hon. Bernard Bett, M.P.
6. The Hon. Bernard Munywoki Kitungi, M.P.
7. The Hon. Asman Kamama, M.P.
8. The Hon. Ibrahim Sane, M.P.
9. The Hon. Esther Murugi, M.P.
10. The Hon. Ndirangu Kariuki, M.P.
11. The Hon. Gideon Ochanda, M.P.
12. The Hon. Tiras Ngahu, M.P.
13. The Hon. Alexander Kosgey, M.P.
14. The Hon. Dennitah Ghati, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Salem Lorot	Legal Counsel
Mr. Humphrey Ringera	Research Officer
Mr. Albert Atunga	Serjeant -At -Arms



**MINUTE NO. COI/1/2015: REPORT ON INSPECTION VISITS TO TURKANA, WEST POKOT AND LAMU COUNTIES ON THE IMPLEMENTATION STATUS ON THE RESOLUTION REGARDING REVIEW OF TERMS AND CONDITIONS FOR RECRUITMENT AND DEPLOYMENT OF KENYA POLICE RESERVISTS IN ARID & SEMI ARID LANDS**

The Chairperson took the Committee through the report on findings of inspection visits that the Committee had resolved to make in Turkana, West Pokot and Lamu counties to establish the actual implementation status of the House resolution of 26<sup>th</sup> September, 2013 that the Government urgently review the terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi-Arid Land with a view to providing them with uniforms, proper identification documents, automatic firearms, regular allowances and general improvement of their working conditions, so as to restructure this crucial sector and help the KPR fight cattle rustling more efficiently.

Members noted the following observations arising out of the inspection visits:-

1. Despite enactment the National Police Service (Amendment) Act No. 11 of 2014, which commenced on 16<sup>th</sup> July, 2014, the requirements of sections 110 and 115 on provision of uniform, service identity cards, weapons, payment of remuneration and allowances, training and/refresher courses as well as the establishment of a command structure are issues which had not been addressed by the Cabinet Secretary, Ministry of Interior and Co-ordination of National Government.
2. In cognizance of the important role in complementing security, some County Governments had proposed to remunerate KPRs and create camps for them. However, these proposals were rejected on the basis that this would distort the command system and risk the creation of powerful militias with direct loyalty to the Governors.
3. There is little awareness and/lack of it by sub-county security teams on the National Police Service (Amendment) Act No. 11 of 2014, and provisions anchoring Police Reserve Officers ('KPR') in Police Service.
4. The Police Reserve Officers play a critical role in complementing mainstream security agencies to maintain law and order in ASAL regions, which are prone to ethnic conflicts, banditry and cattle rustling.
5. Given the vulnerability of the group (armed but not remunerated) there is a possibility of some of them engaging in crime (cattle rustling and banditry) or taking partisan approaches leading to escalation of ethnic conflicts.

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6. Requirement to provide a certificate of good conduct as one of consideration for eligibility for recruitment by sub-county security team is a good background check. However, given the length of time taken after application/submission of fingerprints and delivery of the certificate from the CID headquarters, some candidates had been disqualified from the on-going recruitment in some counties, despite being in possession of payment receipts for the certificate.

**MINUTE NO. COI/2/2015: COMMITTEE RECOMENDATIONS**

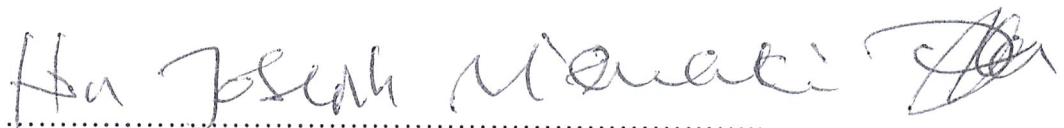
1. The Cabinet Secretary, Ministry of Interior and Co-ordination of National Government should implement the provisions of the National Police Service (Amendment) Act No. 11 of 2014.
2. The Cabinet Secretary, Ministry of Interior and Co-ordination of National Government should come up with regulations establishing guidelines on recruitment and deployment of Police Reserve Officers (PROs).

The Committee resolved to engage the Cabinet Secretary on the issue amongst others during the meeting scheduled for 8<sup>th</sup> October, 2015.

**MINUTE NO. COI/3/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter to past Two O'clock.

SIGNED



.....  
(CHAIRPERSON)

DATE

.....  
24/10/2015

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MINUTES OF THE 142<sup>nd</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 1<sup>st</sup> OCTOBER, 2015 IN THE SMALL DINNING ROOM AT 12.30 P.M.

**PRESENT**

1. The Hon. Philip Rotino, M.P. - Chairing
2. The Hon. Winnie Karimi Njuguna, M.P.
3. The Hon. Julius Kariuki Ndegwa, M.P
4. The Hon. Samuel Moroto, M.P.
5. The Hon. Ali Shariff Athman, M.P.
6. The Hon. Jacob Macharia, M.P.
7. The Hon. Isaack Shaaban Ali, M.P.
8. The Hon. Dr. Victor Munyaka, M.P.
9. The Hon. Mutua Robert (Bishop), M.P
10. The Hon. John Karanja Kihagi, M.P.
11. The Hon. Lempurkel Mathew Lekidime, M.P.
12. The Hon. Mary Sally Keraa, M.P.
13. The Hon. Dorcas Kedogo, M.P.
14. The Hon. Ferdinand Kevin Wanyonyi, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Joseph M'eruaki, M.P.
4. The Hon. Peter Kamande Mwangi, M.P.
5. The Hon. Bernard Bett, M.P.
6. The Hon. Bernard Munywoki Kitungi, M.P.
7. The Hon. Asman Kamama, M.P.
8. The Hon. Ibrahim Sane, M.P.
9. The Hon. Esther Murugi, M.P.
10. The Hon. Ndirangu Kariuki, M.P.
11. The Hon. Gideon Ochanda, M.P.
12. The Hon. Tiras Ngahu, M.P.
13. The Hon. Alexander Kosgey, M.P.
14. The Hon. Dennitah Ghati, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Salem Lorot	Legal Counsel
Mr. Humphrey Ringera	Research Officer
Mr. Albert Atunga	Serjeant -At -Arms

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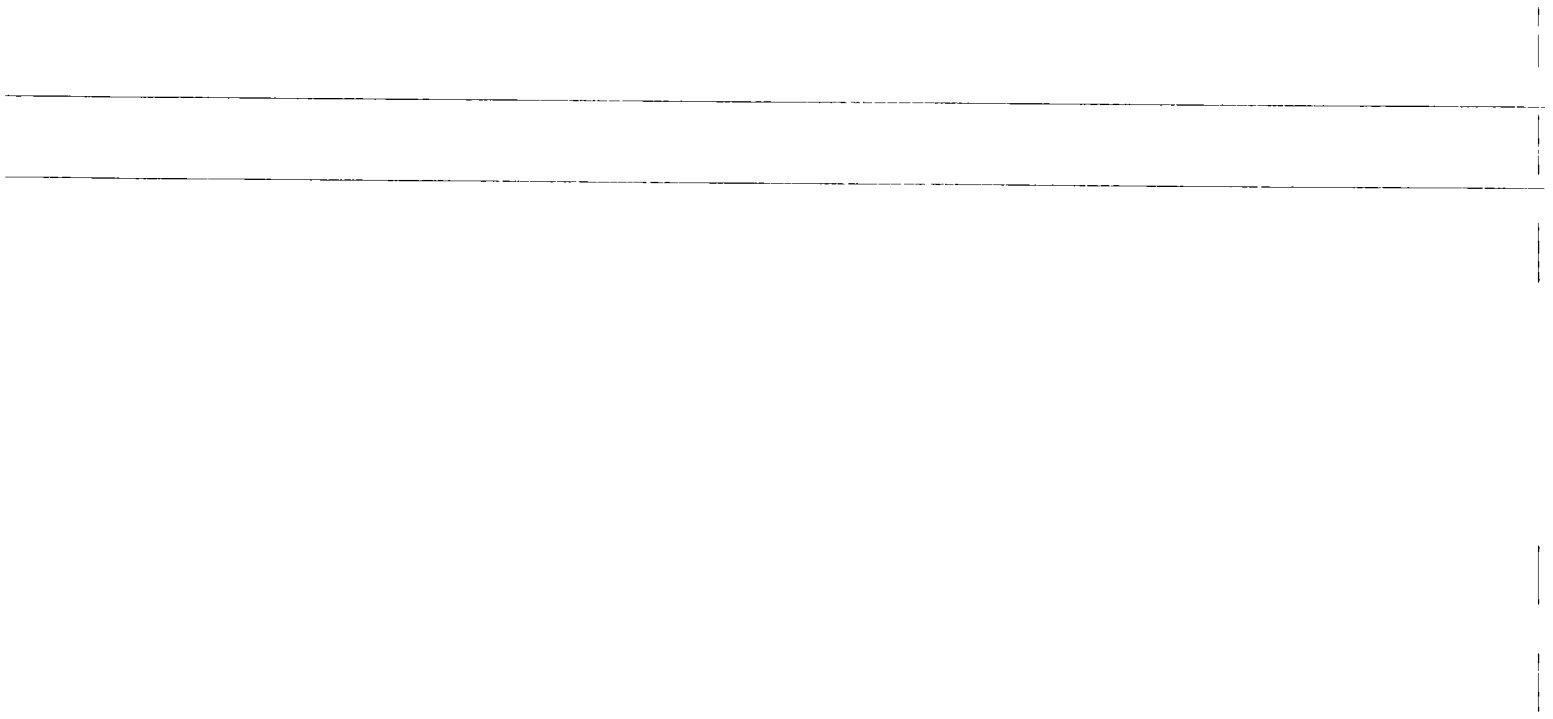
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**MINUTE NO. COI/1/2015: REPORT ON INSPECTION VISITS TO TURKANA, WEST POKOT AND LAMU COUNTIES ON THE IMPLEMENTATION STATUS ON THE RESOLUTION REGARDING REVIEW OF TERMS AND CONDITIONS FOR RECRUITMENT AND DEPLOYMENT OF KENYA POLICE RESERVISTS IN ARID & SEMI ARID LANDS**

The Chairperson took the Committee through the report on findings of inspection visits that the Committee had resolved to make in Turkana, West Pokot and Lamu counties to establish the actual implementation status of the House resolution of 26<sup>th</sup> September, 2013 that the Government urgently review the terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists (KPR) in Arid and Semi-Arid Land with a view to providing them with uniforms, proper identification documents, automatic firearms, regular allowances and general improvement of their working conditions, so as to restructure this crucial sector and help the KPR fight cattle rustling more efficiently.

Members noted the following observations arising out of the inspection visits:-

1. Despite enactment the National Police Service (Amendment) Act No. 11 of 2014, which commenced on 16<sup>th</sup> July, 2014, the requirements of sections 110 and 115 on provision of uniform, service identity cards, weapons, payment of remuneration and allowances, training and/refresher courses as well as the establishment of a command structure are issues which had not been addressed by the Cabinet Secretary, Ministry of Interior and Co-ordination of National Government.
2. In cognizance of the important role in complementing security, some County Governments had proposed to remunerate KPRs and create camps for them. However, these proposals were rejected on the basis that this would distort the command system and risk the creation of powerful militias with direct loyalty to the Governors.
3. There is little awareness and/lack of it by sub-county security teams on the National Police Service (Amendment) Act No. 11 of 2014, and provisions anchoring Police Reserve Officers('KPR") in Police Service.
4. The Police Reserve Officers play a critical role in complementing mainstream security agencies to maintain law and order in ASAL regions, which are prone to ethnic conflicts, banditry and cattle rustling.
5. Given the vulnerability of the group (armed but not remunerated) there is a possibility of some of them engaging in crime (cattle rustling and banditry) or taking partisan approaches leading to escalation of ethnic conflicts.



6. Requirement to provide a certificate of good conduct as one of consideration for eligibility for recruitment by sub-county security team is a good background check. However, given the length of time taken after application/submission of fingerprints and delivery of the certificate from the CID headquarters, some candidates had been disqualified from the on-going recruitment in some counties, despite being in possession of payment receipts for the certificate.

MINUTE NO. COI/2/2015:

**COMMITTEE RECOMENDATIONS**

1. The Cabinet Secretary, Ministry of Interior and Co-ordination of National Government should implement the provisions of the National Police Service (Amendment) Act No. 11 of 2014.
2. The Cabinet Secretary, Ministry of Interior and Co-ordination of National Government should come up with regulations establishing guidelines on recruitment and deployment of Police Reserve Officers (PROs).


The Committee resolved to engage the Cabinet Secretary on the issue amongst others during the meeting scheduled for 8<sup>th</sup> October, 2015.

MINUTE NO. COI/3/2015:

**ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter to past Two O'clock.

SIGNED

*Hu Jeshu Marati* 

(CHAIRPERSON)

DATE

*24/10/2015*

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MINUTES OF THE 143<sup>rd</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 6<sup>th</sup> OCTOBER, 2015 IN THE BOARDROOM, 2<sup>ND</sup> FLOOR, PROTECTION HOUSE AT 12.00 NOON.

PRESENT

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. Joseph M'eruaki, M.P.
3. The Hon. Winnie Karimi Njuguna, M.P.
4. The Hon. Julius Ndegwa Kariuki, M.P.
5. The Hon. Peter Kamande Mwangi, M.P.
6. The Hon. Samuel Moroto, M.P.
7. The Hon. Ali Shariff Athman, M.P.
8. The Hon. Jacob Macharia, M.P.
9. The Hon. Dr. Victor Munyaka, M.P.
10. The Hon. Bernard Bett, M.P.
11. The Hon. Isaack Shaaban Ali, M.P.
12. The Hon. Mutua Robert (Bishop), M.P.
13. The Hon. Bernard Munywoki Kitungi, M.P.
14. The Hon. Ndirangu Kariuki, M.P.
15. The Hon. John Karanja Kihagi, M.P.
16. The Hon. Lempurkel Mathew Lekidime, M.P.
17. The Hon. Ferdinand Kevin Wanyonyi, M.P.
18. The Hon. Mary Sally Keraa, M.P.
19. The Hon. Dorcas Kedogo, M.P.
20. The Hon. Dennitah Ghati, M.P.

ABSENT WITH APOLOGY

1. The Hon. David Gikaria, M.P. - Vice-Chairperson
2. The Hon. Philip Rotino, M.P.
3. The Hon. Gideon Ochanda, M.P.
4. The Hon. Asman Kamama, M.P.
5. The Hon. Ibrahim Sane, M.P.
6. The Hon. Esther Murugi, M.P.
7. The Hon. Tiras Ngahu, M.P.
8. The Hon. Alexander Kosgey, M.P.

IN -ATTENDANCE

Ms. Phylis Mirungu	Principal Clerk Assistant 1
Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Albert Atunga	Serjeant -At -Arms



MINUTE NO. COI/1/2015:

MEETING WITH THE CABINET SECRETARY, MINISTRY OF  
EDUCATION, SCIENCE AND TECHNOLOGY ON THE HOUSE  
RESOLUTIONS

The CS Prof. Jacob Kaimenyi accompanied by Messrs , Prof. ColetaSuda, PS-Science & Technology, Dr. BellioKipsang', PS-Education, Mr. Samuel W.Wanyonyi, Senior Deputy Director( Technical Education), Dr. John Ayisi, Deputy Director( Research), Ms. ElymaryterKhaoya, Senior Deputy Secretary, Mr. Johnson Nyambura, undersecretary and Mr. Stephen Mbuguah appeared before the Committee to respond to issues arising out of a response by the Ministry on the status of implementation of the House on resolution on;

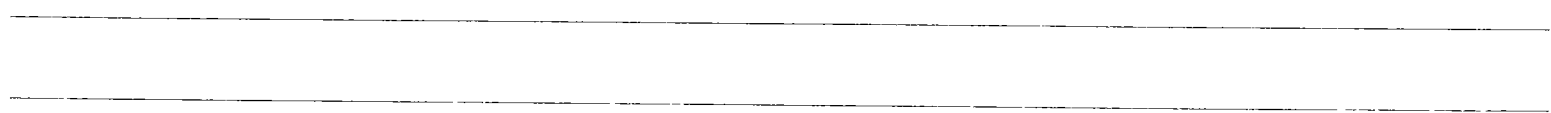
1. Establishment of Girls' Boarding Schools for both primary and secondary in ASAL areas, where the CS was to provide the actual number of boarding schools ( both primary and secondary) established in ASAL areas since 2013 targeting the girl child and the actual number of beneficiaries.
2. Renaming and upgrading of Kitale Technical Institute to be WamalwaKijana University of Science and Technology, where the CS was to update the Committee on specific measures the Ministry had instituted towards upgrading and renaming of the institute.

MINUTE NO. COI/2/2015:

RESPONSE BY THE CABINET SECRETARY ON  
ESTABLISHMENT OF GIRLS BOARDING SCHOOLS IN ASAL

The CS informed the meeting that:-

1. During 2013/2014 Financial Year, the Government established a total of Eight (8) Boarding Primary Schools in Wajir, Kajiado, Lamu, Kwale, West Pokot, Baringo and Homabay Counties, accommodating a total of 551 girls;
2. Additional 23 Boarding Primary Schools were established in 2014/2015 in various ASAL counties, benefitting 1,399 girls. This brings the total number of beneficiaries in the established Low Cost Boarding schools (LCBs) from 2013 to date to 1950 girls;
3. A total of 29 Girls Boarding Secondary Schools benefitting 11,807 girls have been established since 2013 in various counties under ASAL. This includes 17 (seventeen) Girls Boarding Schools catering for 10,023 girls which has been upgraded to National Status since 2013. These schools serve both purposes of being national schools as well as



- boarding schools in the ASALs. Each school was allocated Kshs 25 Million towards upgrading of infrastructure and improvement of learning environment in the schools;
4. ASAL Low Cost Boarding Schools receive little funding from the Government. The allocation has remained at Kshs 400 million annually for the 113, 524 pupils in 426 schools against a projection of Kshs 892 million required by the ministry to fund this program adequately.
  5. The Ministry does not have specific program for establishing girls boarding secondary schools like in the primary schools. However, other programs including establishment of national schools and centers of excellence serve this purpose in ASAL areas.

#### COMMITTEE RECOMMENDATION

The Committee was satisfied with the status on implementation of the House Resolution urging the Government to establish girls boarding schools for both primary and secondary in all ASAL areas.

MINUTE NO. COI/2/2015:

RESPONSE BY THE CABINET SECRETARY ON RENAMING AND UPGRADING OF KITALE TECHNICAL INSTITUTE TO BE WAMALWA KIJANAUNIVERSITY OF SCIENCE AND TECHNOLOGY

The CS took the Committee through the following provisions of the **Universities Act, 2012**, which support the resolution;

- **Section 26;** The Commission shall ensure the establishment of public universities in each of the Counties, giving priority to Counties that do not have universities immediately after following the coming into force of this Act;
- **Section 13 (2)** A person wishing to establish a University in Kenya shall apply in writing to the Commission in the prescribed manner for accreditation and the grant of a Charter;



- **Section 25 (1)** The President may; on the recommendation of the Cabinet Secretary, declare an institution to be a technical university subject to such conditions, standards and guidelines as may be specified by the Statutes.

(2) Where a declaration under this section is made with respect to a public institution, it shall only apply where such institution is a National Polytechnic within the meaning of the Technical and Vocational Education and Training Act, 2013.

In addition, the CS highlighted sections 26(1) and (3) of **Technical and Vocational Education and Training Act, 2013 (TVET Act)**.

- Specifically, Section 26(3) provides that institutions provided for under subsections 26 (1) (c) and (d) may in collaboration with a university offer programmes leading to the award of an undergraduate degree in technical and vocational education and training.
- Section 26 (1) Institutions shall be organized under the Categories of following categories— institutions. Vocational training centers, which shall offer courses up to Artisan Certificate;

(c) National Polytechnics, which shall offer up to higher Diploma level; and

(d) Such other categories as the Cabinet Secretary may specify.

(3) The institutions provided for under subsection (1) (c) and (d) may in collaboration with a University offer programmes leading to the award of an undergraduate degree in technical and vocational education and training.

Members took note of the following concerning Kitale Technical Training Institute

1. The category of Kitale Technical Training Institute is a technical vocational college (Diploma Institution) as provided under section 26 of TVET Act, 2013;
2. Under the current law, a diploma college status is not sufficient for an institution to offer degree programs;
3. The TVET Act, 2013 is clear that only institutions with national polytechnic status (Higher Diploma institutions or technical trainers' college) may offer degree programmes with collaboration with a university;
4. It is therefore evident that the college in its present form is not competent to offer degree or enter collaboration with a university;

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5. Any process for upgrading Kitale TTI to University status needs to eventually abide by the following phases:
  - a. Phase 1: upgrading from Institute to National Polytechnic (NP) status;
  - b. Phase 2: further upgrading from NP to constituent University College status; and
  - c. Phase 3: Granting a University Charter.
6. The conversion process is gradual and takes many years, assuming 4 student cohorts between successive upgrading. (at least one cohort has to complete its programme and graduate before the institution becomes due for upgrading to the next higher status);
7. Upgrading involves expanding physical facilities, increasing and modernizing training equipment and training human resource of higher caliber which process on its own takes at least four years as rightly factored in the universities Act;
8. The Government has already made significant process on the upgrading of Kitale TTI to a National Polytechnic as follows:
  - a. The National Treasury has confirmed factoring a budgetary provision for the proposed Kitale National Polytechnic in the Ministry's MTEF for the FY 2015/16;
  - b. The Ministry had already prepared and submitted a duly signed Cabinet Memorandum for establishing Kitale National Polytechnic alongside the following seven (7) others for consideration by the Cabinet;

	Institute	Proposed name of Polytechnic	County
1.	Kabete TTI	The Kabete Polytechnic	Nairobi
2.	Kitale TTI	Kitale Polytechnic	Trans-Nzoia
3.	Meru TTI	Meru Polytechnic	Meru
4.	Mombasa TTI	The Kenya Coast Polytechnic	Mombasa

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5.	Nyeri TTI	Nyeri Polytechnic	Nyeri
6.	Sigalagala TTI	Sigalagala Polytechnic	Kakamega
7.	NEP TTI	North Eastern Polytechnic	Garissa
8.	Gusii Institute of Technology	Gusii Polytechnic	Kisii

Based on the information provided by the CS, the Committee noted that:

1. The process of naming and renaming Universities has been clearly spelt out in the Universities Act, 2012. Similarly the process of upgrading Technical and Vocational institutions is provided for in the Technical and Vocational Education and Training Act, 2013 (TVET Act).
2. Kitale Technical Training Institute is a technical vocational college (Diploma Institution) as provided under section 26 of TVET Act, 2013. In this status the Institute, does not offer degree programs because under the TVET Act, 2013, only institutions with national polytechnic status (Higher Diploma institutions or technical trainers' college) may offer degree programmes with collaboration with a university.
3. The Process of upgrading Kitale Technical Training Institute to a University status will follow the following phases:
  - i. Upgrading from **Institute** to **National Polytechnic (NP)** status;
  - ii. Further upgrading from **National Polytechnic** to **Constituent UniversityCollege** status; and
  - iii. Finally, Granting a University Charter.
4. The Government has already made significant process on the upgrading of Kitale TTI to a National Polytechnic. The National Treasury has confirmed factoring a budgetary provision for the proposed Kitale National Polytechnic in the Ministry's MTEF for the FY 2015/16.

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5. The Ministry of Education has also drafted the legal order and a Cabinet Memorandum which has already been forwarded to the Cabinet for onward transmission of the draft legal order to Parliament.

**On Renaming of Kitale Technical Training Institute to WamalwaKijana University Of Science And Technology, the Committee noted that;**

1. Kitale TTI is an institution under the TVET sector and has not been upgraded or transferred to the University sector and therefore, renaming the institution as WamalwaKijana University is premature;
2. The process of establishing a University including naming and renaming requires the input of the Commission for University Education (CUE) which is the regulatory body of the University Education and also the input of the Registrar of Companies;

**COMMITTEE RECOMMENDATION**

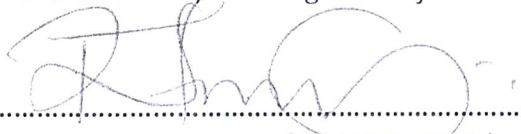
The Committee was satisfied with the status on implementation of the resolution on Upgrading of Kitale Technical Training Institute to University Status and Renaming of the Institute to WamalwaKijana University of Science and Technology.

**MINUTE NO. COI/4/2015:**

**ADJOURNMENT**

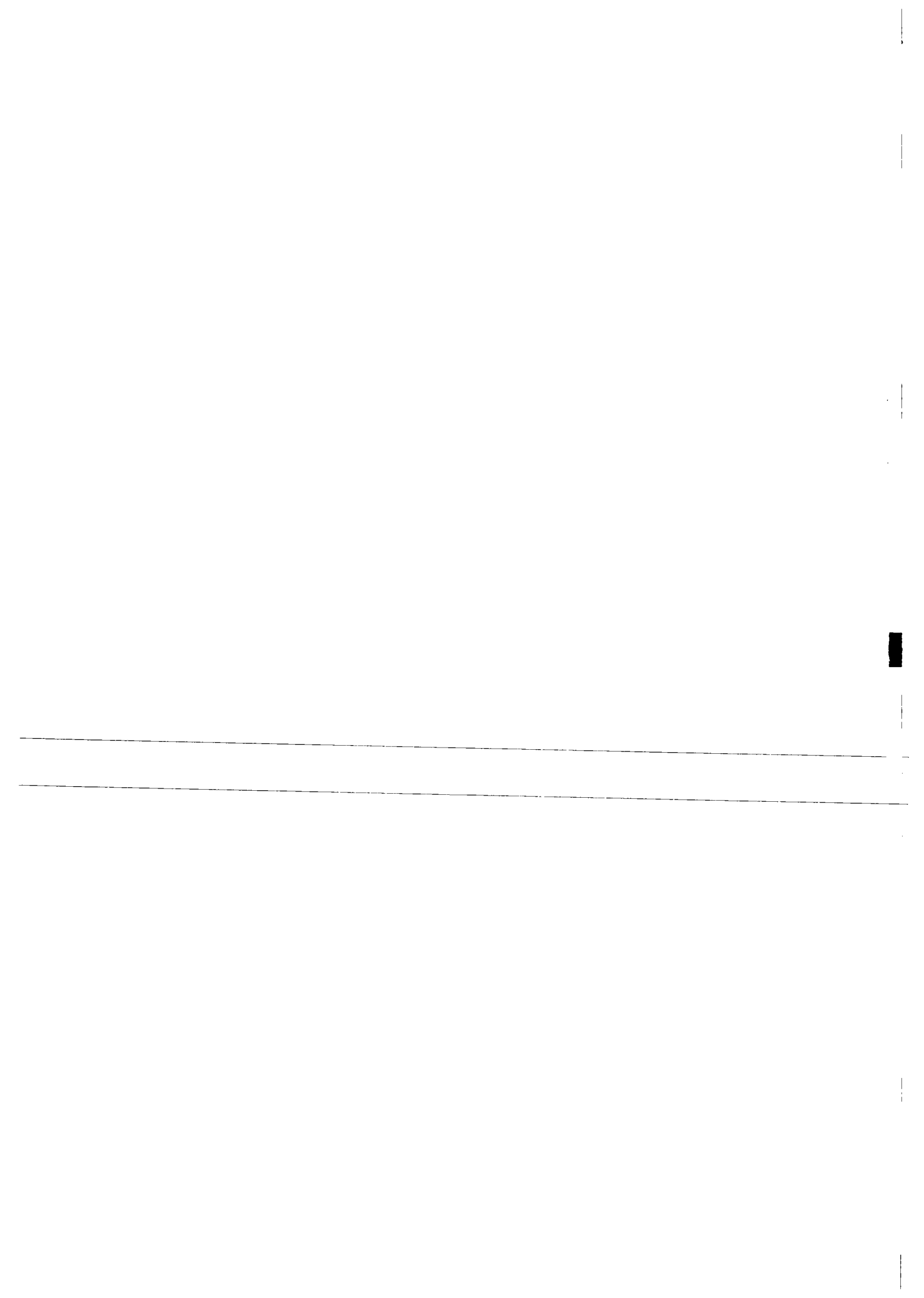
There being no other business, meeting was adjourned at ten minutes to Two O'clock.

**SIGNED**

  
.....  
(CHAIRPERSON)

**DATE**

4/10/2015  
.....



**MINUTES OF THE 143<sup>rd</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 6<sup>th</sup> OCTOBER, 2015 IN THE BOARDROOM, 2<sup>ND</sup> FLOOR, PROTECTION HOUSE AT 12.00 NOON.**

**PRESENT**

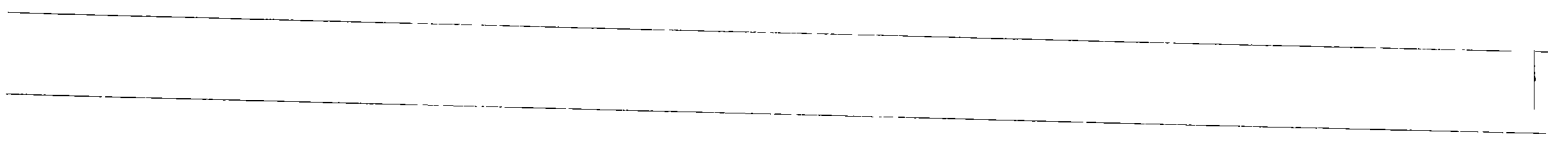
1. The Hon. Roselinda Soipan, M.P. - Chairperson
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13. The Hon. Bernard Munywoki Kitungi, M.P.
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19. The Hon. Dorcas Kedogo, M.P.
20. The Hon. Dennitah Ghati, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. David Gikaria, M.P. - Vice-Chairperson
2. The Hon. Philip Rotino, M.P.
3. The Hon. Gideon Ochanda, M.P.
4. The Hon. Asman Kamama, M.P.
5. The Hon. Ibrahim Sane, M.P.
6. The Hon. Esther Murugi, M.P.
7. The Hon. Tiras Ngahu, M.P.
8. The Hon. Alexander Kosgey, M.P.

**IN -ATTENDANCE**

Ms. Phylis Mirungu	Principal Clerk Assistant 1
Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Albert Atunga	Serjeant -At -Arms



**MINUTE NO. COI/174/2015: MEETING WITH THE CABINET SECRETARY, MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY ON THE HOUSE RESOLUTIONS**

The CS Prof. Jacob Kaimenyi accompanied by Messrs , Prof. Coleta Suda, PS-Science & Technology, Dr. Bellio Kipsang', PS-Education, Mr. Samuel W.Wanyonyi, Senior Deputy Director( Technical Education), Dr. John Ayisi, Deputy Director( Research), Ms. Ely maryter Khaoya, Senior Deputy Secretary, Mr. Johnson Nyambura, undersecretary and Mr. Stephen Mbuguah appeared before the Committee to respond to issues arising out of a response by the Ministry on the status of implementation of the House on resolution on;

1. Establishment of Girls' Boarding Schools for both primary and secondary in ASAL areas, **where the CS was to provide the actual number of boarding schools ( both primary and secondary) established in ASAL areas since 2013 targeting the girl child and the actual number of beneficiaries.**
2. Renaming and upgrading of Kitale Technical Institute to be WamalwaKijana University of Science and Technology, **where the CS was to update the Committee on specific measures the Ministry had instituted towards upgrading and renaming of the institute.**

**MINUTE NO. COI/176/2015: RESPONSE BY THE CABINET SECRETARY ON ESTABLISHMENT OF GIRLS BOARDING SCHOOLS IN ASAL**

**The CS informed the meeting that:-**

1. During **2013/2014** Financial Year, the Government established a total of **Eight (8) Boarding Primary Schools** in Wajir, Kajiado, Lamu, Kwale, West Pokot, Baringo and Homabay Counties, accommodating a total of **551 girls**;
2. Additional **23 Boarding Primary Schools** were established in 2014/2015 in various ASAL counties, benefitting **1,399 girls**. This brings the total number of beneficiaries in the established Low Cost Boarding schools (LCBs) from 2013 to date to 1950 girls;
3. A total of **29 Girls Boarding Secondary Schools** benefitting **11,807 girls** have been established since 2013 in various counties under ASAL. This includes 17 (seventeen) Girls Boarding Schools catering for 10,023 girls which has been upgraded to National Status since 2013. These schools serve both purposes of being national schools as well as boarding schools in the ASALs. Each school was allocated Kshs 25 Million towards upgrading of infrastructure and improvement of learning environment in the schools;

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4. ASAL Low Cost Boarding Schools receive little funding from the Government. The allocation has remained at Kshs 400 million annually for the 113, 524 pupils in 426 schools against a projection of Kshs 892 million required by the ministry to fund this program adequately.
5. The Ministry does not have specific program for establishing girls boarding secondary schools like in the primary schools. However, other programs including establishment of national schools and centers of excellence serve this purpose in ASAL areas.

#### COMMITTEE RECOMMENDATION

The Committee was satisfied with the status on implementation of the House Resolution urging the Government to establish girls boarding schools for both primary and secondary in all ASAL areas.

MINUTE NO. COI/178/2015:      RESPONSE BY THE CABINET SECRETARY ON  
RENAMING AND UPGRADING OF KITALE  
TECHNICAL INSTITUTE TO BE WAMALWA  
KIJANAUNIVERSITY OF SCIENCE AND  
TECHNOLOGY

The CS took the Committee through the following provisions of **the Universities Act, 2012**, which support the resolution;

- **Section 26;** The Commission shall ensure the establishment of public universities in each of the Counties, giving priority to Counties that do not have universities immediately after following the coming into force of this Act;
- **Section 13 (2)** A person wishing to establish a University in Kenya shall apply in writing to the Commission in the prescribed manner for accreditation and the grant of a Charter;
- **Section 25 (1)** The President may, on the recommendation of the Cabinet Secretary, declare an institution to be a technical university subject to such conditions, standards and guidelines as may be specified by the Commission.  
(2) Where a declaration under this section is made with respect to a public institution, it shall only apply where such institution is a National Polytechnic within the meaning of the Technical and Vocational Education and Training Act, 2013.

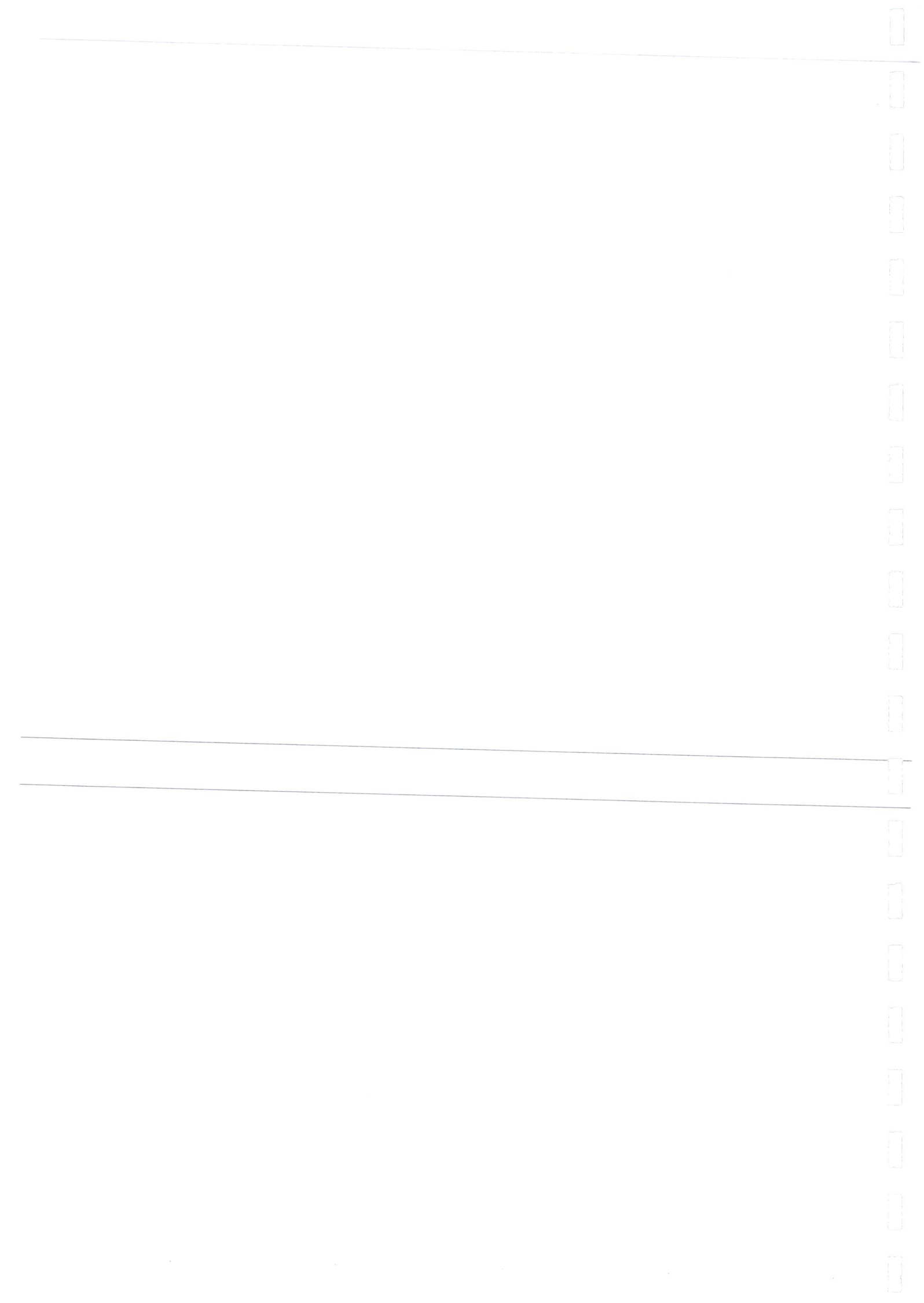
In addition, the CS highlighted sections 26(1) and (3) of **Technical and Vocational Education and Training Act, 2013 (TVET Act)**.



- Under section 26 (1) of the TVET Act, institutions shall be organized under the following categories—
  - a) Vocational training centers, which shall offer courses up to Artisan Certificate;
  - b) Technical and vocational colleges, which shall offer programmes up to Diploma;
  - c) Teacher trainer colleges, which shall offer up to higher diploma level, and;
  - d) National Polytechnics, which shall offer up to higher Diploma level; and
  - e) such other categories as the Secretary may specify
- Specifically, section 26(3) provides that institutions provided for under section 26 (1) (c) and (d) may in collaboration with a University offer programmes leading to the award of an undergraduate degree in technical and vocational education and training.

Members took note of the following concerning Kitale Technical Training Institute

1. The category of Kitale Technical Training Institute is a technical vocational college (Diploma Institution) as provided under section 26 of TVET Act, 2013;
2. Under the current law, a diploma college status is not sufficient for an institution to offer degree programs;
3. The TVET Act, 2013 is clear that only institutions with national polytechnic status (Higher Diploma institutions or technical trainers' college) may offer degree programmes with collaboration with a university;
4. It is therefore evident that the college in its present form is not competent to offer degree or enter collaboration with a university;
5. **Any process for upgrading Kitale TTI to University status needs to eventually abide by the following phases:**
  - a. **Phase 1: upgrading from Institute to National Polytechnic (NP) status;**
  - b. **Phase 2: further upgrading from NP to constituent University College status; and**
  - c. **Phase 3: Granting a University Charter.**
6. The conversion process is gradual and takes many years, assuming 4 student cohorts between successive upgrading. (at least one cohort has to complete its programme and graduate before the institution becomes due for upgrading to the next higher status);
7. Upgrading involves expanding physical facilities, increasing and modernizing training equipment and training human resource of higher caliber which process on its own takes at least four years as rightly factored in the universities Act;



8. The Government has already made significant process on the upgrading of Kitale TTI to a National Polytechnic as follows:
- a. The National Treasury has confirmed factoring a budgetary provision for the proposed Kitale National Polytechnic in the Ministry's MTEF for the FY 2015/16;
  - b. The Ministry had already prepared and submitted a duly signed Cabinet Memorandum for establishing Kitale National Polytechnic alongside the following seven (7) others for consideration by the Cabinet;

	Institute	Proposed name of Polytechnic	County
1.	Kabete TTI	The Kabete Polytechnic	Nairobi
2.	Kitale TTI	Kitale Polytechnic	Trans-Nzoia
3.	Meru TTI	Meru Polytechnic	Meru
4.	Mombasa TTI	The Kenya Coast Polytechnic	Mombasa
5.	Nyeri TTI	Nyeri Polytechnic	Nyeri
6.	Sigalagala TTI	Sigalagala Polytechnic	Kakamega
7.	NEP TTI	North Eastern Polytechnic	Garissa
8.	Gusii Institute of Technology	Gusii Polytechnic	Kisii

Based on the information provided by the CS, the Committee noted that:

1. The process of naming and renaming Universities has been clearly spelt out in the Universities Act, 2012. Similarly the process of upgrading Technical and Vocational institutions is provided for in the Technical and Vocational Education and Training Act, 2013 (TVET Act).
2. Kitale Technical Training Institute is a technical vocational college (Diploma Institution) as provided under section 26 of TVET Act, 2013. In this status the Institute, does not offer degree programs because under the TVET Act, 2013, only institutions with national polytechnic status (Higher

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Diploma institutions or technical trainers' college) may offer degree programmes with collaboration with a university.

3. The Process of upgrading Kitale Technical Training Institute to a University status will follow the following phases:
  - i. Upgrading from **Institute** to **National Polytechnic** (NP) status;
  - ii. Further upgrading from **National Polytechnic** to **Constituent UniversityCollege** status; and
  - iii. Finally, Granting a University Charter.
4. The Government has already made significant process on the upgrading of Kitale TTI to a National Polytechnic. The National Treasury has confirmed factoring a budgetary provision for the proposed Kitale National Polytechnic in the Ministry's MTEF for the FY 2015/16.
5. The Ministry of Education has also drafted the legal order and a Cabinet Memorandum which has already been forwarded to the Cabinet for onward transmission of the draft legal order to Parliament.

**On Renaming of Kitale Technical Training Institute to WamalwaKijana University Of Science And Technology, the Committee noted that;**

1. Kitale TTI is an institution under the TVET sector and has not been upgraded or transferred to the University sector and therefore, renaming the institution as WamalwaKijana University is premature;
2. The process of establishing a University including naming and renaming requires the input of the Commission for University Education (CUE) which is the regulatory body of the University Education and also the input of the Registrar of Companies;

#### **COMMITTEE RECOMMENDATION**

The Committee was satisfied with the status on implementation of the resolution on Upgrading of Kitale Technical Training Institute to University Status and Renaming of the Institute to WamalwaKijana University of Science and Technology.

**MINUTE NO. COI/179/2015:**

#### **ADJOURNMENT**

There being no other business, meeting was adjourned at ten minutes to Two O'clock.

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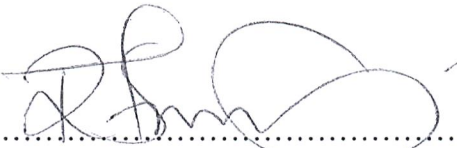
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SIGNED

  
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(CHAIRPERSON)

DATE

4.10.15  
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**MINUTES OF THE 144<sup>th</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 8<sup>th</sup> OCTOBER, 2015 IN THE BOARDROOM, 2<sup>ND</sup> FLOOR, PROTECTION HOUSE AT 12.00 NOON.**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. Joseph M'eruaki, M.P.
3. The Hon. Gideon Ochanda, M.P.
4. The Hon. Winnie Karimi Njuguna, M.P.
5. The Hon. Julius Kariuki Ndegwa, M.P.
6. The Hon. Ali Shariff Athman, M.P.
7. The Hon. Jacob Macharia, M.P.
8. The Hon. Isaack Shaaban Ali, M.P.
9. The Hon. Mutua Robert (Bishop), M.P.
10. The Hon. Lempurkel Mathew Lekidime, M.P.
11. The Hon. Mary Sally Keraa, M.P.
12. The Hon. Dorcas Kedogo, M.P.
13. The Hon. Dennitah Ghati, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. David Gikaria, M.P. - Vice-Chairperson
2. The Hon. Philip Rotino, M.P.
3. The Hon. Samuel Moroto, M.P.
4. The Hon. Dr. Victor Munyaka, M.P.
5. The Hon. John Karanja Kihagi, M.P.
6. The Hon. Ferdinand Kevin Wanyonyi, M.P.
7. The Hon. Peter Kamande Mwangi, M.P.
8. The Hon. Bernard Bett, M.P.
9. The Hon. Bernard Munywoki Kitungi, M.P.
10. The Hon. Asman Kamama, M.P.
11. The Hon. Ibrahim Sane, M.P.
12. The Hon. Esther Murugi, M.P.
13. The Hon. Ndirangu Kariuki, M.P.
14. The Hon. Tiras Ngahu, M.P.
15. The Hon. Alexander Kosgey, M.P.

**IN -ATTENDANCE**

Ms. Phylis Mirungu	Principal Clerk Assistant 1
Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Albert Atunga	Serjeant -At -Arms

MINUTE NO. COI/1/2015:

MEETING WITH THE CABINET SECRETARY, MINISTRY OF INTERIOR AND CO-ORDINATION OF NATIONAL GOVERNMENT ON THE STATUS OF IMPLEMENTATION OF THE HOUSE RESOLUTION ON MEASURES TO ENSURE ALL ELIGIBLE KENYANS ARE ISSUED WITH NATIONAL IDENTINTY CARDS.

The Chairperson informed Members that the CS had conveyed his unavailability for the meeting through the office of the Clerk, citing engagement with the Head of State. In his communication, the CS had requested the meeting to be rescheduled to the week commencing 19<sup>th</sup> October, 2015.

The Committee considered the request and resolved to reschedule the meeting to **Thursday, 22<sup>nd</sup> October, 2015 at 12.00 noon.**

Members also noted that Bungoma County Assembly's Committee On Implementation would be on a benchmarking visit, and will be joining the Committee in its meeting on the same date.

The Secretariat was tasked to ensure an appropriate venue is available for the day.

MINUTE NO. COI/2/2015:

CONFIRMATION OF MINUTES OF 141<sup>ST</sup> SITTING

The Minutes of 141<sup>st</sup> sitting were confirmed as a true record of the proceedings of the meeting on a proposal by The Hon. Dorcas Kedogo, M.P. and seconded by The Hon. Winnie Njuguna, M.P.

Members noted the schedule of activities for the Committee for the month of October to December, 2015.

MINUTE NO. COI/3/2015:

COMMITTEE VISIT TO RWANDA

The Chairperson informed members that the following delegation comprising of six members was scheduled to visit Rwanda on 12<sup>th</sup> to 16<sup>th</sup> October, 2015.

1. The Hon. Roselinda Soipan, M.P. -Chairperson/leader of delegation
2. The Hon. Gideon Ochanda, M.P.
3. The Hon. Ali Shariff Athman, M.P.
4. The Hon. Mutua Robert (Bishop), M.P.
5. The Hon. Mary Sally Keraa, M.P.
6. The Hon. Julius Kariuki Ndegwa, M.P.

However, Hon. Mutua Robert (Bishop), M.P. and Hon. Julius Kariuki Ndegwa, M.P. forfeited their nomination to Hon. Dorcas Kedogo, M.P. and Hon. Dennitah Ghati, M.P. respectively.

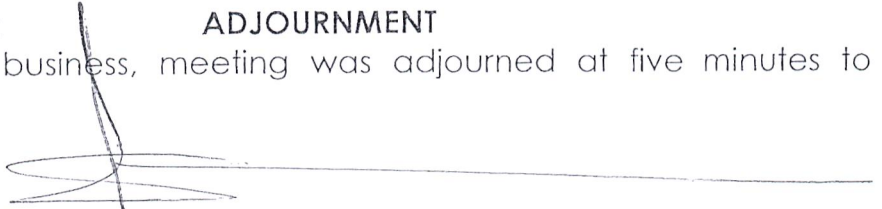
Concern was raised on nomination criteria for international assignments, where it was resolved that a comprehensive report on delegations to both regional and international assignments be prepared and discussed as a substantive agenda.

MINUTE NO. COI/3/2015:

ADJOURNMENT

There being no other business, meeting was adjourned at five minutes to Two O'clock.

SIGNED



(CHAIRPERSON)

DATE

13-10-2015



**MINUTES OF THE 144<sup>th</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 8<sup>th</sup> OCTOBER, 2015 IN THE BOARDROOM, 2<sup>ND</sup> FLOOR, PROTECTION HOUSE AT 12.00 NOON.**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. Joseph M'eruaki, M.P.
3. The Hon. Gideon Ochanda, M.P.
4. The Hon. Winnie Karimi Njuguna, M.P.
5. The Hon. Julius Kariuki Ndegwa, M.P.
6. The Hon. Ali Shariff Athman, M.P.
7. The Hon. Jacob Macharia, M.P.
8. The Hon. Isaack Shaaban Ali, M.P.
9. The Hon. Mutua Robert (Bishop), M.P.
10. The Hon. Lempurkel Mathew Lekidime, M.P.
11. The Hon. Mary Sally Keraa, M.P.
12. The Hon. Dorcas Kedogo, M.P.
13. The Hon. Dennitah Ghati, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. David Gikaria, M.P. - Vice-Chairperson
2. The Hon. Philip Rotino, M.P.
3. The Hon. Samuel Moroto, M.P.
4. The Hon. Dr. Victor Munyaka, M.P.
5. The Hon. John Karanja Kihagi, M.P.
6. The Hon. Ferdinand Kevin Wanyonyi, M.P.
7. The Hon. Peter Kamande Mwangi, M.P.
8. The Hon. Bernard Bett, M.P.
9. The Hon. Bernard Munywoki Kitungi, M.P.
10. The Hon. Asman Kamama, M.P.
11. The Hon. Ibrahim Sane, M.P.
12. The Hon. Esther Murugi, M.P.
13. The Hon. Ndirangu Kariuki, M.P.
14. The Hon. Tiras Ngahu, M.P.
15. The Hon. Alexander Kosgey, M.P.

**IN - ATTENDANCE**

Ms. Phylis Mirungu  
Ms. Lucy Kimathi  
Mr. Albert Atunga

Principal Clerk Assistant 1  
Senior Clerk Assistant  
Serjeant -At -Arms



**MINUTE NO. COI/180/2015: MEETING WITH THE CABINET SECRETARY, MINISTRY OF INTERIOR AND CO-ORDINATION OF NATIONAL GOVERNMENT ON THE STATUS OF IMPLEMENTATION OF THE HOUSE RESOLUTION ON MEASURES TO ENSURE ALL ELIGIBLE KENYANS ARE ISSUED WITH NATIONAL IDENTINTY CARDS.**

The Chairperson informed Members that the CS had conveyed his unavailability for the meeting through the office of the Clerk, citing engagement with the Head of State. In his communication, the CS had requested the meeting to be rescheduled to the week commencing 19<sup>th</sup> October, 2015.

The Committee considered the request and resolved to reschedule the meeting to **Thursday, 22<sup>nd</sup> October, 2015 at 12.00 noon.**

Members also noted that Bungoma County Assembly's Committee On Implementation would be on a benchmarking visit, and will be joining the Committee in its meeting on the same date.

The Secretariat was tasked to ensure an appropriate venue is available for the day.

**MINUTE NO. COI/181/2015: CONFIRMATION OF MINUTES OF 141<sup>ST</sup> SITTING**

The Minutes of 141<sup>st</sup> sitting were confirmed as a true record of the proceedings of the meeting on a proposal by The Hon. Dorcas Kedogo, M.P. and seconded by The Hon. Winnie Njuguna, M.P.

Members noted the schedule of activities for the Committee for the month of October to December, 2015.

**MINUTE NO. COI/182/2015: COMMITTEE VISIT TO RWANDA**

The Chairperson informed members that the following delegation comprising of six members was scheduled to visit Rwanda on 12<sup>th</sup> to 16<sup>th</sup> October, 2015.

1. The Hon. Roselinda Soipan, M.P. -Chairperson/leader of delegation
2. The Hon. Gideon Ochanda, M.P.
3. The Hon. Ali Shariff Athman, M.P.
4. The Hon. Mutua Robert (Bishop), M.P.
5. The Hon. Mary Sally Keraa, M.P.
6. The Hon. Julius Kariuki Ndegwa, M.P.



However, Hon. Mutua Robert (Bishop), M.P. and Hon. Julius KariukiNdegwa, M.P. forfeited their nominationsto Hon. Dorcas Kedogo, M.P. and Hon. DennitahGhati, M.P. respectively.

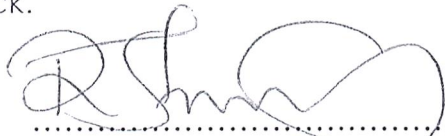
Concern was raised on nomination criteria for international assignments, where it was resolved that a comprehensive report on delegations to both regional and international assignments the prepared and discussed as a substantive agenda.

**MINUTE NO. COI/183/2015:**

**ADJOURNMENT**

There being no other business, meeting was adjourned at five minutes to TwoO'clock.

SIGNED



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(CHAIRPERSON)

DATE

..... 13-10-15 .....

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**MINUTES OF THE 145<sup>th</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 13<sup>th</sup> OCTOBER, 2015 IN THE BOARDROOM, 2<sup>ND</sup> FLOOR, PROTECTION HOUSE AT 12.00 NOON.**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Winnie Karimi Njuguna, M.P.
4. The Hon. Gideon Ochanda, M.P.
5. The Hon. Julius Kariuki Ndegwa, M.P.
6. The Hon. Peter Kamande Mwangi, M.P.
7. The Hon. Ali Shariff Athman, M.P.
8. The Hon. Jacob Macharia, M.P.
9. The Hon. Bernard Bett, M.P.
10. The Hon. Isaack Shaaban Ali, M.P.
11. The Hon. Mutua Robert (Bishop), M.P.
12. The Hon. Bernard Munywoki Kitungi, M.P.
13. The Hon. John Karanja Kihagi, M.P.
14. The Hon. Lempurkel Mathew Lekidime, M.P.
15. The Hon. Ferdinand Kevin Wanyonyi, M.P.
16. The Hon. Mary Sally Keraa, M.P.
17. The Hon. Dorcas Kedogo, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Philip Rotino, M.P.
2. The Hon. Joseph M'eruaki, M.P.
3. The Hon. Samuel Moroto, M.P.
4. The Hon. Dr. Victor Munyaka, M.P.
5. The Hon. DennitahGhati, M.P.
6. The Hon. NdiranguKariuki, M.P.
7. The Hon. AsmanKamama, M.P.
8. The Hon. Ibrahim Sane, M.P.
9. The Hon. Esther Murugi, M.P.
10. The Hon. TirasNgahu, M.P.
11. The Hon. Alexander Kosgey, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Adan Gindicha	Clerk Assistant 1
Mr. Albert Atunga	Serjeant -At -Arms



**MINUTE NO. COI/1/2015: VISIT TO PARLIAMENT OF RWANDA**

The Chairperson informed members that the visit did not take place, despite having been approved by the accounting officer due to cashflow challenges. Members resolved that the visit be rescheduled to 16<sup>th</sup> -20<sup>th</sup> November, 2015 subject to the host approval of the same.

**MINUTE NO. COI/2/2015: CONFIRMATION OF MINUTES**

The Minutes of 140<sup>th</sup> meeting were confirmed as a true record of the proceedings of the meeting on a proposal by Hon. Hon. Mutua Robert (Bishop), M.P and seconded by Hon. John Kihagi, M.P.

**MINUTE NO. COI/3/2015: MATTERS ARISING**

Arising from the status report by the Ministry of Energy & Petroleum, the Committee resolved that the CS be invited on **Tuesday 27<sup>th</sup> October, 2015 at 12.00 noon** to apprise the Committee on specific interventions the Ministry had put in place towards investment in development of renewable or green energy, which is safe and abundant in the country.

**MINUTE NO. COI/4/2015: CONSIDERATION OF REPORT ON RESOLUTION OF THE HOUSE ON COMPENSATION OF ALL KENYANS AFFECTED BY MAU MAU UPRISING**

The Chairperson took the Committee through the response from the Ministry of Devolution & Planning, where members noted that the matter had been forwarded in July, 2015 to Attorney General's office for legal advice. The Committee resolved to get an update report on the outcome of the issue.

However, Members raised concern on the issue of some petitions brought before the House, and practicability of implementing some of the resolutions arising out of the petitions.

The Chairperson informed members that mechanisms are in place, whereby only petitions that meet the minimum threshold are permissible.

**MINUTE NO. COI/5/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter past Two O'clock.

SIGNED

*Hon Joseph Ngunjiri*  
.....  
(CHAIRPERSON)

DATE

*24/11/2015*  
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**MINUTES OF THE 145<sup>th</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 13<sup>th</sup> OCTOBER, 2015 IN THE BOARDROOM, 2<sup>ND</sup> FLOOR, PROTECTION HOUSE AT 12.00 NOON.**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Winnie Karimi Njuguna, M.P.
4. The Hon. Gideon Ochanda, M.P.
5. The Hon. Julius Kariuki Ndegwa, M.P.
6. The Hon. Peter Kamande Mwangi, M.P.
7. The Hon. Ali Shariff Athman, M.P.
8. The Hon. Jacob Macharia, M.P.
9. The Hon. Bernard Bett, M.P.
10. The Hon. Isaack Shaaban Ali, M.P.
11. The Hon. Mutua Robert (Bishop), M.P.
12. The Hon. Bernard Munywoki Kitungi, M.P.
13. The Hon. John Karanja Kihagi, M.P.
14. The Hon. Lempurkel Mathew Lekidime, M.P.
15. The Hon. Ferdinand Kevin Wanyonyi, M.P.
16. The Hon. Mary Sally Keraa, M.P.
17. The Hon. Dorcas Kedogo, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Philip Rotino, M.P.
2. The Hon. Joseph M'eruaki, M.P.
3. The Hon. Samuel Moroto, M.P.
4. The Hon. Dr. Victor Munyaka, M.P.
5. The Hon. Dennitah Ghati, M.P.
6. The Hon. Ndirangu Kariuki, M.P.
7. The Hon. Asman Kamama, M.P.
8. The Hon. Ibrahim Sane, M.P.
9. The Hon. Esther Murugi, M.P.
10. The Hon. Tiras Ngahu, M.P.
11. The Hon. Alexander Kosgey, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Adan Gindicha	Clerk Assistant 1
Mr. Albert Atunga	Serjeant -At -Arms

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**MINUTE NO. COI/184/2015: VISIT TO PARLIAMENT OF RWANDA**

The Chairperson informed members that the visit did not take place, despite having been approved by the accounting officer due to cashflow challenges. Members resolved that the visit be rescheduled to 16<sup>th</sup> -20<sup>th</sup> November, 2015 subject to the host approval of the same.

**MINUTE NO. COI/185/2015: CONFIRMATION OF MINUTES**

The Minutes of 140<sup>th</sup> meeting were confirmed as a true record of the proceedings of the meeting on a proposal by Hon. Hon. Mutua Robert (Bishop), M.P and seconded by Hon. John Kihagi, M.P.

**MINUTE NO. COI/186/2015: MATTERS ARISING**

Arising from the status report by the Ministry of Energy & Petroleum, the Committee resolved that the CS be invited on **Tuesday 27<sup>th</sup> October, 2015 at 12.00 noon** to apprise the Committee on specific interventions the Ministry had put in place towards investment in development of renewable or green energy, which is safe and abundant in the country.

**MINUTE NO. COI/187/2015: CONSIDERATION OF REPORT ON RESOLUTION OF THE HOUSE ON COMPENSATION OF ALL KENYANS AFFECTED BY MAU MAU UPRISING**

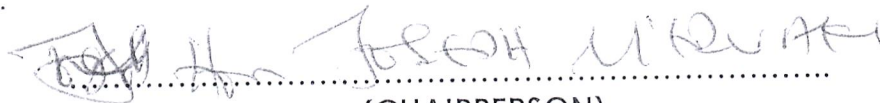
The Chairperson took the Committee through the response from the Ministry of Devolution & Planning, where members noted that the matter had been forwarded in July, 2015 to Attorney General's office for legal advice. The Committee resolved to get an update report on the outcome of the issue.

However, Members raised concern on the issue of some petitions brought before the House, and practicability of implementing some of the resolutions arising out of the petitions.

The Chairperson informed members that mechanisms are in place, whereby only petitions that meet the minimum threshold are permissible.

**MINUTE NO. COI/188/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter past Two O'clock.

SIGNED .....  
(CHAIRPERSON)

DATE 24/11/2015.....

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**MINUTES OF THE 146<sup>th</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 15<sup>th</sup> OCTOBER 2015 IN THE MEMBER'S LOUNGE AT 12.30 PM.**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Winnie Karimi Njuguna, M.P.
4. The Hon. Philip Rotino, M.P.
5. The Hon. Joseph M'eruaki, M.P.
6. The Hon. Samuel Moroto, M.P.
7. The Hon. Dr. Victor Munyaka, M.P.
8. The Hon. Gideon Ochanda, M.P.
9. The Hon. Julius Kariuki Ndegwa, M.P.
10. The Hon. Peter Kamande Mwangi, M.P.
11. The Hon. Ali Shariff Athman, M.P.
12. The Hon. Bernard Bett, M.P.
13. The Hon. Mutua Robert (Bishop), M.P.
14. The Hon. Bernard Munywoki Kitungi, M.P.
15. The Hon. John Karanja Kihagi, M.P.
16. The Hon. Mary Sally Keraa, M.P.
17. The Hon. Dorcas Kedogo, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Dennitah Ghati, M.P.
2. The Hon. Isaack Shaaban Ali, M.P.
3. The Hon. Lempurkel Mathew Lekidime, M.P.
4. The Hon. Ferdinand Kevin Wanyonyi, M.P.
5. The Hon. Jacob Macharia, M.P.
6. The Hon. Ndirangu Kariuki, M.P.
7. The Hon. Asman Kamama, M.P.
8. The Hon. Ibrahim Sane, M.P.
9. The Hon. Esther Murugi, M.P.
10. The Hon. Tiras Ngahu, M.P.
11. The Hon. Alexander Kosgey, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Adan Gindicha	Clerk Assistant 1
Mr. Humphrey Ringera	Research Officer

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**MINUTE NO. COI/190/2015: COMMITTEE TABLING OF ITS STATUS REPORT**

The Chairperson notified the Committee of the need to fast track various pending issues to enable the Committee finalize its report for tabling by mid of November, 2015.

To achieve this, Members reviewed its workplan as follows:

1. To Meet the CS Interior & coordination of National Government on **22<sup>nd</sup> October, 2015** to finalize on the following resolutions:-
  - a. Government to review the terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists in Arid and Semi- Arid Land areas with a view to providing them with uniforms, proper identification documents, automatic firearms, regular allowances and general improvement of their working conditions.
  - b. Government to urgently put in place measures that will ensure that all eligible Kenyans are duly registered and issued with National Identity Cards.
2. Cabinet Secretary Ministry of Energy & Petroleum and Kenya Nuclear Electricity Board to apprise on specific interventions the Ministry has put in place towards investment in development of renewable or green energy on **27<sup>th</sup> October, 2015**.
3. To meet ERC, KENGEN and GDC on **29<sup>th</sup> October, 2015** as key players in energy sector in order to conclude on resolution on liberalization of Power distribution.
4. To undertake a retreat on **2<sup>nd</sup> to 6<sup>th</sup> November, 2015** during the short recess to:
  - a. Meet experts in nuclear energy for expertise opinion on matters relating to nuclear energy;
  - b. To adopt various reports and develop a status report for tabling.
5. To meet Cabinet Secretary Agriculture on **Tuesday, 10<sup>th</sup> November, 2015** regarding the implementation status of the resolution of the House on review of Farm Gate prices of milk to Ksh 45 per litre.
6. To undertake inspection visit to Tana River/ Tana and Athi River Development Authority (TARDA) on **Thursday, 12<sup>th</sup> -14<sup>th</sup> November, 2015** to ascertain measures the Ministry of water has put in place to mitigate "artificial flooding" though releasing water from dam to rivers and compensation mechanisms for the affected.
7. To undertake a regional assignment to Parliament of Rwanda between **15<sup>th</sup> to 20<sup>th</sup> November, 2015** as rescheduled.
8. Committee to host Malawian Parliamentary Committee on Governance Assurances accompanied by the Directorate for Public Sector reforms management on **Tuesday, 24<sup>th</sup> November, 2015** from **12.00 noon**.



9. To review Committee's progress and develop a work plan for January-June 2016 during the end of year retreat scheduled for **Thursday 26<sup>th</sup> to Sunday 29<sup>th</sup> November, 2015** prior to long recess to commence on 4<sup>th</sup> December, 2015 to 8<sup>th</sup> February, 2015.

**MINUTE NO. COI/191/2015: REGIONAL AND INTERNATIONAL ASSIGNMENT**

The Chairperson took the Committee through a report indicating delegations to various international assignments since 2013. Members took note of the criteria for selection of delegations and resolved that delegations be proposed and approved by the Committee subject to approval for undertaking of such assignments/trips and After confirmation of dates. Delegation to Rwanda was to remain as earlier approved.

	NAME	2013/2014	2014/2015	2015/2016(projections)
1.	The Hon. Roselinda Soipan (Chairperson)	US	-	Rwanda/India
2.	The Hon. David Gikaria (Vice -Chair)	POR	-	Brazil/ Ghana
3.	The Hon. Joseph M'eruaki	POR	-	Brazil
4.	The Hon. Winnie Karimi Njuguna	US	Japan**	Ghana
5.	The Hon. Jacob Waweru Macharia	POR	-	Brazil
6.	The Hon. Tiras Ngahu	-	-	-
7.	The Hon. Peter Kamande Mwangi	POR*	Japan	Botswana
8.	The Hon. Samuel Moroto	-	Japan	Ghana
9.	The Hon. Julius Kariuki Ndegwa	-	Austria*	Rwanda*/India
10.	The Hon. Ali Shariff Athman	US	-	Rwanda/India
11.	The Hon. Dr. Victor Munyaka	POR	-	Brazil
12.	The Hon. Bernard Bett	-	Austria	Ghana
13.	The Hon. Alexander Kosgey	-	-	-
14.	The Hon. Philip Rotino	POR*	Japan	Botswana
15.	The Hon. Ibrahim Sane	-	Austria	Ghana
16.	The Hon. Asman Kamama	-	-	Botswana
17.	The Hon. Isaack Shaaban Ali	-	Japan*	India
18.	The Hon. Gideon Ochanda	US	-	Rwanda/ Brazil
19.	The Hon. Mutua Robert (Bishop)	POR	-	Rwanda*/India
20.	The Hon. Bernard Munywoki Kitungi	-	Austria	Botswana
21.	The Hon. Dennitah Ghati	POR*	Austria	Rwanda**
22.	The Hon. Ndirangu-Kariuki	-	Austria	Botswana



23.	The Hon. John Kihagi	US	-	Brazil/ Ghana
24.	The Hon. Lempurkel Mathew Lekidime	-	Austria*	Brazil
25.	The Hon. Ferdinand Kevin Wanyonyi	-	Japan	Botswana
26.	The Hon. Esther Murugi	-	Japan	Botswana
27.	The Hon. Mary Sally Keraa	POR	-	Rwanda/India
28.	The Hon. Dorcas Kedogo	-	-	Rwanda**/ Ghana

US - United States (Dec 2013)

POR - Portugal (May 2014)

JAP - Japan (Japan - Sept 2014)

AUS - Austria (Sept 2014)

\*Member nominated but did not travel/forfeited nomination

\*\*Replacement

NB: 2015/2016 are projections

NB: Brazil visit has not been approved. Hence need for a decision

NB: Rwanda visit has been rescheduled to a later date.

**MINUTE NO. COI/192/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter past Two O'clock.

SIGNED

*Joseph M'Quari Muthari*

(CHAIRPERSON)

DATE

*24/11/2015*

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MINUTES OF THE 147<sup>th</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON THURSDAY 22<sup>nd</sup> OCTOBER 2015 AT THE 2<sup>ND</sup> FLOOR BOARDROOM, PROTECTIONHOUSE AT 12.30PM

PRESENT

The Hon. David Gikaria, M.P. - Vice/Chairperson  
The Hon Winnie Njuguna, M.P.  
The Hon. Samuel Moroto, M.P.  
The Hon. Philip Rotino, M.P.  
The Hon. Gideon Ochanda, M.P.  
The Hon. Bernard Munywoki, M.P.  
The Hon. Mathew Lempurkel, M.P.  
The Hon. Mary Sally Keraa, M.P.  
The Hon. Bishop Mutua, M.P.  
The Hon. John Kihagi, M.P.  
The Hon. Esther Murugi, M.P.  
The Hon. Peter Kamande, M.P.  
The Hon. Ndirangu Kariuki, M.P.  
The Hon. Dennitah Ghatti, M.P.  
The Hon Dorcas Kedogo, M.P.

ABSENT WITH APOLOGY

The Hon. Roselinda Soipan, M.P. - Chairperson  
The Hon Ibrahim Sane, M.P.  
The Hon Jacob Macharia, M.P.  
The Hon Bernard Bett, M.P.  
The Hon Joseph M'eruaki, M.P.  
The Hon Tiras Ngahu, M.P.  
The Hon Asman Kamama, M.P.  
The Hon Shaaban Ali, M.P.  
The Hon Alexander Kosgey, M.P.  
The Hon Ferdinand Wanyonyi, M.P.  
The Hon (Dr) Victor Munyaka, M.P.  
The Hon Ali Shariff Athman, M.P.  
The Hon Julius Ndegwa, M.P.

IN - ATTENDANCE

Adan Gindicha - First Clerk Assistant

IN - ATTENDANCE (BUNGOMA COUNTY ASSEMBLY MEMBERS)

The Hon Ben Namaswa Wafula, MCA - Leader of the Delegation  
The Hon Joan Lutukai, MCA  
The Hon Gershom Namasake, MCA  
The Hon James Nyongesa, MCA  
The Hon Charles Wamukota, MCA

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The Hon Beatrice Wasike, MCA  
The Hon Janet Wamalwa, MCA  
The Hon Margaret Barasa, MCA  
The Hon Rose Watimah, MCA  
The Hon Mary Mamaswa, MCA  
The Hon Martin Wawire, MCA  
The Hon Violet Makhanu, MCA  
The Hon Moses Wabwile, MCA  
The Hon Godwin Kwemoi, MCA

**SECRETARIAT- BUNGOMA COUNTY ASSEMBLY**

Mr. Dunstan Wafula -Committee Clerk  
Ms. Carolyn Wamalwa - Research Officer  
Ms. Martha Alaka -Hansard Officer

**MINUTE NO. COI/193/2015: CONFIRMATION OF MINUTES**

Confirmation of Minutes of the 145th Sitting held on Thursday 15<sup>th</sup>October 2015 was deferred to the next Sitting

**MINUTE NO. COI/194/ 2015 MEETING WITH BUNGOMA COUNTY ASSEMBLY COMMITTEE ON IMPLEMENTATION**

After formal introductions, the Vice Chairperson took the visiting delegation through various aspects of the Committee such as:

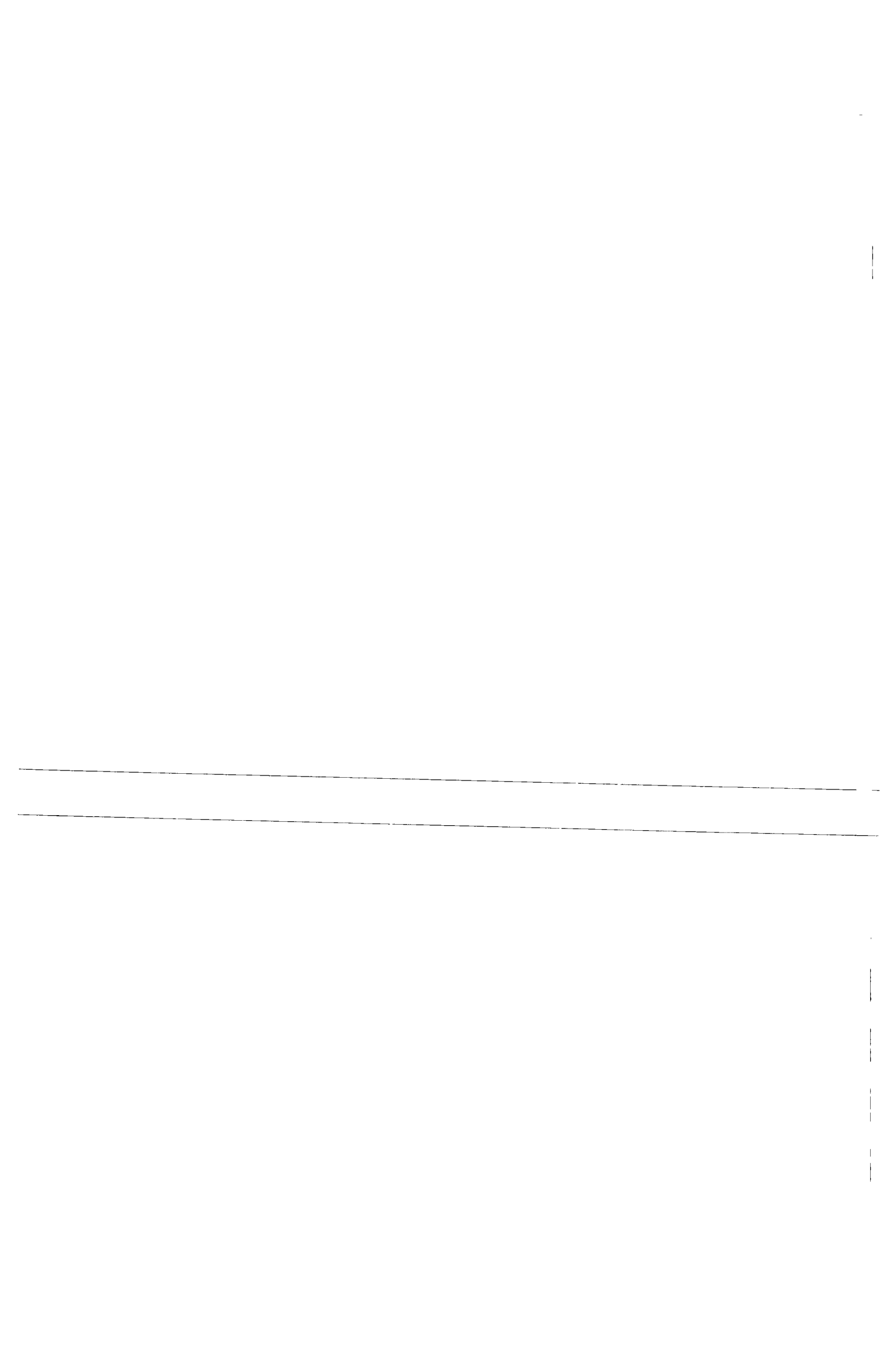
- The Constitution of the Committee
- Mandate of the Committee and its current Membership
- Procedure in Committee operations including procedure on election of its leadership, powers of the Chairperson, notice of meetings, conduct of meetings, frequency of meetings, quorum and reports
- Achievements and challenges encountered

The members of the visiting delegation were then given an opportunity to point out challenges they encounter in their Committee operations as a way of experience sharing. Some of the challenges mentioned include:

- Non- cooperation by the Executive
- Budgetary constraints
- Unclear provisions on sanctions to non complying members of the Executive

The delegation also sought information on procedure for removal of Members from the Committee by nominating parties.

It was resolved that such meetings be organized more often to help enhance the capacities of County Assemblies.



MINUTE NO. COI/195/ 2015 ANY OTHER BUSINESS

The meeting was informed that the Cabinet Secretary, Interior and Coordination of National Government had requested for the rescheduling of the meeting with the Committee to a later date as he was out of the country on official business.

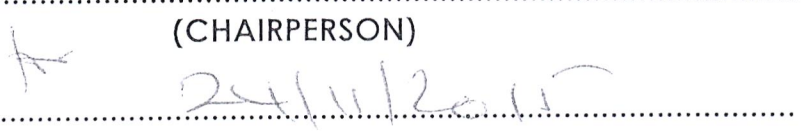
MINUTE NO. COI/196/2015: DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Tuesday 27th October 2015.

MINUTE NO. COI/197/2015: ADJOURNMENT

And the time being Twenty Minutes past Two O'clock, the Vice chairperson adjourned the Sitting.

SIGNED: .....  .....  
(CHAIRPERSON)

DATE: .....  .....

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**MINUTES OF THE 148<sup>th</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 27<sup>th</sup> OCTOBER 2015 IN THE BOARDROOM ON 2<sup>ND</sup> FLOOR, PROTECTION HOUSE 12.00 NOON.**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. Jacob Macharia, M.P.
3. The Hon. Winnie Karimi Njuguna, M.P.
4. The Hon. Philip Rotino, M.P.
5. The Hon. Joseph M'ervaki, M.P.
6. The Hon. Samuel Moroto, M.P.
7. The Hon. Dr. Victor Munyaka, M.P.
8. The Hon. Gideon Ochanda, M.P.
9. The Hon. Julius Ndegwa Kariuki, M.P.
10. The Hon. Peter Kamande Mwangi, M.P.
11. The Hon. Ali Shariff Athman, M.P.
12. The Hon. Bernard Bett, M.P.
13. The Hon. John Karanja Kihagi, M.P.
14. The Hon. Mary Sally Keraa, M.P.
15. The Hon. Dorcas Kedogo, M.P.
16. The Hon. Isaack Shaaban Ali, M.P.
17. The Hon. Lempurkel Mathew Lekidime, M.P.
18. The Hon. Ferdinand Kevin Wanyonyi, M.P.
19. The Hon. Esther Murugi, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. David Gikaria, M.P. - Vice-Chairperson
2. The Hon. Dennitah Ghati, M.P.
3. The Hon. Mutua Robert (Bishop), M.P.
4. The Hon. Bernard Munywoki Kitungi, M.P.
5. The Hon. Ndirangu Kariuki, M.P.
6. The Hon. Asman Kamama, M.P.
7. The Hon. Ibrahim Sane, M.P.
8. The Hon. Tiras Ngahu, M.P.
9. The Hon. Alexander Kosgey, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Adan Gindicha	Clerk Assistant 1
Mr. Salem Lorot	Legal Counsel

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**MINUTE NO. COI/198/2015: MEETING WITH THE CABINET SECRETARY, MINISTRY OF ENERGY & PETROLEUM ON THE STATUS OF IMPLEMENTATION OF HOUSE RESOLUTION URGING THE GOVERNMENT TO SHIFT FROM DEVELOPMENT IN NUCLEAR ENERGY AND INSTEAD FOCUS INVESTMENT IN THE DEVELOPMENT OF RENEWABLE/GREEN ENERGY WHICH IS SAFE**

The Chairperson informed the Committee that the Principal Secretary, Ministry of Energy & Petroleum had communicated through a letter addressed to the Clerk of the National Assembly of unavailability of the acting CS to attend the meeting. The letter cited that both the Acting CS and PS had travelled out of the country on official duty, and the PS had proposed the meeting be rescheduled to the week starting 2<sup>nd</sup> November, 2015.

Members noted with concern the unavailability of most Cabinet Secretaries to appear before the Committee, which was negatively impacting on Committee's delivery of its mandate by delaying conclusion of business before it, and ultimately delaying reporting back on implementation status of House resolutions.

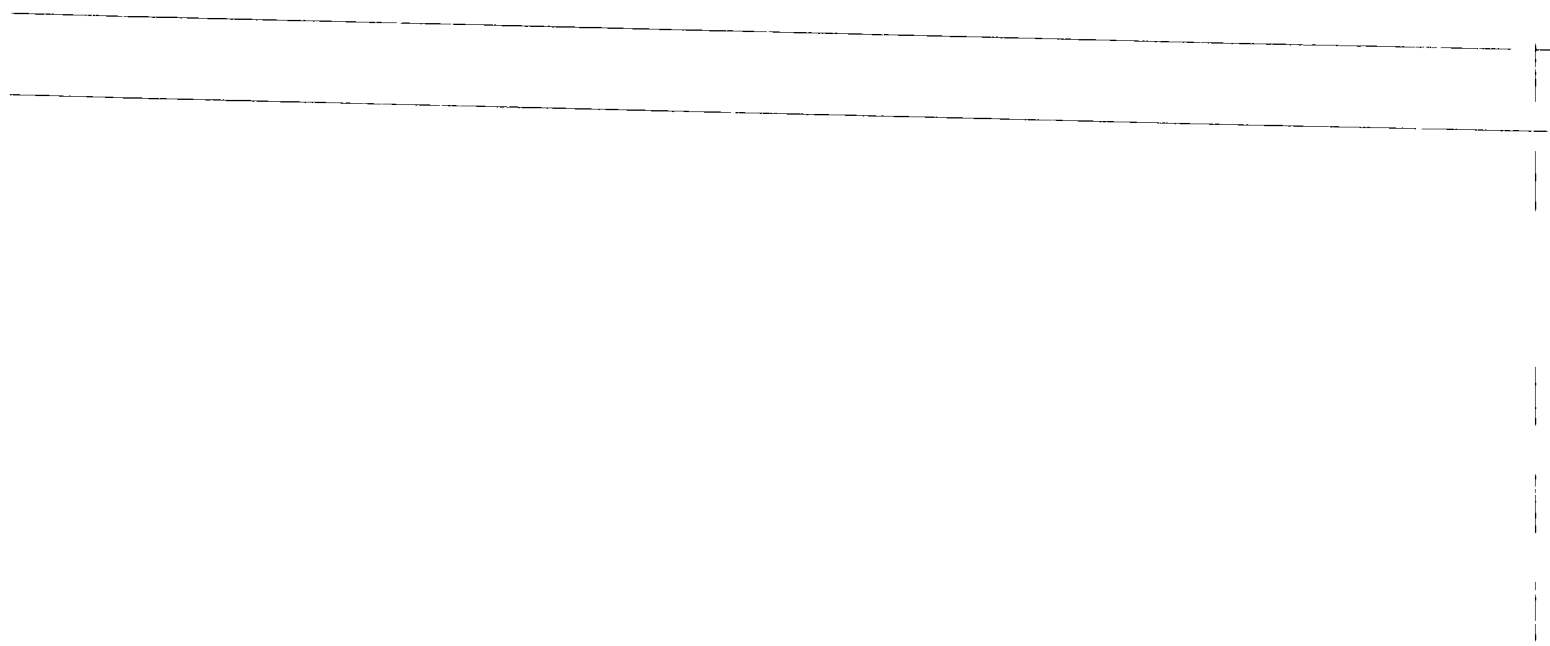
Based on the response that the Ministry had forwarded regarding implementation status and which was considered by the Committee, the Committee resolved to engage experts in nuclear energy for expertise opinion during its retreat scheduled for 3<sup>rd</sup> to 5<sup>th</sup> November, 2015 after which it would make a determination on the issue.

**MINUTE NO. COI/199/2015: MEETING WITH MOMBASA COUNTY ASSEMBLY'S COMMITTEE ON IMPLEMENTATION**

The Committee hosted the County Assembly's Committee who were on a benchmarking tour. The chairperson took them through the constitution of the Committee, its mandate, specific provisions of standing order pertaining to its operations and the interface between the Committee and the Executive arm of Government.

Based on previous interaction with other County Assembly Committees on Implementation, Members noted that most issues raised were cross cutting amongst the County Assemblies, where majority were experiencing difficulties in implementation of Assembly's resolutions and executive undertakings by County Governments.

Based on the number of requests pertaining to benchmarking by County Assembly Committees, Members resolved to organize a joint sitting/workshop with representatives from the 47 County Assembly's Committees On



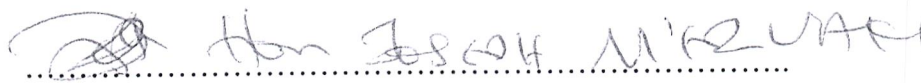
Implementation to enhance their capacity as provided under Article 189(1) (c) of the Constitution of Kenya.

MINUTE NO. COI/200/2015:

ADJOURNMENT

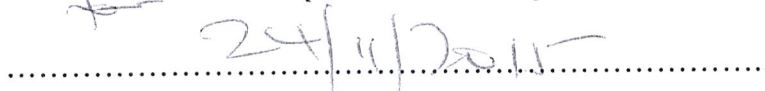
There being no other business, meeting was adjourned at Quarter past Two O'clock.

SIGNED

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(CHAIRPERSON)

sDATE

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MINUTES OF THE 149<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 27<sup>TH</sup> OCTOBER 2015 IN THE BOARDROOM ON 2<sup>ND</sup> FLOOR, PROTECTION HOUSE 1.00 PM

PRESENT

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Winnie Karimi Njuguna, M.P.
4. The Hon. Philip Rotino, M.P.
5. The Hon. Joseph M'eruaki, M.P.
6. The Hon. Samuel Moroto, M.P.
7. The Hon. Julius Ndegwa Kariuki, M.P.
8. The Hon. Peter Kamande Mwangi, M.P.
9. The Hon. Ali Shariff Athman, M.P.
10. The Hon. Bernard Bett, M.P.
11. The Hon. Mutua Robert (Bishop), M.P.
12. The Hon. Ndirangu Kariuki, M.P.
13. The Hon. John Karanja Kihagi, M.P.
14. The Hon. Mary Sally Keraa, M.P.
15. The Hon. Dorcas Kedogo, M.P.
16. The Hon. Isaack Shaaban Ali, M.P.
17. The Hon. Lempurkel Mathew Lekidime, M.P.
18. The Hon. Ferdinand Kevin Wanyonyi, M.P.
19. The Hon. Esther Murugi, M.P.
20. The Hon. Dennitah Ghati, M.P.

ABSENT WITH APOLOGY

1. The Hon. Jacob Macharia, M.P.
2. The Hon. Dr. Victor Munyaka, M.P.
3. The Hon. Gideon Ochanda, M.P.
4. The Hon. Bernard Munywoki Kitungi, M.P.
5. The Hon. Asman Kamama, M.P.
6. The Hon. Ibrahim Sane, M.P.
7. The Hon. Tiras Ngahu, M.P.
8. The Hon. Alexander Kosgey, M.P.

IN -ATTENDANCE

- Ms. Lucy Kimathi - Senior Clerk Assistant  
Mr. Adan Gindicha - Clerk Assistant 1

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MINUTE NO. COI/201/2015: MEETING WITH DIRECTOR GENERAL, ENERGY REGULATORY COMMISSION ON THE RESOLUTION OF LIBERALIZATION OF POWER DISTRIBUTION AND COMPENSATION ARISING FROM POWER OUTAGES & SURGES

Eng. Simon Ngure, Director(Regulatory & Corporate Affairs) representing the Director General accompanied by Messrs. Eng. Francis Makhanu ( Assistant Manager, Energy Planning) and Mr. Alfred Oseko( Chief Regulatory Lawyer) appeared before the Committee.

The Chairperson thanked ERC for honoring the invitation to appear before the Committee, and informed that their contribution was critical in addressing issues that came up during interaction between the Committee and other stakeholders in the energy sector on implementation of the House resolution.

Arising from a presentation by Eng. Simon Ngure, the Committee noted that:

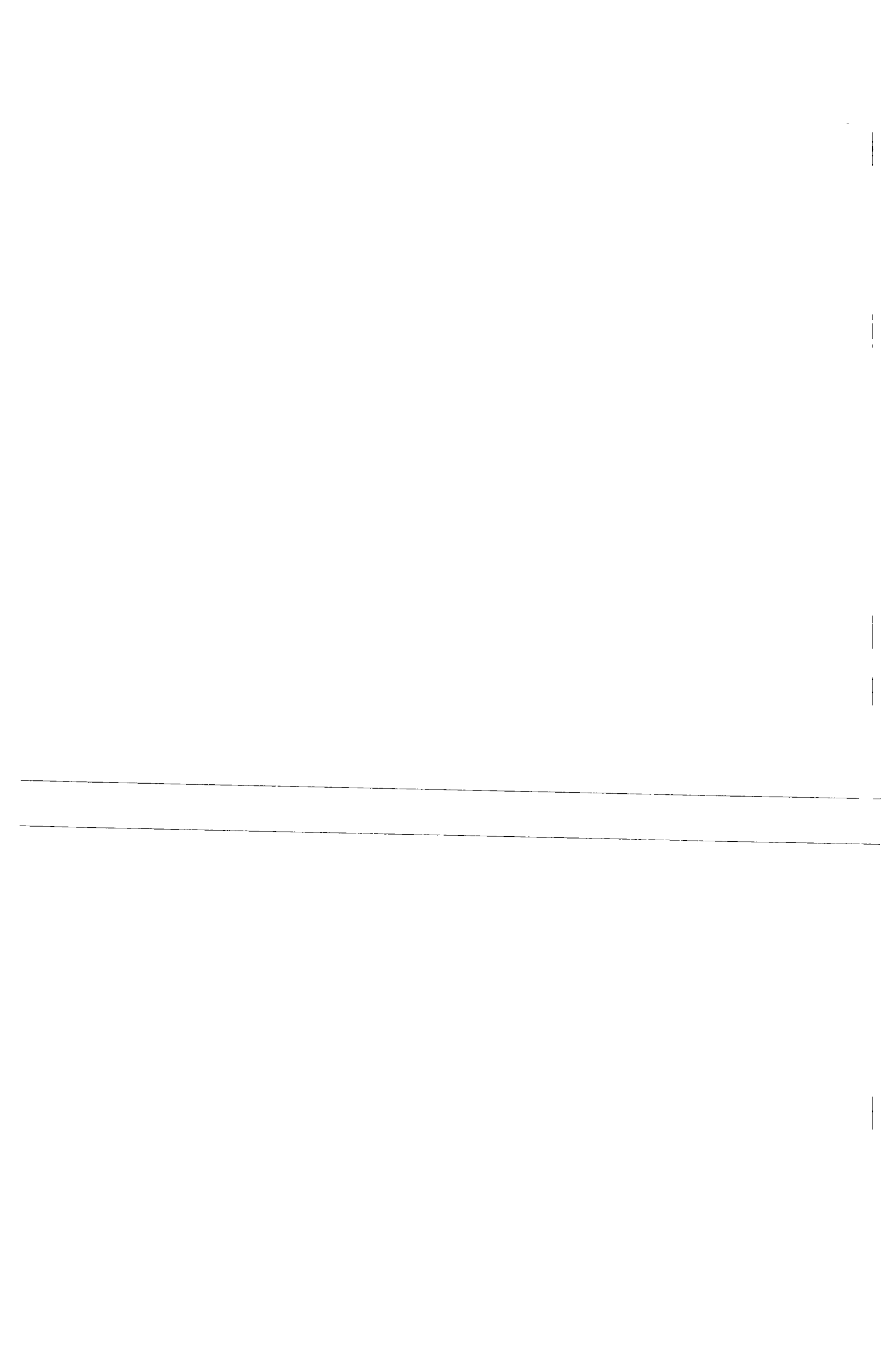
1. The Energy Regulatory Commission (ERC) is established under the Energy Act 2006 (the Act), as a body corporate.
2. The mandate of the Commission is set out under Section 5 of the Act;
  - a. To regulate :-
    - i. Importation, exportation, generation, transmission, distribution, supply and use of electrical energy;
    - ii. Importation, exportation, transportation, refining, storage, and sale of petroleum products;
    - iii. Production, distribution, supply and use of renewable and other forms of energy;
  - b. Protect the interest of consumers, investors and other stakeholders;
  - c. Maintain a list of accredited energy auditors as may be prescribed;
  - d. Monitor, ensure implementation of, and the observance of principles of fair competition in the energy sector in coordination with other statutory authorities;
  - e. Provide such information and statistics to the Cabinet Secretary (CS) as he may from time to time require;
  - f. Collect and maintain energy data;
  - g. Prepare indicative national energy plans
  - h. Perform any other function incidental or consequential to its functions or any other written law.

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3. The Electricity Power sub-sector in Kenya is unbundled with the following organizations:
  - a) **Ministry of Energy & Petroleum (MOEP):** Policy formulation and setting necessary legal and Regulatory framework for the sub-sector. Overall supervisory role to ensure policies are implemented.
  - b) **Energy Regulatory Commission (ERC):** Technical and Economic regulation of the sector, tariff reviews and settings, licensing and advisory role to MOE on policy issues. **Kenya Power and Lighting Company (KPLC):** Transmission, distribution, supply(sales), dispatch and interconnect grid system operation(50.1% GoK)
  - c) **Kenya Electricity Generating Company (KenGen):** Biggest power generating company in Kenya with several power stations (70% GoK)
  - d) **Geothermal Development Company (GDC):** Governmental; Exploration and drilling of wells to harness geothermal potential for power generation.
  - e) **Rural Electrification Authority (REA):** Governmental agency charged with enhancing power access and connectivity in the rural and non-viable areas
  - f) **Kenya Electricity Transmission Company (KETRACO):** Governmental; Development of new transmission lines to enhance interconnected grid capacity and coverage.
  - g) **Independent Power Producers (IPPs):** Private sector companies generating electric power for sale to KPLC through Power Purchase Agreements (PPAs) via the national interconnected grid.
  - h) Isolated power Mini-grids owned by REA but operated by KPLC.
  - i) Private owned power mini-grids for own use and Public
4. Electricity licences and permits have been issued as follows:
  - i. KPLC: 1 Transmission licence, 4 Distribution licences; Nairobi, Coast, Mt Kenya and West Kenya and 17 permits for operating the isolated power stations and their distribution grids
  - ii. KETRACO: Transmission licence
  - iii. KenGen: 20 licences and 6 permits for generation.
  - iv. IPPs: 23 licences and permits.
  - v. For own use: James Finlay, Sotik Tea, Sotik Highlands, Unilever, Oserian among others. *Members noted that the Commission recently issued a licence to Two Rivers Power Company Ltd; a private company who will be buying power in bulk from KPLC as well as generating around 2MW from solar energy and retailing to consumers within their developed property between Runda estate and the Village Market Mall in Nairobi.*
  - vi. Distribution permits to Power hive and Talek Power for public mini-grids



5. Kenya Power is not by any legislation the only power distributor in Kenya as evident in Energy Act 2006 articles 43 and 44. There are other companies like James Finlay (6.7MW) and Unilever (4.7MW) who have generation and distribution licences, and several others with distributions permits for own use. Two companies Powerhive East Africa Ltd (Kisii and Nyamira counties) and Talek Power Company (Narok County) have been issued with permits to develop and operate mini-grids to supply the public from solar-hybrid on pilot basis.
6. Kenya Power currently holds 4 distribution licences covering their networks in Nairobi, Coast, Mt Kenya and West Kenya regions. In addition they hold a distribution licence for Garissa off grid( 6.2 MW) and 19 permits for the other off grid distribution with capacities below 3 MW.
7. The Energy Bill 2015 which is before parliament has proposed several measures to reduce entry barriers in the power distribution.
  - a) Clause 163-170 provides for creation of an Independent Transmission System Operator (TSO) for the Kenyan Interconnected grid and removal of entry barriers;
  - b) Clause 173-175 provides for Liberalizing energy retail services in the country to accommodate more players.
8. On compensation, Kenya Power has a customer service charter which has been approved by the Commission as one of their licence conditions which covers compensation to their customers affected by power supply quality. The Commission has also developed the Energy (Complaints and Dispute) Regulations 2012 which have a provision for forwarding any complaints and disputes to the Commission for resolution.
9. Most Kenyans are not aware of the role of ERC as an arbiter incase of disputes between KPLC and consumer on matters relating to compensation.
10. Kenyan Model of 'Cost reflective billing' as opposed to 'Government subsidies on power' has been proved to be more sustainable.
  - i. A case in point is Tanzania's TANESCO which is equivalent of Kenya's KPLC, where the Government of Tanzania has been heavily subsidizing power, lowering its cost to consumers. However, this model is no longer sustainable and the Tanzanian authority is currently adopting 'Cost reflective billing'.
  - ii. Ten years ago, the cost of power in South Africa was 2cents US dollars per unit compared to 10cents US dollars in Kenya due to government subsidies. However, this was unattractive to investors due to low return on investments, which resulted to frequent power rationing as a result of demand exceeding supply of power, making the Government review its policy to 'cost- reflective billing'.
11. The commission is targeting to reduce the cost of power generation from 11 cents to 7 cents US dollars per unit by the year 2017. This will be through increasing

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demand for power by identifying potentials within the counties and manage 'capacity costs/charges' through economies of scale.

MINUTE NO. COI/202/2015: COMMITTEE'S REPORT TO THE HOUSE ON  
IMPLEMENTATION OF THE RESOLUTION

Based on the information received from the Ministry, KPLC, ERC, GDC, KENGEN and energy experts, the Committee resolved to report to the House that:

1. Though dominant in power distribution, Kenya Power is not by any legislation the only power distributor in Kenya as evident in Energy Act 2006 clauses 43 and 44. Other few players are involved as per the licenses and permits issued by Energy Regulatory Commission.
2. The issue of dominance hence creating "monopoly" in power distribution will be addressed through legislation as provided for under ' The Energy Bill 2015' which is before parliament-
  - a. Clause 163-170 provides for creation of an Independent Transmission System Operator (TSO) for the Kenyan Interconnected grid and removal of entry barriers
  - b. Clause 173-175 provides for Liberalizing energy retail services in the country to accommodate more players.
3. Kenya Power has a customer service charter which has been approved by the Commission as one of their licence conditions which covers compensation to their customers affected by power supply quality. The Claim Procedure is as follows:
  - Complaint is made in writing
  - Technical engineers submit technical reports on liability
  - A Loss Adjustor determines liability and quantify the loss or damage
  - Customer provides documents to show proof of ownership
  - Payment is made to the customer by the insurer
  - Process takes on Average 72 days
4. The Energy Regulatory Commission has developed the Energy (Complaints and Dispute) Regulations 2012 which have a provision for forwarding any complaints and disputes to the Commission for resolution.

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5. The Ministry of Energy & Petroleum through various players in the industry is undertaking the appropriate steps geared towards reducing the cost of power. Specifically, it has set to reduce the cost of power generation from 11 cents to 7 cents US dollars per unit by the year 2017 through increasing demand for power by identifying potentials within the counties and manage 'capacity costs/charges' through economies of scale.

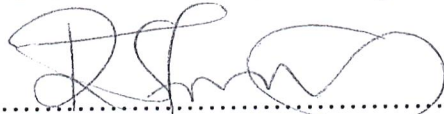
#### Committee's Report to the House

Based on the information provided to the Committee from key players in the energy sector( Ministry of Energy & Petroleum, ERC,KPLC, the Committee is satisfied that KPLC and ERC have put adequate compensation mechanisms for power outgages and surges. On issue of liberalization, the Committee recommends that the House passes the Energy Bill 2015.

MINUTE NO. COI/203/2015: ADJOURNMENT

There being no other business, meeting was adjourned at Twenty Minutes past Two O'clock.

SIGNED



(CHAIRPERSON)

DATE

4-10-2015

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MINUTES OF THE 151<sup>ST</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON 4<sup>TH</sup> NOVEMBER, 2015 IN WESTON HOTEL AT 9.00 AM

PRESENT

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Gideon Ochanda, M.P.
4. The Hon. Julius Ndegwa Kariuki, M.P.
5. The Hon. Peter Kamande Mwangi, M.P.
6. The Hon. Ali Shariff Athman, M.P.
7. The Hon. Samuel Moroto, M.P.
8. The Hon. Philip Rotino, M.P.
9. The Hon. Dennitah Ghati, M.P.
10. The Hon. Mutua Robert (Bishop), M.P.
11. The Hon. Bernard Munywoki Kitungi, M.P.
12. The Hon. John Karanja Kihagi, M.P.
13. The Hon. Mary Sally Keraa, M.P.
14. The Hon. Dorcas Kedogo, M.P.
15. The Hon. Isaack Shaaban Ali, M.P.
16. The Hon. Lempurkel Mathew Lekidime, M.P.
17. The Hon. Ferdinand Kevin Wanyonyi, M.P.
18. The Hon. Esther Murugi, M.P.

ABSENT WITH APOLOGY

1. The Hon. Jacob Macharia, M.P.
2. The Hon. Joseph M'eruaki, M.P.
3. The Hon. Dr. Victor Munyaka, M.P.
4. The Hon. Bernard Bett, M.P.
5. The Hon. Winnie Karimi Njuguna, M.P.
6. The Hon. Ndirangu Kariuki, M.P.
7. The Hon. Asman Kamama, M.P.
8. The Hon. Ibrahim Sane, M.P.
9. The Hon. Tiras Ngahu, M.P.
10. The Hon. Alexander Kosgey, M.P.

IN -ATTENDANCE

- |                   |   |                        |
|-------------------|---|------------------------|
| Ms. Lucy Kimathi  | - | Senior Clerk Assistant |
| Mr. Adan Gindicha | - | Clerk Assistant 1      |
| Mr. Salem Lorot   | - | Legal Counsel          |

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MINUTE NO. COI/204/2015: CONFIRMATION OF MINUTES OF 143<sup>rd</sup> SITTING

Minutes of the 143<sup>rd</sup> meeting held with Cabinet Secretary for Education, Science & Technology on 6<sup>th</sup> October, 2015 were confirmed as a true record of the proceedings of the meeting on a proposal by Hon. John Kihagi, M.P and seconded by Hon. Dennitah Ghati, M.P.

MINUTE NO. COI/205/2015: CONFIRMATION OF MINUTES OF 149<sup>TH</sup> SITTING

Minutes of the 149<sup>th</sup> meeting held with Energy Regulatory Commission on 27<sup>th</sup> October, 2015 were confirmed as a true record of the proceedings of the meeting on a proposal by Hon. Dennitah Ghati, M.P and seconded by Hon. Dorcas Kedogo, M.P.

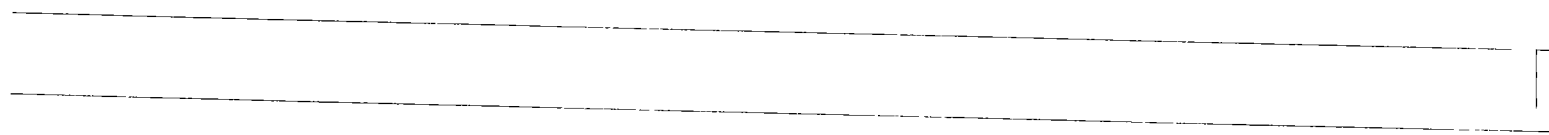
MINUTE NO. COI/206/2015: MATTERS ARISING

Arising from the Minutes of 143<sup>rd</sup> meeting:

1. The spacing of words under Minute No. COI/1/2015 was lacking, hence all names were joined.
2. The Committee's recommendations had not been captured accurately. The Committee had recommended that;
  - a. The Cabinet secretary avail a comprehensive report on Girls boarding schools established in ASAL areas since 2013 per constituency under each county.
  - b. The Cabinet Secretary to ascertain the status of Moa mixed boarding school in Lamu West Constituency, since the Member for National Assembly, who is also a member of the Committee had disputed existence of the school.
3. On renaming of Kitale Technical Institute, the Committee resolved that the Institute be renamed as Kijana Wamalwa Polytechnic during the upgrading of the Institute to National Polytechnic Status, and ultimately to University.

Arising from the Minutes of 149<sup>th</sup> meeting:

1. Members noted the provisions of the Energy Act, 2006 which infer that Kenya Power is not by any legislation the only power distributor in Kenya.
  - a. Section 43(1) states that *All contracts for the sale of electrical energy, transmission or distribution services, between and among licensees, and between licensees and large retail consumers shall be submitted to the Commission for approval before execution.*
  - b. Section 44(1) states that *every person licensed to supply electrical energy shall use a form of contract approved by the Commission for such*



*supply which shall set out the rights and responsibilities of the licensee and consumers.*

2. The Committee noted that despite the fact that there exists no monopoly in transmission or distribution of electricity in law, KPLC dominates the distribution aspect of the market and that only a few other players are involved in a small scale as licensed by ERC. Members felt that other players could be experiencing entry barriers, and that the Energy Bill 2015 which is before the House the issue to ensure level playing ground and offer incentives to new players in the market.

MINUTE NO. COI/207/2015: CONSIDERATION OF THE REPORT BY THE CABINET SECRETARY, MINISTRY OF EDUCATION SCIENCE AND TECHNOLOGY ON ESTABLISHMENT OF GIRLS BOARDING SCHOOLS IN ASAL AREAS

The Committee reviewed the report dated 2<sup>nd</sup> November, 2015 and noted that the Cabinet Secretary had provided all information required by the Committee. The Committee resolved that the report will be annexed in the status report to be tabled.

MINUTE NO. COI/208/2015: ADJOURNMENT

There being no other business, the meeting was adjourned at Quarter to Three O'clock.

SIGNED

*Hon. JOSEPH M'ERUNGI*   
.....  
(CHAIRPERSON)

DATE

*24/11/2015*  
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**MINUTES OF THE 152<sup>ND</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON  
5<sup>TH</sup> NOVEMBER, 2015 IN WESTON HOTEL AT 9.00 AM**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Asman Kamama, M.P.
4. The Hon. Peter Kamande Mwangi, M.P.
5. The Hon. Samuel Moroto, M.P.
6. The Hon. Joseph M' eruaki, M.P.
7. The Hon. Philip Rotino, M.P.
8. The Hon. Dennitah Ghati, M.P.
9. The Hon. Mutua Robert (Bishop), M.P.
10. The Hon. Bernard Muniywoki Kitungi, M.P.
11. The Hon. John Karanja Kihagi, M.P.
12. The Hon. Isaack Shaaban Ali, M.P.
13. The Hon. Lempurkel Mathew Lekidime, M.P.
14. The Hon. Ferdinand Kevin Wanyonyi, M.P.
15. The Hon. Esther Murugi, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Jacob Macharia, M.P.
2. The Hon. Julius Ndegwa Kariuki, M.P.
3. The Hon. Gideon Ochanda, M.P.
4. The Hon. Dr. Victor Munyaka, M.P.
5. The Hon. Bernard Bett, M.P.
6. The Hon. Winnie Karimi Njuguna, M.P.
7. The Hon. Ndirangu Kariuki, M.P.
8. The Hon. Ali Shariff Athman, M.P.
9. The Hon. Ibrahim Sane, M.P.
10. The Hon. Tiras Ngahu, M.P.
11. The Hon. Alexander Kosgey, M.P.
12. The Hon. Mary Sally Keraa, M.P.
13. The Hon. Dorcas Kedogo, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Adan Gindicha	Clerk Assistant 1
Mr. Salem Lorot	Legal Counsel
Mr. Salat	Serjeant at Arms

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**MINUTE NO. COI/209/2015: CONSIDERATION OF VARIOUS ISSUES BEFORE THE COMMITTEE**

The chairperson took the Committee through the implementation matrix as at 4<sup>th</sup> November, 2015 which indicated issues under the Committee:

1. Under the resolution **regulating foreign travel**, the Committee resolved to seek compliance reports from two ministries and two state corporations to ascertain level of compliance as per guidelines issued through a circular by the National Treasury.
2. On the resolution on **tarmacking of at least 20KM in every constituency**, the Committee resolved to invite the Cabinet Secretary, Ministry of Roads and Infrastructure to apprise the Committee on status of implementation.
3. On resolution to **enhance claims for persons killed and crops destroyed by wild animals**, the Committee resolved to seek status of operationalization of Wildlife Conservation Act, 2013 which provides for formation of Compensation Committees.
4. On a resolution **to review farm gate prices of milk to Ksh.45 per litre**, the Committee had scheduled to meet the Cabinet Secretary, Ministry of Agriculture ,Livestock and Fisheries on 10<sup>th</sup> November, 2015 to address gaps of the report on implementation.
5. On the resolution to **expand cash transfer system and provision of NHIF cover to all elderly persons** currently receiving the cash transfer, the noted that the system has not been operationalized in six counties that it had taken inspection visits. Committee resolved:
  - a. That more information regarding transfer be availed by the researcher attached to the Committee;
  - b. The Cabinet Secretary, Ministry of Labour & Social Services and Cabinet Secretary, Ministry of Health provide specific information on:
    - i. How much money has been disbursed during 2013/14 and 2014/15 financial years towards cash transfer System, and how much is allocated for 2015/16 financial year.
    - ii. Criteria used to determine beneficiaries and what happens after the death of the principal beneficiary, especially to vulnerable children and /orphans.
    - iii. How much is transferred per beneficiary and how many Beneficiaries have benefitted from the system.
    - iv. What is the mode of transfer, and efficiency levels of the applicable mode of transfer.
    - v. Specific constituencies that the system has been rolled out and the number of beneficiaries.

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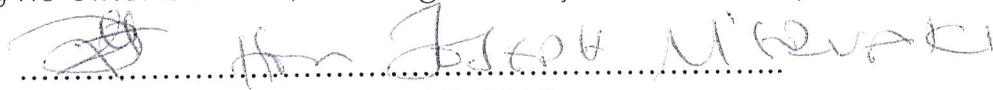
- vi. How many beneficiaries have NHIF cover through the cash transfer system. How is the NHIF deductions effected.
6. On resolution **to establish Livestock Insurance Fund**, the Committee resolved invite the Director of Livestock to apprise the Committee on status of implementation. In addition, the Committee will undertake inspection tours in Wajir and Turkana counties where the programme is said to have been rolled out.

MINUTE NO. COI/210/2015:

ADJOURNMENT

There being no other business, meeting was adjourned at Half past One O'clock.

SIGNED



(CHAIRPERSON)

DATE





**MINUTES OF THE 146<sup>th</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON  
15<sup>th</sup> OCTOBER 2015 IN THE MEMBER'S LOUNGE AT 12.30 PM.**

**PRESENT**

1. The Hon. Roselinda Soipan, M.P. - Chairperson
2. The Hon. David Gikaria, M.P. - Vice-Chairperson
3. The Hon. Winnie Karimi Njuguna, M.P.
4. The Hon. Philip Rotino, M.P.
5. The Hon. Joseph M'eruaki, M.P.
6. The Hon. Samuel Moroto, M.P.
7. The Hon. Dr. Victor Munyaka, M.P.
8. The Hon. Gideon Ochanda, M.P.
9. The Hon. Julius Kariuki Ndegwa, M.P.
10. The Hon. Peter Kamande Mwangi, M.P.
11. The Hon. Ali Shariff Athman, M.P.
12. The Hon. Bernard Bett, M.P.
13. The Hon. Mutua Robert (Bishop), M.P.
14. The Hon. Bernard Munywoki Kitungi, M.P.
15. The Hon. John Karanja Kihagi, M.P.
16. The Hon. Mary Sally Keraa, M.P.
17. The Hon. Dorcas Kedogo, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Dennitah Ghati, M.P.
2. The Hon. Isaack Shaaban Ali, M.P.
3. The Hon. Lempurkel Mathew Lekidime, M.P.
4. The Hon. Ferdinand Kevin Wanyonyi, M.P.
5. The Hon. Jacob Macharia, M.P.
6. The Hon. Ndirangu Kariuki, M.P.
7. The Hon. Asman Kamama, M.P.
8. The Hon. Ibrahim Sane, M.P.
9. The Hon. Esther Murugi, M.P.
10. The Hon. Tiras Ngahu, M.P.
11. The Hon. Alexander Kosgey, M.P.

**IN -ATTENDANCE**

Ms. Lucy Kimathi	Senior Clerk Assistant
Mr. Adan Gindicha	Clerk Assistant 1
Mr. Humphrey Ringera	Research Officer

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The Chairperson notified the Committee of the need to fast track various pending issues to enable the Committee finalize its report for tabling by mid of November, 2015.

To achieve this, Members reviewed its workplan as follows:

1. To Meet the CS Interior & coordination of National Government on **22<sup>nd</sup> October, 2015** to finalize on the following resolutions:-
  - a. Government to review the terms and conditions for the recruitment, remuneration and deployment of the Kenya Police Reservists in Arid and Semi- Arid Land areas with a view to providing them with uniforms, proper identification documents, automatic firearms, regular allowances and general improvement of their working conditions.
  - b. Government to urgently put in place measures that will ensure that all eligible Kenyans are duly registered and issued with National Identity Cards.
2. Cabinet Secretary Ministry of Energy & Petroleum and Kenya Nuclear Electricity Board to apprise on specific interventions the Ministry has put in place towards investment in development of renewable or green energy on **27<sup>th</sup> October, 2015**.
3. To meet ERC, KENGEN and GDC on **29<sup>th</sup> October, 2015** as key players in energy sector in order to conclude on resolution on liberalization of Power distribution.
4. To undertake a retreat on **2<sup>nd</sup> to 6<sup>th</sup> November, 2015** during the short recess to:
  - a. Meet experts in nuclear energy for expertise opinion on matters relating to nuclear energy;
  - b. To adopt various reports and develop a status report for tabling.
5. To meet Cabinet Secretary Agriculture on **Tuesday, 10<sup>th</sup> November, 2015** regarding the implementation status of the resolution of the House on review of Farm Gate prices of milk to Ksh 45 per litre.
6. To undertake inspection visit to Tana River/ Tana and Athi River Development Authority (TARDA) on **Thursday, 12<sup>th</sup> -14<sup>th</sup> November, 2015** to ascertain measures the Ministry of water has put in place to mitigate "artificial flooding" though releasing water from dam to rivers and compensation mechanisms for the affected.
7. To undertake a regional assignment to Parliament of Rwanda between **15<sup>th</sup> to 20<sup>th</sup> November, 2015** as rescheduled.
8. Committee to host Malawian Parliamentary Committee on Governance Assurances accompanied by the Directorate for Public Sector reforms management on **Tuesday, 24<sup>th</sup> November, 2015** from **12.00 noon**.

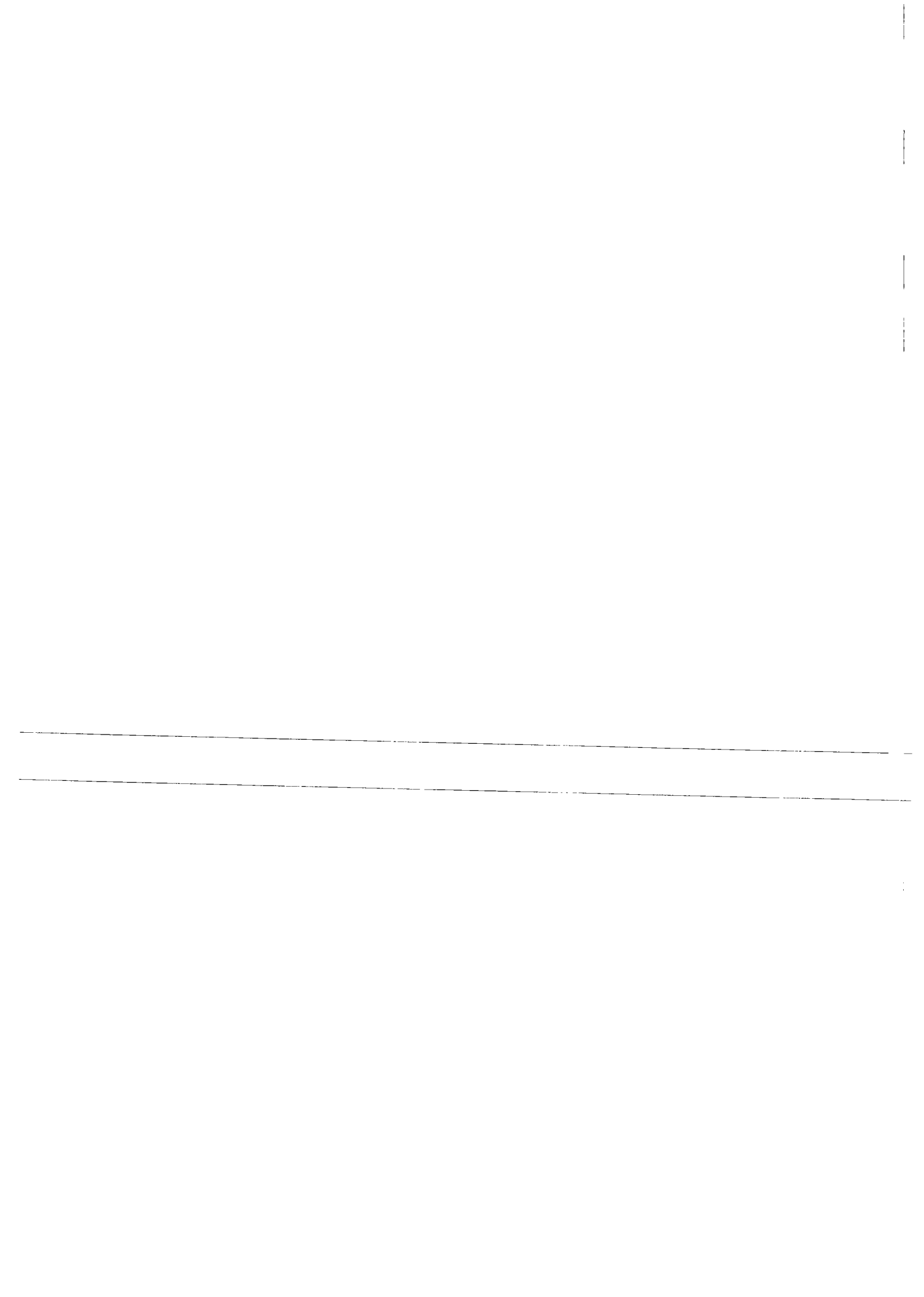
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9. To review Committee's progress and develop a work plan for January-June 2016 during the end of year retreat scheduled for **Thursday 26<sup>th</sup> to Sunday 29<sup>th</sup> November, 2015** prior to long recess to commence on 4<sup>th</sup> December, 2015 to 8<sup>th</sup> February, 2015.

**MINUTE NO. COI/2/2015: REGIONAL AND INTERNATIONAL ASSIGNMENT**

The Chairperson took the Committee through a report indicating delegations to various international assignments since 2013. Members took note of the criteria for selection of delegations and resolved that delegations be proposed and approved by the Committee subject to approval for undertaking of such assignments/trips and After confirmation of dates. Delegation to Rwanda was to remain as earlier approved.

	NAME	2013/2014	2014/2015	2015/2016(projections)
1.	The Hon. Roselinda Soipan(Chairperson)	US	-	Rwanda/India
2.	The Hon. David Gikaria(Vice -Chair)	POR	-	Brazil/ Ghana
3.	The Hon. Joseph M'eruaki	POR	-	Brazil
4.	The Hon. Winnie Karimi Njuguna	US	Japan**	Ghana
5.	The Hon. Jacob Waweru Macharia	POR	-	Brazil
6.	The Hon. Tiras Ngahu	-	-	-
7.	The Hon. Peter Kamande Mwangi	POR*	Japan	Botswana
8.	The Hon. Samuel Moroto	-	Japan	Ghana
9.	The Hon. Julius Kariuki Ndegwa	-	Austria*	Rwanda*/India
10.	The Hon. Ali Shariff Athman	US	-	Rwanda/India
11.	The Hon. Dr. Victor Munyaka	POR	-	Brazil
12.	The Hon. Bernard Bett	-	Austria	Ghana
13.	The Hon. Alexander Kosgey	-	-	-
14.	The Hon. Philip Rotino	POR*	Japan	Botswana
15.	The Hon. Ibrahim Sane	-	Austria	Ghana
16.	The Hon. Asman Kamama	-	-	Botswana
17.	The Hon. Isaack Shaaban Ali	-	Japan*	India
18.	The Hon. Gideon Ochanda	US	-	Rwanda/ Brazil
19.	The Hon. Mutua Robert (Bishop)	POR	-	Rwanda*/India
20.	The Hon. Bernard Munywoki Kitungi	-	Austria	Botswana
21.	The Hon. Dennitah Ghati	POR*	Austria	Rwanda**
22.	The Hon. Ndirangu -Kariuki	-	Austria	Botswana



23.	The Hon. John Kihagi	US	-	Brazil/ Ghana
24.	The Hon. Lempurkel Mathew Lekidime	-	Austria*	Brazil
25.	The Hon. Ferdinand Kevin Wanyonyi	-	Japan	Botswana
26.	The Hon. Esther Murugi	-	Japan	Botswana
27.	The Hon. Mary Sally Keraa	POR	-	Rwanda/India
28.	The Hon. Dorcas Kedogo	-	-	Rwanda**/ Ghana

US - United States (Dec 2013)

POR - Portugal (May 2014)

JAP - Japan (Japan - Sept 2014)

AUS - Austria (Sept 2014)

\*Member nominated but did not travel/forfeited nomination

\*\*Replacement

NB: 2015/2016 are projections

NB: Brazil visit has not been approved. Hence need for a decision

NB: Rwanda visit has been rescheduled to a later date.

**MINUTE NO. COI/3/2015: ADJOURNMENT**

There being no other business, meeting was adjourned at Quarter past Two O'clock.

**SIGNED**

*Hon Joseph M'eniaki*  
 .....  
 (CHAIRPERSON)

**DATE**

*24/10/2015*  
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*Tuesday*

MINUTES OF THE 105TH SITTING OF THE COMMITTEE ON IMPLEMENTATION  
HELD ON THURSDAY, 28TH APRIL 2015 AT THE BOARD ROOM, SECOND FLOOR,  
IPROTECTION HOUSE AT 1.00 PM

PRESENT:

The following Members of the Committee were present  
The Hon. Jacob macharia, M.P – Acting Chairperson  
The Hon. Gideon Ochanda, M.P  
The Hon. Winnie Njuguna, M.P  
The Hon. Samwel Moroto, M.P  
The Hon. Ferdinand Wanyonyi, M.P  
The Hon. Ibrahim Sane, M.P  
The Hon. Esther Murugi, M.P  
The Hon. Joseph M'eruaki, M.P  
The Hon. Ali Shariff Athman, M.P  
The Hon. Tiras Ngahu, M.P  
The Hon. Julius Ndegwa, M.P  
The Hon. Mary Sally Keraa, M.P  
The Hon. Mathew Lempurkel, M.P

ABSENT WITH APOLOGY

The Hon. Bishop Robert Mutua, M.P  
The Hon. Roselinda Soipan, M.P - Chairperson  
The Hon. David Gikaria, M.P - Vice Chairperson  
The Hon. Alexander Kosgey, M.P  
The Hon. Dennitah Ghati, M.P  
The Hon. Dr. Victor Munyaka, M.P  
The Hon. Philip Rotino, M.P  
The Hon. Bernard Bett, M.P  
The Hon. Bernard Kitungi, M.P  
The Hon. Ndirangu Kariuki, M.P  
The Hon. Isaack Shaaban, M.P  
The Hon. John Kihagi, M.P  
The Hon. Asman Kamama, M.P  
The Hon. Kamande Mwangi, M.P

IN ATTENDANCE

NATIONAL ASSEMBLY

Ms. Phyllis Mirungu - Principal Clerk Assistant 1  
Mr. Humphrey Ringeera - Researcher

MINUTE NO. COI/087/2015:

CONFIRMATION OF MINUTES

Minutes of the 103<sup>rd</sup> and 104<sup>th</sup> Sittings of the Committee were confirmed by the Members Present and signed by the Acting Chairperson.

MINUTE NO. COI/088/2015:

COMMITTEE OPERATIONS

Members raised concern over the non- attendance of both the Chairperson and the vice-Chairperson at the said sitting. Members further raised concern over the lack of commitment to Committee business as exemplified by constant lateness and lack of quorum especially during Committee visits to the counties.

It was therefore resolved that the matter be deliberated upon during the next Committee Sitting on Thursday, 30<sup>th</sup> April, 2015 in order to seek ways of re-energizing the Committee towards implementation of its mandate.

The Members also considered the possibility of having a retreat during the recess and the Secretariat was tasked to work out a programme of activities for consideration by the Committee during its next Sitting.

MINUTE NO. COI/089/2015:

ANY OTHER BUSINESS

The Secretariat briefed the Committee on the rescheduling of the Committee's visit to Rwanda and that the Rwandese Parliament would communicate a suitable date for the visit through the Ministry of Foreign Affairs and International Trade. The Secretariat further reported that correspondence to Ghana had already been dispatched.

The Secretariat further sought dates for the appearance of the Cabinet Secretaries for Education and Environment and Natural Resources.

It was agreed that the Cabinet Secretary for Education could appear on Thursday, 7<sup>th</sup> May, 2015, subject to availability of Members. The Secretariat was tasked to communicate to the Members to ensure attendance before releasing the letter.

MINUTE NO. COI/090/2015:

DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Thursday 30<sup>th</sup> April 2015 at 12.30 PM.

MINUTE NO. COI/091/2015:

ADJOURNMENT

And the time being Fifty Five Minutes Past One O'clock, the Acting Chairperson adjourned the Sitting.

SIGNED: .....

(CHAIRPERSON)

DATE: .....

30.4.2015

MINUTES OF THE 96<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD  
ON TUESDAY 3<sup>RD</sup> MARCH 2015 AT THE BOARDROOM ON 2<sup>ND</sup> FLOOR  
PROTECTION HOUSE AT 12.30PM

PRESENT:

The following Members of the Committee were present

The Hon Soipan Tuya ,M.P. Chairperson  
The Hon Winnie Njuguna, M.P.  
The Hon. Peter Kamande, M.P.  
The Hon. Julius Ndegwa, M.P.  
The Hon Dr. Victor Munyaka, M.P.  
The Hon. Benard Bett, M.P.  
The Hon. Philip Rotino, M.P.  
The Hon Samwel Moroto, M.P.  
The Hon Ferdinand Wanyonyi, M.P.  
The Hon Bernard munywoki, M.P.  
The Hon. Gideon Ochanda, M.P.  
The Hon Mathew Lempurkel, M.P.  
The Hon Shariff Ali, M.P.  
The Hon Ibrahim Sane, M.P.  
The Hon Mary Sally Keraa, M.P.

ABSENT WITH APOLOGY

The Hon David Gikaria, M.P- Vice Chairperson  
The Hon. Tirus Ngahu, M.P.  
The Hon Joseph M'eruaki, M.P.  
The Hon Jacob Macharia, M.P.  
The Hon Isaack Ali Shaaban, M.P.  
The Hon Ndirangu Kariuki. M.P.  
The Hon. Alexander Kosgey, M.P.  
The Hon John Kihagi, M.P.  
The Hon Isaack Shaaban Ali, M.P.  
The Hon Esther Murugi, M.P.  
The Hon Asman Kamama, M.P.  
The Hon Dennitah Ghati, M.P.  
The Hon Bishop Robert Mutua, M.P.

IN ATTENDANCE

Mr. Adan Gindicha- First Clerk Assistant

Mr Humphrey Ringeera- Research Officer

MINUTE NO. COI/040/2015: CONFIRMATION OF MINUTES

Minutes of the 95<sup>th</sup> Sitting of the Committee were confirmed by the members present and signed by the Chairperson.

MINUTE NO. COI/041/2015: MATTERS ARISING

Vide Minute number COI/035/2015

It was resolved that the meeting with Cabinet Secretary, Education, Research and Technology on status of implementation of resolutions under the Ministry be held on Tuesday 17<sup>th</sup> March 2015

MINUTE NO. COI/042/ 2015: PROGRAMME FOR THE INSPECTION VISITS ON RESOLUTIONS UNDER THE MINISTRY OF HEALTH

The Chairperson informed the Committee that the inspection visit to Tharaka Nithi, Isiolo and Laikipia Counties was rescheduled at the last minute due to lack of quorum.

The Chairperson further informed the meeting that it was an official policy directive that Members who confirm participation in Committee activities and fail to honour such engagements would be held responsible for any resultant costs. It was consequently resolved that the visit to Tharaka Nithi, Isiolo and Laikipia Counties be rescheduled to 20<sup>th</sup> to 23<sup>rd</sup> March 2015. It was further resolved that the rest of the programme would remain as planned. In this regard the following Members indicated availability for the said visits:

Kilifi/Tana River Counties:

- 1.The Hon David Gikaria(Vice Chairperson),
- 2 The Hon Jacob Macharia,
- 3 The Hon Bernard Munywoki,
- 4.The Hon Mathew Lempurkel,
- 5The Hon Ndirangu Kariuki,
- 6.The Hon Julius Ndegwa,
- 7.The Hon John Kihagi
- 8 the Hon Ibrahim Sane.

In addition the Hon Ali Shariff Athman was expected to confirm his participation by Wednesday 4<sup>th</sup> March 2015.

## Narok County

1. The Hon Soipan Tuya- Chairperson
2. The Hon David Gikaria- Vice Chairperson
3. The Hon Philip Rotino
4. The Hon Samwel Moroto
5. The Hon Dennitah Ghati
6. The Hon Mary Sally Keraa
7. The Hon Bernard Bett
8. The Hon Esther Murugi
9. The Hon John Kihagi
10. The Hon Ibrahim Sane

Members were asked to contact the Secretariat in good time in case of any changes in their participation status.

## MINUTE NO. COI/O43/ 2015: CONSIDERATION OF COMMITTEE DELEGATIONS TO THE PARLIAMENTS OF RWANDA AND BOTSWANA

The Committee adopted the list of delegations to the Parliaments of Rwanda and Botswana as follows:

### Rwanda(4<sup>th</sup> to 9<sup>th</sup> May 2015)

1. The Hon Soipan Tuya ,M.P– Leader of the delegation
2. The Hon Ali Shariff Athman, M.P
3. The Hon Gideon Ochanda, M.P
4. The Hon Bishop Mutua, M.P
5. The Hon Asman Kamama. M.P
6. The Hon Julius Ndegwa, M.P

### Botswana(27<sup>th</sup> April to 2<sup>nd</sup> May 2015)

1. The Hon David Gikaria, M.P

2. The Hon John Kihagi, M.P
3. The Hon Isaack Shaaban, M.P
4. The Hon Victor Munyaka, M.P
5. The Hon Mary Sally Keraa, M.P
6. The Hon Joseph M'eruaki, M.P

It was further resolved that Members of the delegations who have other engagements during the dates of the visits should inform the Chairperson in good time for replacements to be identified.

MINUTE NO. COI/ 044/ 2015: ANY OTHER BUSINESS

The Secretariat was tasked to fast track the tabling of Committee report on the status of House resolutions.

MINUTE NO. COI/045/2015: DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Thursday 5<sup>th</sup> March 2015.

MINUTE NO. COI/046/2015: ADJOURNMENT

And the time being Twenty Seven Minutes Past Two O'clock, the Chairperson adjourned the Sitting.

SIGNED:   
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(CHAIRPERSON)

DATE: 10/03/2015  
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MINUTES OF THE 102<sup>nd</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION  
HELD ON WEDNESDAY 15<sup>TH</sup> APRIL 2015 AT THE CPA ROOM, PARLIAMENT  
BUILDING AT 1.00 PM

PRESENT:

The following Members of the Committee were present

The Hon Roselinda Soipan, M.P- Chairperson  
The Hon Winnie Njuguna, M.P  
The Hon. Philip Rotino, M.P  
The Hon Samwel Moroto, M.P  
The Hon Ndirangu Kariuki, M.P  
The Hon Shariff Ali, M.P  
The Hon Julius Ndegwa, M.P  
The Hon Jacob Macharia, M.P  
The Hon Tiras Ngahu, M.P  
The Hon Peter Kamande, M.P  
The Hon Ferdinand Wanyonyi, M.P  
The Hon Gideon Ochanda, M.P  
The Hon Mary Sally Keraa, M.P  
The Hon Esther Murugi, M.P  
The Hon Bishop Robert Mutua, M.P  
The Hon John Kihagi, M.P

ABSENT WITH APOLOGY

The Hon David Gikaria, M.P Vice Chairperson  
The Hon Ibrahim Sane , M.P  
The Hon Asman Kamama, M.P  
The Hon. Alexander Kosgey, M.P  
The Hon Isaack Shaaban , M.P  
The Hon Dennitah Ghati, M.P  
The Hon Mathew Lempurkel, M.P  
The Hon Bernard Kitungi, M.P  
The Hon Dr. Victor Munyaka, M.P  
The Hon Joseph M'eruaki, M.P  
The Hon Bernard Bett, M.P

IN ATTENDANCE(NATIONAL ASSEMBLY)

Ms Phyllis Mirungu- Principal Clerk Assistant

Mr. Adan Gindicha- First Clerk Assistant

Mr. Salem Lorot- Legal Counsel

MINUTE NO. COI/072/2015: CONFIRMATION OF MINUTES

Minutes of the 101<sup>st</sup> Sitting of the Committee held on 14<sup>th</sup> April 2015 were confirmed by the Members present and signed by the Chairperson.

MINUTE NO. COI/073/2015: CONSIDERATION OF REPORT BY THE NATIONAL TREASURY ON MEASURES TO CURB IRREGULAR PAYMENTS

The Committee noted that the main concern of the resolution is measures put in place to ensure no further loss of government revenue through irregular payments.

The Committee further noted that in his response to the Committee, the Cabinet Secretary had highlighted the measures the Government has put in place to curb irregular payments as follows:

- The enactment of Public Procurement and Disposal Act
- The Public Officer Ethics Act
- The Constitution of Kenya 2010, which provides for specific principles and guidelines for managing public finances
- Public Finance Management Act
- Regular Systems Audit, and
- The introduction of Integrated Financial Management Information System(IFMIS)

Consequently, it was resolved that the matter be rested.

MINUTE NO. COI/074/ 2015: ANY OTHER BUSINESS

The Chairperson informed the Committee that the report on resolutions under the Ministry of Energy proposing sanctions on the Cabinet Secretary has been shelved since the Cabinet Secretary had responded but the response was erroneously directed to another Committee.

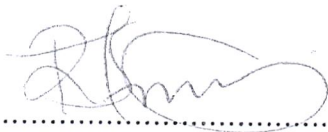
MINUTE NO. COI/075/2015: DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Tuesday 21<sup>st</sup> April 2015 at 12.30 PM.

MINUTE NO. COI/076/2015: ADJOURNMENT

And the time being Five Minutes Past Two O'clock, the Chairperson adjourned the Sitting.

SIGNED: .....

A handwritten signature in black ink, appearing to be 'R. Brown', written over a dotted line.

(CHAIRPERSON)

DATE: .....

2/4/2015

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MINUTES OF THE 101<sup>ST</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD  
ON TUESDAY 14<sup>TH</sup> APRIL 2015 AT THE CPA ROOM, PARLIAMENT BUILDING  
AT 12.30 PM

PRESENT:

The following Members of the Committee were present

The Hon Roselinda Soipan, M.P- Chairperson  
The Hon Winnie Njuguna, M.P  
The Hon. Philip Rotino, M.P  
The Hon Samwel Moroto, M.P  
The Hon Ndirangu Kariuki, M.P  
The Hon Shariff Ali, M.P  
The Hon Julius Ndegwa, M.P  
The Hon Jacob Macharia, M.P  
The Hon Joseph Meruaki, M.P  
The Hon Mathew Lempurkel, M.P  
The Hon Ferdinand Wanyonyi, M.P  
The Hon Gideon Ochanda, M.P  
The Hon Mary Sally Keraa, M.P

ABSENT WITH APOLOGY

The Hon David Gikaria, M.P Vice Chairperson  
The Hon Ibrahim Sane , M.P  
The Hon Asman Kamama, M.P  
The Hon. Alexander Kosgey, M.P  
The Hon Isaack Shaaban , M.P  
The Hon John Kihagi, M.P  
The Hon Dennitah Ghati, M.P  
The Hon Esther Murugi, M.P  
The Hon Peter Kamande, M.P  
The Hon Bernard Kitungi, M.P  
The Hon Dr. Victor Munyaka, M.P  
The Hon Tiras Ngahu, M.P  
The Hon Bernard Bett, M.P  
The Hon Bishop Robert Mutua, M.P

\_\_\_\_\_

\_\_\_\_\_

IN ATTENDANCE(NATIONAL ASSEMBLY)

Ms Phyllis Mirungu- Principal Clerk Assistant  
Mr. Adan Gindicha- First Clerk Assistant  
Mr. Salem Lorot- Legal Counsel

MINUTE NO. COI/067/2015: CONFIRMATION OF MINUTES

Minutes of the 100<sup>th</sup> Sittings of the Committee held on 31<sup>st</sup> March 2015 were confirmed by the Members present and signed by the Chairperson.

MINUTE NO. COI/068/2015: CONSIDERATION OF REPORT BY THE NATIONAL TREASURY ON MEASURES TO CURB IRREGULAR PAYMENTS

The Committee deferred consideration of the report to the next sitting. The secretariat was tasked to beef up the background to the brief on the report to include the full text of the resolution.

MINUTE NO. COI/069/ 2015: ANY OTHER BUSINESS

The Secretariat was tasked to follow up on the following:

- Resolutions of the Report on Committee retreat with the executive, with a possibility of a follow up retreat
- The Status of the development and operationalization of the on-line resolutions tracking tool
- Possibility of Hansard recordings for all Committee proceedings

The Secretariat was also tasked to table a list of all reports tabled by the Committee to date

MINUTE NO. COI/070/2015: DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Wednesday 15<sup>th</sup> April 2015 at one o'clock in the afternoon.

MINUTE NO. COI/071/2015: ADJOURNMENT

And the time being Forty Five Minutes Past One O'clock, the Chairperson adjourned the Sitting.

SIGNED: .....  
(CHAIRPERSON)

DATE: 15/4/2015.....

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MINUTES OF THE 100<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION  
HELD ON TUESDAY 31<sup>ST</sup> MARCH 2015 AT THE BOARDROOM ON 9<sup>TH</sup> FLOOR  
HARAMBEE SACCO PLAZA AT 12.30PM

PRESENT:

The following Members of the Committee were present

The Hon David Gikaria, M.P                      Vice - Chairperson  
The Hon Winnie Njuguna, M.P  
The Hon. Asman Kamama, M.P  
The Hon Samwel Moroto, M.P  
The Hon Bishop Robert Mutua, M.P  
The Hon Ndirangu Kariuki, M.P  
The Hon Shariff Ali, M.P  
The Hon Bernard Kitungi, M.P                      Acting Chairperson  
The Hon Jacob Macharia, M.P  
The Hon Joseph Meruaki, M.P  
The Hon Mathew Lempurkel, M.P  
The Hon Bernard Bett, M.P  
The Hon Ferdinand Wanyonyi, M.P  
The Hon Gideon Ochanda, M.P  
The Hon Mary Sally Keraa, M.P

ABSENT WITH APOLOGY

The Hon Soipan Tuya, M.P-                      Chairperson  
The Hon Ibrahim Sane , M.P  
The Hon Philip Rotino, M.P  
The Hon. Alexander Kosgey, M.P  
The Hon Isaack Shaaban , M.P  
The Hon John Kihagi, M.P  
The Hon Dennitah Ghati, M.P  
The Hon Esther Murugi, M.P  
The Hon Peter Kamande, M.P  
The Hon Julius Ndegwa, M.P  
The Hon Dr. Victor Munyaka, M.P  
The Hon Tiras Ngahu, M.P

IN ATTENDANCE(NATIONAL ASSEMBLY)

Mr. Adan Gindicha- First Clerk Assistant

Mr. Salem Lorot- Legal Counsel

Mr. Humphrey Ringeera- Researcher

MINUTE NO. COI/062/2015: CONFIRMATION OF MINUTES

Minutes of the 98<sup>th</sup> and 99<sup>th</sup> Sittings of the Committee held on 17<sup>th</sup> and 26<sup>th</sup> March 2015 respectively were confirmed by the Members present and signed by the Acting Chairperson.

MINUTE NO. COI/063/2015: CONSIDERATION OF REPORT BY THE MINISTRY OF SPORTS, CULTURE AND THE ARTS ON TRACKING OF ATHLETES PARTICIPATING IN INTERNATIONAL EVENTS

The Committee considered the Report and noted that

- There are four categories of athletes who participate in international championships as follows:
  - Those selected by the Ministry or their respective associations to represent the Country in international championships
  - Those with special invitations by organizers of events and are recommended by the government or their federations
  - Those who make their own arrangements and leave the country to participate in events organized in different parts of the globe and
  - Those in the Diaspora
- That the Ministry has established a register for tracking and accounting for the first ~~two categories of athletes who are normally entered and accompanied by~~ Federations and Ministry officials.
- That the Ministry's position is that the third category is difficult to track because they make their own arrangements to leave the country .
- That the Ministry has requested the Ministry of Interior to establish a tracking system of all Kenyans leaving the country indicating the purpose of their journey abroad
- That the Ministry has also requested the Ministry of Foreign Affairs and international trade to establish a register for tracking and accounting for athletes who leave the country to participate in international events.

- 5
- That the Ministry only provides insurance cover to athletes under the first category, that is those selected to represent the country.

The Committee found the response inadequate as it does not show a firm commitment from the Ministry to ensure athletes are properly tracked and accounted for at all times.

It was therefore resolved that the Cabinet Secretary be invited to meet the Committee and make clarifications on the Ministry's effort at ensuring all Kenyan athletes participating in international competitions are registered and properly accounted for.

MINUTE NO. COI/064/ 2015: ANY OTHER BUSINESS

The meeting was informed that the dates for the Botswana and Rwanda visits remain as earlier indicated: Botswana(27<sup>th</sup> April to 2<sup>nd</sup> May) and Rwanda (4<sup>th</sup> to 9<sup>th</sup> May 2015).

MINUTE NO. COI/065/2015: DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Thursday 2<sup>nd</sup> April 2015.

MINUTE NO. COI/066/2015: ADJOURNMENT

And the time being Twenty Seven Minutes Past One O'clock, the Acting - Chairperson adjourned the Sitting.

SIGNED: .....  
(CHAIRPERSON)

DATE: 14/4/2015.....

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\_\_\_\_\_

MINUTES OF THE 97<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD  
ON TUESDAY 10<sup>TH</sup> MARCH 2015 AT THE BOARDROOM ON 2<sup>ND</sup> FLOOR  
PROTECTION HOUSE AT 12.30PM

PRESENT:

The following Members of the Committee were present  
The Hon Soipan Tuya ,M.P. Chairperson  
The Hon Winnie Njuguna, M.P  
The Hon.Jacob Macharia, M.P  
The Hon. Julius Ndegwa, M.P  
The Hon Dr. Victor Munyaka, M.P  
The Hon. Benard Bett, M.P.  
The Hon Isaack Shaaban, M.P  
The Hon. Philip Rotino, M.P  
The Hon Samwel Moroto, M.P  
The Hon Bishop Robert Mutua, M.P  
The Hon. Gideon Ochanda, M.P.  
The Hon Ndirangu Kariuki, M.P  
The Hon Shariff Ali, M.P  
The Hon Ibrahim Sane, M.P  
The Hon Mary Sally Keraa, M.P  
The Hon John Kihagi, M.P  
The Hon Dennitah Ghati, M.P

ABSENT WITH APOLOGY

The Hon David Gikaria, M.P- Vice Chairperson  
The Hon. Tirus Ngahu, M.P  
The Hon Joseph M'eruaki, M.P  
The Hon. Alexander Kosgey, M.P  
The Hon Esther Murugi, M.P  
The Hon Asman Kamama, M.P  
The Hon Ferdinand Wanyonyi, M.P  
The Hon Bernard Munywoki, M.P  
The Hon Peter Kamande Mwangi. M.P  
The Hon Mathew Lempurkel, M.P

IN ATTENDANCE

Mr. Adan Gindicha- First Clerk Assistant

Mr Emma Essendi – Legal Counsel  
Mr. Salem Lorot- Legal Counsel

MINUTE NO. COI/047/2015: CONFIRMATION OF MINUTES

Minutes of the 96<sup>th</sup> Sitting of the Committee were confirmed by the members present and signed by the Chairperson.

MINUTE NO. COI/048/2015: MATTERS ARISING

Vide Minute number COI/042/2015

The Hon John Kihagi briefed the Committee on the Tana River and Kilifi inspection visits on resolutions under the Ministry of Health. The Committee was informed that the delegation was very well received.

He noted that initial indications from the visits are that the Health Sector is in a state of disarray and that most actors on the ground favour the return of level four and five facilities to the National Government.

He further noted that apart from budgetary constraints, the two counties have failed to attract specialists further complicating their Human resource needs.

The Committee resolved to await a report at the end of the visits to make recommendations.

Vide Minute number COI/043/2015

The Chairperson informed the Committee that priority for the visits to the Parliaments of Botswana and Rwanda was given to those members who have not had a chance to travel during the current financial year.

MINUTE NO. COI/049/ 2015: CONSIDERATION OF REPORT ON RESOLUTIONS OF THE HOUSE UNDER THE MINISTRY OF EDUCATION, RESEARCH AND TECHNOLOGY

The Committee considered the Report by the Cabinet Secretary and noted :-

- That a list of schools in Arid and Semi Arid Lands(ASAL) not funded by the Ministry has been provided.
- That the Ministry has developed a criteria for funding of Low Cost Boarding Schools, which among other things requires that the school must be public or Community owned and registered by the Ministry of Education and that the school serves children from nomadic communities.
- That the Ministry plans to progressively expand funding to schools in ASAL with capitation per child being projected to increase from Ksh. 3307 to Ksh . 5000.
- No data bank for bright and poor students has been set up to date

- That 37 Youth Polytechnics are being supported under the Vocational Skills Upgrading Programmes. 14 others have been earmarked for support in the next Financial Year

The Committee however found the response inadequate as it does not give clear indications of time frame within which the proposed actions will be realized. Members further noted that the list of unfunded schools provided was not exhaustive and that the counties under which some fall have not been correctly reflected.

The Committee therefore resolved that a meeting be scheduled with the Cabinet Secretary to address the above issues and enumerate measures he is putting in place to mitigate the impact of the current drought on education in ASAL. The Secretariat was tasked to schedule the meeting for 31<sup>st</sup> March 2015.

MINUTE NO. COI/050/2015: ANY OTHER BUSINESS

Members were informed that the inspection visit to Narok County was on and that those participating liaise with the Secretariat for details on the logistics

MINUTE NO. COI/051/2015: DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Tuesday 17<sup>th</sup> March 2015.

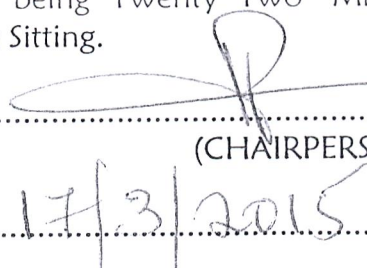
MINUTE NO. COI/052/2015: ADJOURNMENT

And the time being Twenty Two Minutes Past Two O'clock, the Chairperson adjourned the Sitting.

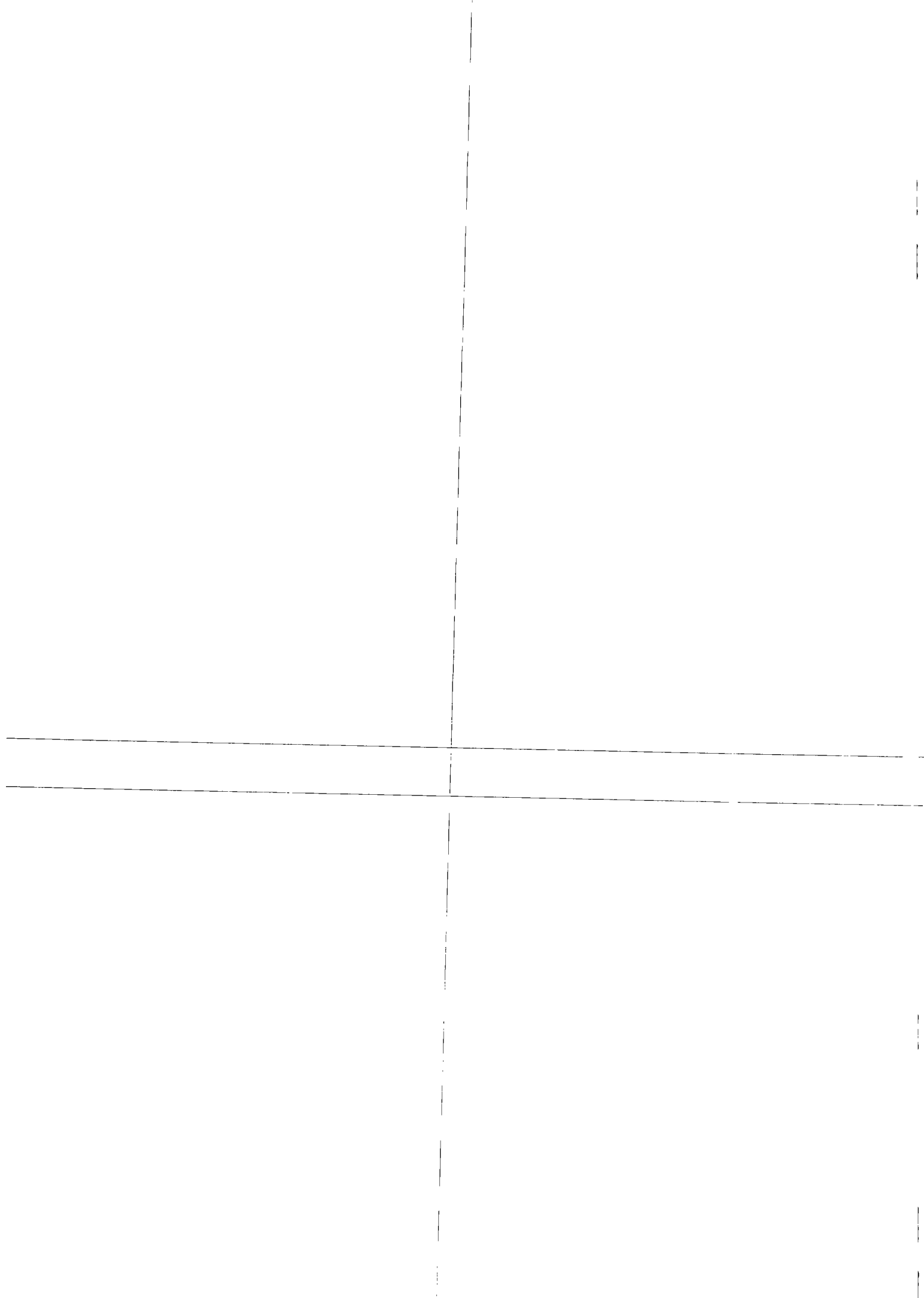
SIGNED: .....

(CHAIRPERSON)

DATE:.....



The image shows a handwritten signature in black ink, which appears to be 'P. O. O.' with a large flourish. Below the signature, the date '17/3/2015' is handwritten in black ink. The signature and date are written over the dotted lines of the 'SIGNED' and 'DATE' fields.



MINUTES OF THE 95<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD  
ON THURSDAY 26<sup>TH</sup> FEBRUARY 2015 AT THE BOARDROOM ON 2<sup>ND</sup> FLOOR  
PROTECTION HOUSE AT 12.30PM

PRESENT:

The following Members of the Committee were present  
The Hon Soipan Tuya ,M.P. Chairperson  
The Hon. David Gikaria, M.P. - Vice- Chairperson  
The Hon Winnie Njuguna, M.P.  
The Hon. Samuel Moroto, M.P.  
The Hon. Benard Bett, M.P.  
The Hon. Philip Rotino, M.P.  
The Hon Ndirangu Kariuki, M.P  
The Hon Ferdinand Wanyonyi, M.P  
The Hon. Gideon Ochanda, M.P.  
The Hon Jacob Macharia, M.P  
The Hon Shariff Ali, M.P  
The Hon Bishop Mutua Robert, M.P  
The Hon Mary Sally Keraa, M.P

ABSENT WITH APOLOGY

The Hon. Ibrahim Sane, M.P.-  
The Hon. Tirus Ngahu, M.P  
The Hon. Alexander Kosgey, M.P.  
The Hon. Peter Kamande, M.P  
The Hon John Kihagi, M.P  
The Hon Julius Ndegwa, M.P  
The Hon Isaack Shaaban Ali, M.P  
The Hon Dr. Victor Munyaka, M.P  
The Hon Mathew Lempurkel, M.P  
The Hon Esther Murugi, M.P  
The Hon Asman Kamama, M.P  
The Hon Dennitah Ghati, M.P  
The Hon Joseph M'eruaki, M.P  
The Hon Bernard Munywoki, M.P

IN ATTENDANCE

Mr. Adan Gindicha- First Clerk Assistant  
Ms Emma Essendi- Legal Counsel 111

MINUTE NO. COI/034/2015: CONFIRMATION OF MINUTES

Minutes of the 94<sup>th</sup> Sitting of the Committee were confirmed by the members present and signed by the Chairperson.

MINUTE NO. COI/035/2015: MEETING WITH THE CABINET SECRETARY  
EDUCATION, RESEARCH AND TECHNOLOGY

The Chairperson conveyed a message from the Cabinet Secretary requesting for rescheduling of the meeting as he was appearing before the Departmental Committee on Education on supplementary budget. It was resolved that the meeting be rescheduled to a later date.

MINUTE NO. COI/036/ 2015 CONSIDERATION OF REPORT ON THE  
RESOLUTION OF THE HOUSE ON SETTING UP OF A LIVESTOCK INSURANCE FUND

The Committee considered the report and noted that:

- Ksh 20.4 million has been allocated for Livestock Insurance during the current financial year with an additional Ksh 60.9 million expected under the revised estimates for the same period. Of this allocation Ksh 70 million has been earmarked for use in purchasing subsidized premiums support while the balance will be used on capacity building, recruitment and registration of beneficiaries and publicity.
- The selection process for the insurance service provider is set to commence in April 2015 and the cover to start on 1<sup>st</sup> October 2015
- A Selection criteria for beneficiaries has been developed and that it will involve participation and agreement of all stakeholders and that the selected beneficiaries will be from among the poorest in the community through appraisal by the community, officials of the county Ministry in-charge of livestock and local leaders.
- That the projected allocation for 2015/2016 is ksh 300 million and ksh 500 million for 2016/2017. The funds have been disbursed as Capital Grants transfer under the State Department of Livestock
- Two counties, Wajir and Turkana have been targeted in phase one while other counties will be identified in the next financial year.

The Committee further noted that the report is satisfactory and that there is need to follow up on feedback from the two identified counties to ensure successful implementation given that some functions under the Ministry have been devolved to the Counties.

MINUTE NO. COI/O37/ 2015 ANY OTHER BUSINESS

- Members were informed that the county visits were on as scheduled undertook to participate as planned

- A meeting with Cabinet Secretary for Agriculture, Livestock and Fisheries on the resolution of the House on setting of milk prices at ksh 45 per litre be scheduled for 10<sup>th</sup> March 2015.
- The Chairperson informed the Committee that a tentative list of delegations to Botswana and Rwanda has been formulated with priority given to Members who had not travelled during the current financial year. It was resolved that the list be tabled at the next sitting.

MINUTE NO. C01/038/2015:      DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Tuesday 2<sup>nd</sup> March 2015.

MINUTE NO. C01/039/2015:      ADJOURNMENT

And the time being Twenty Seven Minutes Past Two O'clock, the Chairperson adjourned the Sitting.

SIGNED: .....



(CHAIRPERSON)

DATE: .....

3/3/2015



MINUTES OF THE 94<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD  
ON TUESDAY 24<sup>TH</sup> FEBRUARY 2015 AT THE BOARDROOM ON 2<sup>ND</sup> FLOOR  
PROTECTION HOUSE AT 12.30PM

PRESENT:

The following Members of the Committee were present

The Hon Soipan Tuya ,M.P	Chairperson
The Hon. David Gikaria, M.P. -	Vice- Chairperson
The Hon. Joseph M'eruaki, M.P.	
The Hon Winnie Njuguna, M.P	
The Hon. Samuel Moroto, M.P.	
The Hon. Benard Bett, M.P.	
The Hon. Philip Rotino, M.P.	
The Hon Ndirangu Kariuki, M.P	
The Hon Ferdinand Wanyonyi, M.P	
The Hon. Gideon Ochanda, M.P.	
The Hon. Bernard Munywoki, M.P	
The Hon Dennitah Ghati. M.P	
The Hon Jacob Macharia, M.P	
The Hon Asman Kamama, M.P	
The Hon Shariff Ali, M.P	
The Hon Esther Murugi, M.P	
The Hon Bishop Mutua Robert, M.P	

ABSENT WITH APOLOGY

The Hon. Ibrahim Sane, M.P-  
The Hon. Tirus Ngahu, M.P  
The Hon. Alexander Kosgey, M.P.  
The Hon. Peter Kamande, M.P  
The Hon John Kihagi, M.P  
The Hon Julius Ndegwa, M.P  
The Hon Isaack Shaaban Ali, M.P  
The Hon Dr. Victor Munyaka, M.P  
The Hon Mathew Lempurkel, M.P  
The Hon Mary Sally Keraa, M.P

IN ATTENDANCE

Mr. Adan Gindicha- First Clerk Assistant  
Ms Emma Essendi- Legal Counsel 111  
Mr. Humphrey Ringeera- Research Officer 111  
Mr. Mohamed Salat - Seargent –at- Arms Office

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MINUTE NO. COI/029/2015: CONFIRMATION OF MINUTES

Minutes of the 93<sup>rd</sup> Sitting of the Committee were confirmed by the members present and signed by the Chairperson.

MINUTE NO. COI/030/2015: CONSIDERATION OF BRIEF ON COUNTY INSPECTION VISITS

The Committee considered and adopted the brief on the inspection visits. Members were urged to familiarize themselves with its content as a guide to the inspection visits. Members were asked to confirm their participation in the visits in good time for planning purposes.

MINUTE NO. COI/031/ 2015 ANY OTHER BUSINESS

It was resolved that the Committee be represented formally during the Cabinet Secretary's session with Departmental Committees with the objective of capturing undertakings given by the executive during such sessions. It was resolved that this be done through sub committees of the Committee.

The Secretariat was further tasked with exploring other possible avenues through which undertakings given on such occasions are captured by the Committee.

It was further resolved that for the purpose of presenting reports to the House for debate, the Committee will identify resolutions on which specific recommendations have been made for adoption by the House. The Secretariat was tasked to peruse the various Committee reports for the purpose of identifying such resolutions. The following areas were suggested for consideration

- The resolution on friendly waste management and disposal
- The Report on pyramid schemes
- The possibility of sanctions against non responding Ministries. It was noted that sanctions are used as a last resort after three reminders have been made and summons issued. In this regard it was resolved that final communication be made to the Ministries responsible for Energy and Sports in regard to resolutions pending before them.

It was resolved that Lamu County be included in the next round of inspection visits on resolutions under the Ministry of Health.

MINUTE NO. COI/032/2015: DATE FOR THE NEXT SITTING

It was resolved that the next Sitting of the Committee be held on Thursday 26<sup>th</sup> February 2015.

MINUTE NO. COI/033/2015: ADJOURNMENT



And the time being Twenty Five Minutes Past Two O'clock, the Chairperson adjourned the Sitting.

SIGNED:  .....  
(CHAIRPERSON)

DATE: 26.2.2015 .....



**ANNEX 3**

**SUBMISSIONS BY**

**CABINET SECRETARIES**



2084

217



# MINISTRY OF HEALTH

## OFFICE OF THE PRINCIPAL SECRETARY

Telephone Nairobi 254-020-2717077  
Fax: 254-2719008  
Email: pshealthke@gmail.com  
*When replying please quote*

AFYA HOUSE  
CATHEDRAL ROAD  
P O Box 30016 00100  
NAIROBI

① D/Committee

MOH/ADM/1/1/2

18<sup>th</sup> July 2016

Mr. Justin Bundi  
Clerk of the National Assembly,  
Parliament Buildings,  
Nairobi

② MURINDO  
Pls deal

Dear Bundi

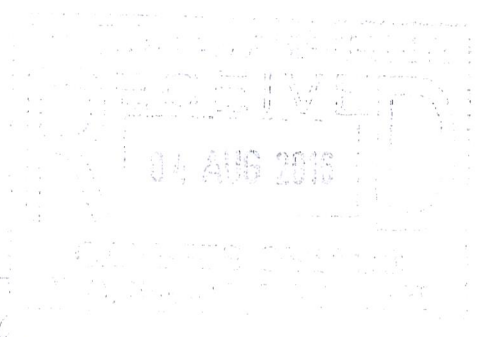
FA 05/8

**RE: RESPONSE TO RESOLUTION BY COMMITTEE ON IMPLEMENTATION REGARDING CANCER SITUATION IN KENYA**

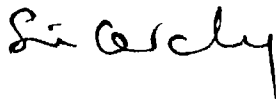
We acknowledge receipt of your letter REF:NA/COI/CORR/2016/(168) on the resolution passed by the committee on implementation of the National Assembly on mitigating the cancer situation in Kenya.

The Ministry of Health is indeed committed to addressing the human resource challenges that have hampered the provision of the highest attainable standards of cancer prevention and control services to the Kenyan population. The Ministry has in particular provided training opportunities both locally and internationally to health workers interested in the field of oncology. Various partnerships are also ongoing with other governments, local universities and pharmaceutical companies to build the local human resource capacity in oncology as highlighted in the attached brief.

Mr Cundicha  
Get the brief  
from Betty & put  
on the Programme  
SIS Room



The purpose of writing this letter is to forward to you a report on the implementation of the resolution by the National Assembly on mitigating the cancer situation in Kenya

Yours 



Dr. Nicholas Muraguri  
PRINCIPAL SECRETARY  
Encl,

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255



*S/Committee*

*8/11/16*

**MINISTRY OF HEALTH  
OFFICE OF THE PRINCIPAL SECRETARY**

Telephone: Nairobi 254 -20 -2717077  
Fax: 254 -20 - 2719008  
Email: pshealthke@gmail.com

AFYA HOUSE  
CATHEDRAL ROAD  
P.O Box 30016 -00100  
NAIROBI

When replying please quote

Ref: MOH/ADM/NA/01/93 Vol. III

1<sup>st</sup> November, 2016

Mr. Justin Bundi, CBS  
Clerk of the National Assembly  
P.O. Box 41842-00100  
**NAIROBI**

*1- Phyllis Mirongw  
2- Esther Ngunya  
Bring to the  
attention of respective  
committees  
LP W 8/11/16*

Dear *Bundi*

**PETITION ON ALLEGED MISMANAGEMENT AND MISAPPROPRIATION OF FUNDS AT THE KENYA MEDICAL RESEARCH INSTITUTE**

We refer to your letters Ref. NA/DLP/PP/2016(017) dated 22<sup>nd</sup> July, 2016 and Ref. NA/COI/CORR/2016/ (235) dated 19<sup>th</sup> October, 2016 respectively.

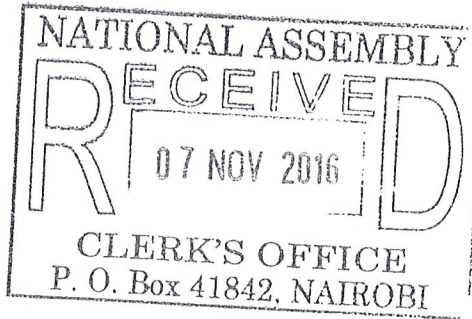
In compliance to Article 153(4)(b) of the Constitution, we hereby forward implementation report on the recommendation of the petition regarding Alleged Mismanagement and Misappropriation of Funds at the Kenya Medical Research Institute as requested by both the Implementation and Departmental Committee on Health for information and further action.

Yours *Sincerely*

*mg*

Dr. Nicholas Muraguri  
**PRINCIPAL SECRETARY**

Encls.







# KENYA MEDICAL RESEARCH INSTITUTE

P.O. Box 54840-00200, NAIROBI, Kenya  
Tel: (254) (020) 2722541, 2713349, 0722-205901, 0733-400003, Fax: (254) (020) 2720030  
E-mail: director@kemri.org, info@kemri.org, Website. www.kemri.org

October 24, 2016

## RE: STATUS REPORT TO THE CABINET SECRETARY, MINISTRY OF HEALTH ON PETITION ON ALLEGED MISMANAGEMENT AND MISAPPROPRIATION OF FUNDS AT THE KENYA MEDICAL RESEARCH INSTITUTE (KEMRI)

KEMRI commenced the implementation of the recommendations as directed by the Parliamentary Committee soon after receiving the report on August 4, 2016, and the following is a report of the progress made:

### 1. Recommendation 1: On Human resource management policy and practices, the KEMRI Board of Management should:

- (i) *Through the Ministry of Health, ensure that the State Corporations Advisory Committee (SCAC) fast tracks the approval of the KEMRI human resources policy and manual and the same be implemented immediately by the KEMRI Management.*

**Action taken:** On November 6 2015, KEMRI had submitted a draft HR Policies and Procedures Manual to SCAC for approval (**Annex I**), but SCAC advised on some revisions. A management team was set up to address the issues raised by SCAC, assisted by experts from the Directorate of Public Service Management (DPSM). The team has now completed revision of the document, and the revised draft is now ready, and currently, under review by the KEMRI Board of Management.

- (ii) *Ensure the KEMRI management puts in place a scheme of service and guidelines for hiring and performance contracting for all employees serving the Institute*

**Action Taken:** A management team is working on finalizing the Schemes of Service, assisted by experts from DPSM. The draft is being edited and harmonized, and the final draft is expected to be ready for review by the Management by November 3, 2016.

- a) *Review cases of conflict of interest with respect to the following members of staff's relationship with the RCTP-FACES NGO and institute disciplinary action if found culpable: Prof. Elizabeth Anne Bukusi (b) Dr. Betty Njoroge (c) Dr. Patrick Oyaro (former member of staff).*

**Action Taken:** Cases related to the RCTP-FACES NGO were handled by the KEMRI Board of Management through an internal disciplinary process and were concluded by May 2016. Prof. Elizabeth Bukusi was relieved of her duties as the Deputy Director (Research and Development), Dr. Betty Njoroge was served with a warning letter, and no action was necessary on Dr. Patrick Oyaro as he ceased being an employee of KEMRI on December 31, 2015, having transferred his services to the NGO.

## **2. Recommendation 2: On Financial Management:**

- (i) *The Ethics and Anti-Corruption Commission and other relevant state agencies to conduct investigations on alleged misappropriation of funds under the KEMRI/CDC program; the ITROMID program; the mortgage scheme that was being run by KEMRI through Family Bank and the nineteen (19) bank accounts held by Prof. Elizabeth Anne Bukusi as the Deputy Director of KEMRI and take action against anyone found culpable of mismanagement and misappropriation of funds.*

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**Action Taken:** (a) The Financial management matters relating to the KEMRI - CDC Program among other matters, ~~are currently under investigation by the~~ EACC. However, in relation to this and other matters, the Director, KEMRI, Prof. Solomon Mpoke was subjected to an internal disciplinary process by the KEMRI Board which led to termination of his services, along with the former Deputy Director (Administration & Finance), and the Assistant Director (Human Resources). Dr. John Vulule, who was PI of the Program was sent on compulsory leave in April 2015, and was interdicted on 29<sup>th</sup> February, 2016, but in the meantime, Dr. Vulule was re-instated on September 9, 2016, and transferred to the KEMRI Centre in Busia, pending completion of investigations on this matter by the EACC.

(b) **On ITROMID Matters:** EACC is investigating ITROMID as indicated in the letter sent to KEMRI (**Annex II**). In the meantime, the KEMRI Board has referred ITROMID matters to the Internal Audit Department (**Annex III**) because, from the Parliamentary report and recommendations, there were allegations that ITROMID had lost funds. Internal Audit has since commenced investigations (**Annex IV**).

**(c) KEMRI Mortgage Scheme:** From the report of the Parliamentary Committee on Health, KEMRI had deposited KES.100,000M into a fixed deposit account No. 046000012368 on February 21<sup>st</sup>, 2012 to a local Bank with a maturity date of August 22<sup>nd</sup> 2012 to facilitate a mortgage facility through an agreement dated 2<sup>nd</sup> March 2012, with the first disbursement being in July 2012, for which most staff members could not meet the rules and conditions of the bank to obtain the loans. Apparently, the Scheme was investigated in 2013 by the EACC, but a report on the outcome of the investigations has to-date not been received by KEMRI. KEMRI management has written to EACC to make a follow up on this matter (**Annex V**). In the meantime, the Board has discussed this matter on a number of occasions, and it was resolved that the KEMRI Internal Audit Department should also do an audit of the Scheme. This has already been communicated to the Internal Audit Department (**Annex VI**).

**(d) The 19 Bank Accounts of KEMRI-RCTP - Program:** KEMRI introduced an imprests disbursement system in the 2015/16 financial year to facilitate operational activities of the KEMRI-RCTP program in the field. Prior to this, the Institute issued imprests funds to facilitate field activities to the Project Principal Investigator (PI) via the Centre's bank account. The PI would then receive the funds for field imprests and account for the funds through regular surrenders of the imprests to KEMRI HQs. The KEMRI-RCTP Project which is under the KEMRI's Centre for Microbiology Research (CMR) based in Nairobi has field sites where most of the project activities are carried out in the Nyanza region of western Kenya, and these sites are located in Kisumu, Rongo, Migori, Nyatike, Sindo and Mbita Sub-Counties. The field activities for the KEMRI RCTP Projects involve care and treatment, and require frequent disbursement of funds. To facilitate this, KEMRI-RCTP Project PI, Prof. Elizabeth Bukusi opened several accounts over the years, in her name, to handle disbursement of the funds given to her, in the form of imprests. Ordinarily, these bank accounts would be opened in a bank that has a branch that is closest to where the project activities were being undertaken. While Project Coordinators and administrators in the field, routinely operated the Bank A/Cs, the PI remained accountable for the funds issued to her. Although the number of accounts given in the Parliamentary Committee report are 19 (nineteen), KEMRI is aware of 16 different accounts (**List attached as Annex VII**).

Because of the concerns regarding project funds being administered through A/Cs in an individual's name, the KEMRI Board of Management in a meeting held on March 9, 2016, passed a resolution to open sub-accounts with the KCB to be operated by signatories approved by the KEMRI Board of Management, as a more acceptable way of managing imprests funds for the projects under this Program, and a total of 6 (six) sub-accounts were opened with KCB branches (**Annex VIII**). The Bank accounts that were operated by Prof. Bukusi are currently the subject of investigations by the EACC and possibly, also, by other relevant state agencies. (**Annex IX**)

- (ii) *The Ministry of Health should put in place a policy on Management of grants at KEMRI by December 2016.*

**Action Taken:** KEMRI has developed and approved for implementation a Partnerships and Collaborations Policy on September 3, 2016. This policy document will mitigate exposure of the Institute in terms of our relationships with partners and collaborators. In addition, KEMRI is developing a specific policy to guide the management of research grants in the Institute.

- (iii) *The Ministry of Health should make budget proposals with respect to research funding at KEMRI for consideration by the National Assembly in the 2017/2018 Financial year to reduce dependence on grants from donors to encourage research on local problems.*

**Action Taken:** A draft Cabinet Memo was discussed at the recent Board Retreat and further work was recommended on the Memo. The Management is still working on the revised version of the Memo, which is expected to be ready by the last week of October, 2016. In the meantime, KEMRI has also made a special request to Treasury through the Ministry of Health for research funds in the amount of KES.224,000,000/=, which was not provided for during the 2016/2017 financial year as had been expected (**Annex X**).

**3. Recommendation 3: The National Assembly in collaboration with the Ministry of Health to review, amend or enact a legal framework to guide medical research Institutions such as KEMRI as the current legal framework was either obsolete or inadequate.**

**Action Taken:** Draft bill was prepared with the help of experts from the Attorney General's Office, and the final draft of the Bill was discussed by the Board during the recent retreat. The draft is being revised by a management team to address specific concerns raised by the Board.

**4. Recommendation 4: The KEMRI Board of Management should initiate negotiations with the RCTP-FACES NGO with a view to having it drop the use of the name of one of its programs. If such negotiations fail, the Board should consider instituting a legal process to challenge the same.**

**Action Taken:** Management initiated negotiations with RCTP-FACES NGO and asked them to commence the process of change of names (**Annex XI**) and have since responded in affirmative (**Annex XII**).

**5. Recommendation 5: The Ministry of Health should report to the National Assembly on the implementation of the above recommendations within 90 days from the date of tabling this report**

We hereby request the Ministry of Health to forward the report to parliament on the same.

Yours faithfully,



Dr. Lillian Apadet Osamong'  
Chair

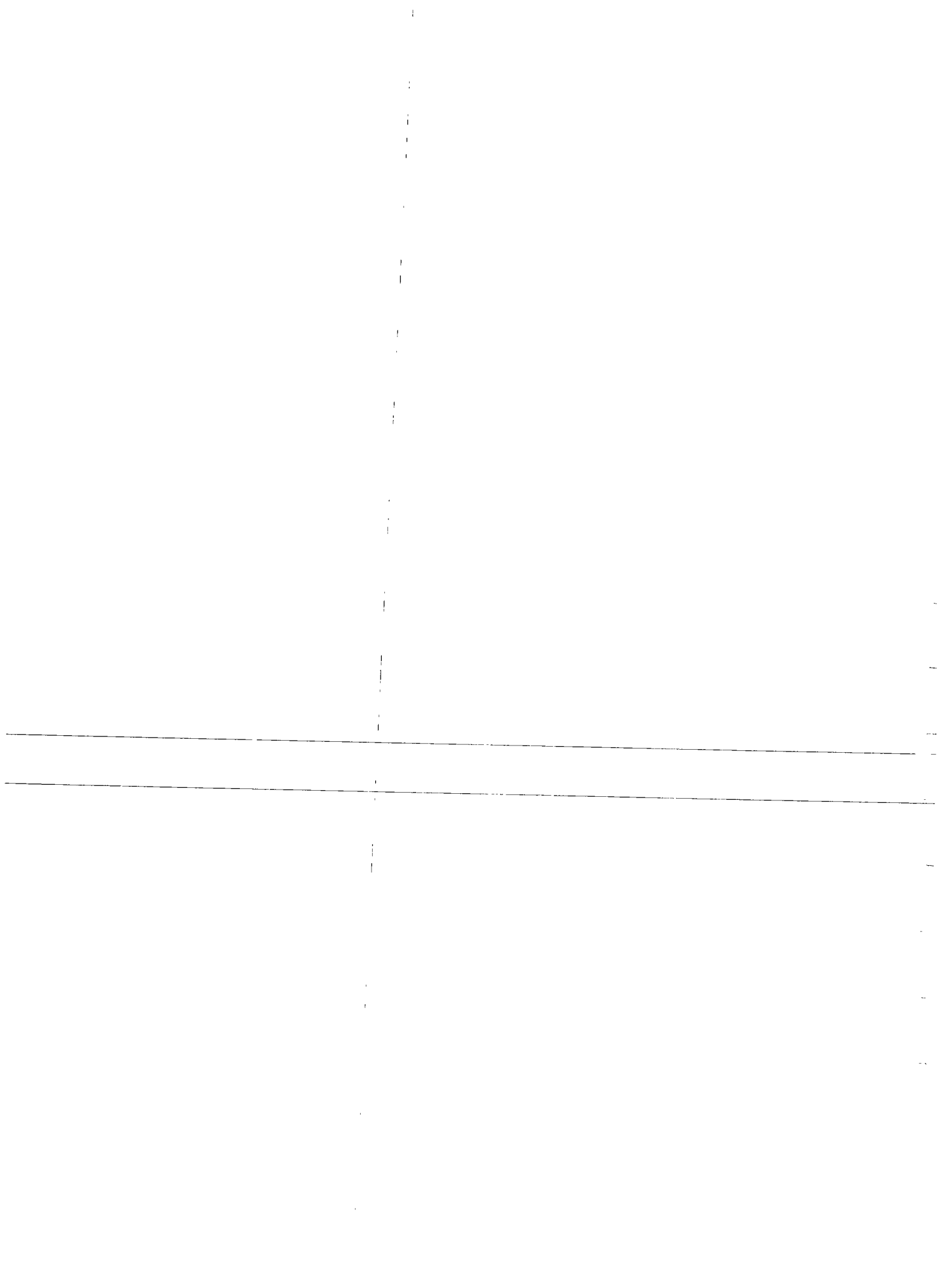
**KEMRI BOARD OF MANAGEMENT**

Encls

c.c. Dr. Joseph Kinyua, EGH  
Chief of Staff and Head of Public Service  
State House  
**NAIROBI**

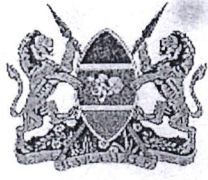
Dr. Nicholas Muraguri  
Principal Secretary  
**Ministry of Health**

Dr. Gerald Mkoji  
Ag. Director  
**KEMRI**



② MURUNAO  
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① D/Committees  
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**MINISTRY OF DEFENCE**

Telegrams: "DEFENCE", Nairobi  
Telephone: Nairobi 020 - 2721100  
Email: ps@mod.go.ke  
Fax: 020 2723446  
When replying please quote

DEFENCE HEADQUARTERS  
ULINZI HOUSE  
P. O. Box 40668, NAIROBI, KENYA

MOD 17/08 Vol XII

12<sup>th</sup> August, 2016

The Clerk of National Assembly  
Parliament Buildings  
**NAIROBI**

**RE: SUBMISSION TO THE NATIONAL ASSEMBLY COMMITTEE ON IMPLEMENTATION**

The Cabinet Secretary for Defence appeared before the above Committee on Tuesday, 9<sup>th</sup> August, 2016 to make submissions on the status report of the San Marco Project.

Kindly forward the attached presentation to the Committee, which the Cabinet Secretary presented orally, when she appeared before it for their retention and records.

**G.F. SAKWA**  
**FOR: PRINCIPAL SECRETARY**

16 AUG 2016  
CLERK'S OFFICE

RECEIVED  
16 AUG 2016

Mr. Gundiha  
Please file  
PMM  
16/8

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**REPORT TO THE DEPARTMENTAL COMMITTEE ON THE SAN MARCO AGREEMENT**

1. The weaknesses in 1995 Bilateral Agreement between the Government of the Republic of Kenya and the Government of the Italian Republic for the San Marco Programme at the Broglio - Malindi Space Centre have been resolved in the proposed new agreement which was approved by Cabinet for Ratification by Parliament on the 2<sup>nd</sup> day of August, 2016. The new agreement addresses all the issues in contention such as the joint management of the facility, provision for employment of Kenyans in senior managerial positions, capacity building for Kenyans in space science and technology as well as revenue sharing and community development concerns.

2. Kenyan personnel are included in decision making positions in the Joint Steering Committee and the Joint Management Board of the centre. This will enable the Government of Kenya exercise greater control over the management of the Space Centre, including approving the engagement of third parties, while also ensuring that the Kenya benefits both technologically and economically through data and profit sharing, capacity building and employment. Other aspects that were improved on include dispute resolution, governing law and vesting of assets. There will also be improved cooperation at the level of policy through a Joint Ministerial Council.

3. The license fee for use of the land comprising the Space Centre has been increased by 150%. This amount will be reviewed every 5 years and an increment paid. This will be in addition to the 50% entitlement on profits. The government will also derive revenue from third party arrangements.

4. The proposed agreement contemplates the conclusion of Implementing Arrangements supplemental to the agreement. These define other areas of co-operation between the Governments of Kenya and Italy in the area of space science and technology.

a. **Education and Training**

The Government of Italy has committed to extend 15 post-graduate scholarships annually while also supporting the development of space science in Kenyan Institutions of Higher Learning.

b. **Telemedicine**

A pilot project on telemedicine will use the Malindi Space Centre as the hub while selected public hospitals will be equipped with the necessary equipment and infrastructure to support the practice of telemedicine. This will expand access of quality health care and also support E-Learning in the training of nurses and other health workers in remote areas of the country.

c. **Access to Earth Observation and Science Data**

The cost of satellite imagery is very costly while data from scientific missions is closely guarded by the research institutions. The Government of Italy has committed to avail Earth Observation and space research data available at the Malindi Space Centre and at other Italian Space Centres for use by Kenyan scientists. Kenyan Government institutions will thus be able to access data from Italian satellites and other data available through data sharing policies with other agencies.

d. **Establishment of a Regional Centre for Earth Observation**

The Government of Italy has committed to support the establishment of a Regional Earth Observation Centre at the Malindi Space Centre. The multi-mission centre shall consist of an acquisition, processing and archiving system that will also be used to disseminate the data to Kenyan and regional end users.

e. **Support to the Kenya Space Agency**

The Italian Space Agency (ASI) has committed to support Kenya in establishing the Kenya Space Agency and in capacity development through seconding of experts and exchange of personnel.

5. Based on the above Implementing Arrangements, the Governments of Kenya and Italy shall jointly identify key priority areas and come up with Plans of Action and implementation plans within six (6) months from the date of entry into force of the Implementing Arrangements to facilitate execution of provisions in the proposed Agreement. An evaluation of the implementation of the Plans of Action shall be conducted every two years after their entry into force, for continued improvement. There is also provision for amendment by mutual written consent and termination in case of disagreement.

6. The main agreement also provides for amendment by mutual written consent at any time and for mid-term review. A notice for termination may be


issued anytime upon the provision of 12 months' notice and upon the mid-term review where either party is fundamentally in breach of their obligations in the agreement.

#### CONCLUSION

7. The San Marco Agreement has the potential of offering substantial benefits to Kenya if the Agreement and its Implementing Arrangements are executed with all due diligence. Kenya should take advantage of this unique opportunity and establish a vibrant space sector.

8. To further support and enhance the San Marco Space Centre, the establishment of the National Space Agency was approved by Cabinet and the relevant Executive Order will be gazette shortly. A budget line for the National Space Agency has been established by our Ministry.

Dated.....12<sup>th</sup>..... Day of ...August.....2016

  
**Amb. Raychelle Omamo, SC, EGH**  
**CABINET SECRETARY**  
**MINISTRY OF DEFENCE**

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- iv. *No mechanisms for compensating victims of the flooding has been put in place.*

**Response:**

**1. Introduction**

Along the Tana River, KenGen generates power from five dams namely; Kindaruma, Kamburu, Gitaru, Masinga and Kiambere. Between them, the dams hold billions of litres of water when full. Dams by their very nature are water reservoirs, hence they absorb and do not add excess water from the rivers thereby reducing/delaying the onset of floods. If the dams were not there in the first place, all the huge amounts of water they store would flow unhindered to the low lying downstream areas of the Tana Basin, causing flooding.

**2. Background**

KenGen generates electricity from four modes of generation, namely hydro, geothermal, thermal and wind. Of the four (4) modes, hydro generation is the main mode of generation accounting for over 50% of all power generated by KenGen and is also the most affordable mode of generation. As such, KenGen aims at storing as much water in its reservoirs as possible. This water is also used in the most prudent way possible to generate electricity throughout the year, way after the rains have stopped. In normal times, the only water coming from our dams is that which has generated power, flowing back to the river channel and is always less than what was taken from the rivers initially.

*(Figures 1 and 2 attached)*

**3. Before dam construction**

The low lying areas of the Tana Basin have for many years experienced flooding as a result of higher than normal rainfall. Prior to the 1970's when most of the hydro dams were built, the region of Garissa and its environs would receive widespread and destructive floods after a cycle of few years. The worst case of flooding was experienced and widely publicized in 1961, as there were no dams, along the course of River Tana or its tributaries to contain the higher than normal amounts of water in the rivers. Construction of hydro dams has greatly improved the situation, since the dams have to fill up to full capacity before any flooding can occur. The dams however have their full capacity after which they can't take any more water. In such

circumstances, the excess water will simply flow over the spillways back to the river. People sometimes wrongly label this 'KenGen opening its dams and releasing water'.

#### **4. Cascade**

The dams are built and operated in a prudent way that maximizes the amount of water they can store while ensuring it lasts for the longest possible duration. As such the dams are operated as a cascade such that before the rains, the dam levels of Masinga and Kiambere are as low as possible so as to retain maximum amount of water during the rains hence delay or avoid the spillage altogether. Masinga machines are operated less once the flow from Thiba River is sufficient to run Kamburu and the downstream stations. This way, the water flowing into Masinga is held until the dam is full and water is released at Kiambere only through the generating machines. If the dams were not in existence every short and long rains would result in serious flooding even if the rains are not adequate causing unquantifiable damage to property and displacement of the people.

#### **5. Control Measures and mitigation**

KenGen, through the provincial administration, sends out early warnings to riparian communities to move to higher ground every time the dams approach their full capacity in order to lessen flood destruction and loss. Being a key stakeholder in the Tana Basin and concerned by the occasional flooding and the suffering it visits upon our people, we propose the following measures in the long term be taken to offer a long lasting solution to the issue:

- Construction of dams downstream of Kiambere. The High Grand Falls Project (with storage of 5.6 billion m<sup>3</sup>) has been under discussion and planning under the Ministry of Environment, Water and Natural Resources. This will greatly raise the amount of water the dams can hold, thereby delaying/eliminating the onset of floods.
- Raising of Masinga dam to create more storage for water (current storage is 1.56 billion m<sup>3</sup> and be increased by 188 million m<sup>3</sup>). Raising of Masinga Dam will not eliminate spilling but can delay it in severe flooding.

APPENDIX:

Figure 1: Eastern Hydros Cascade

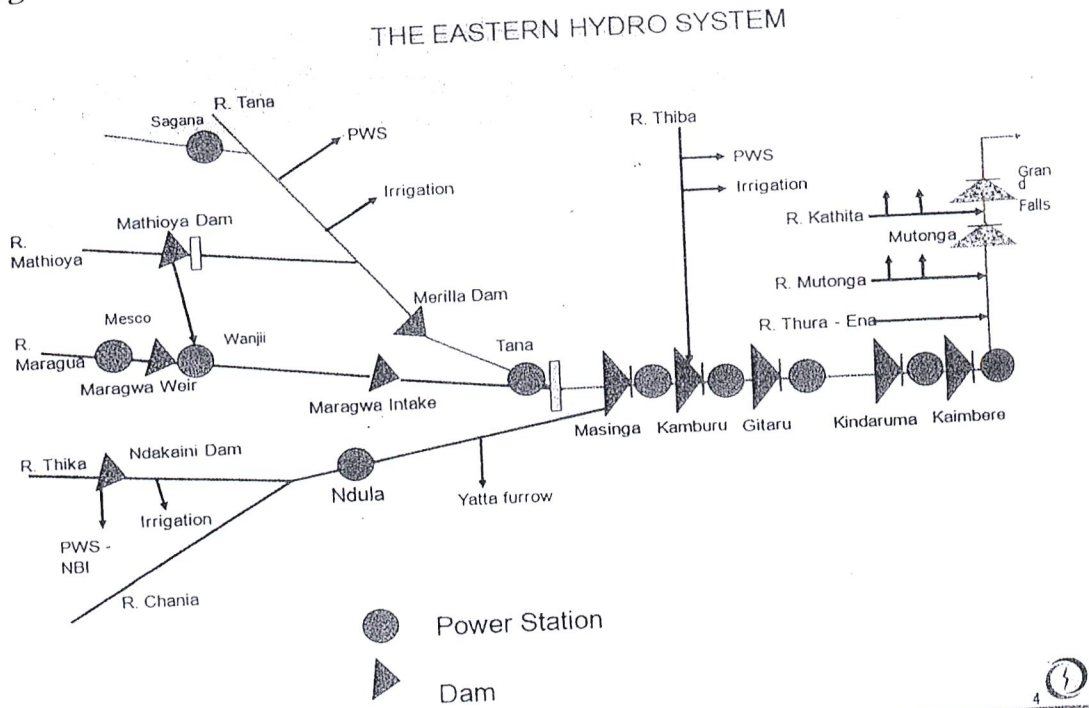
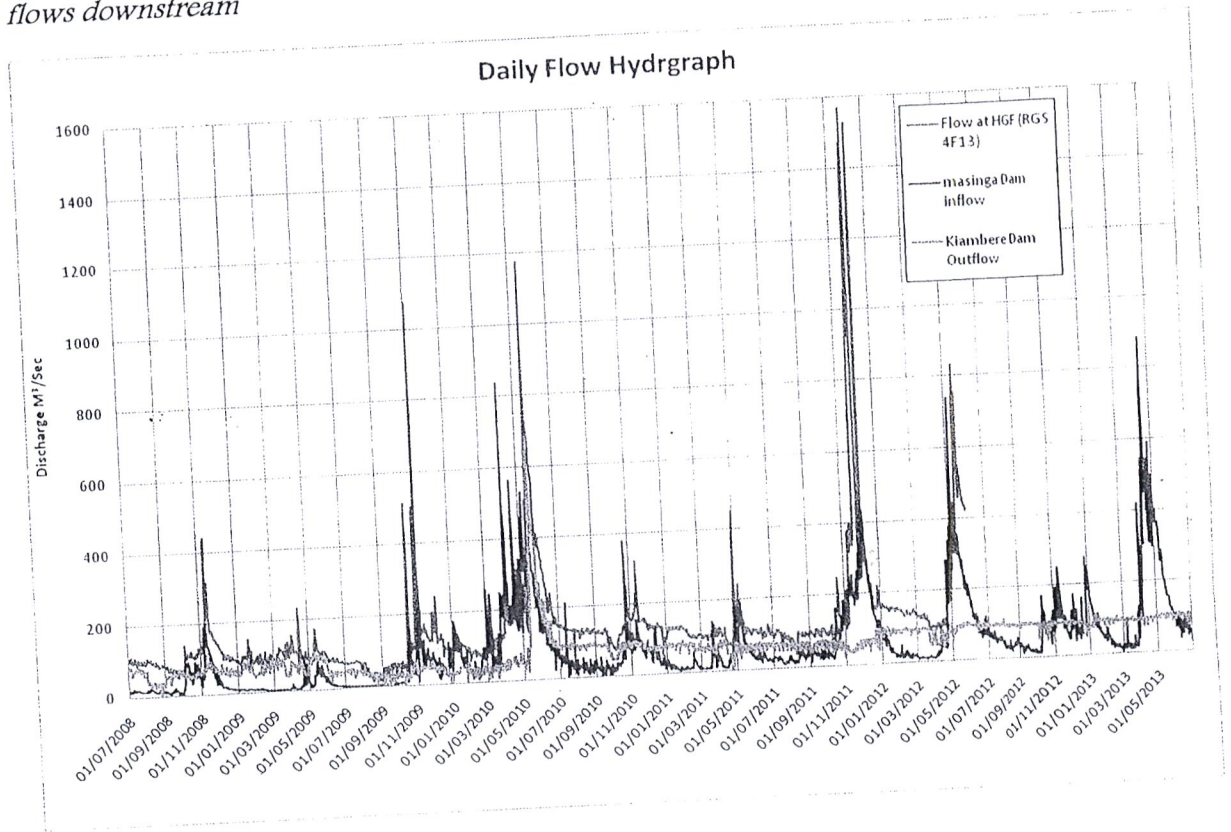


Figure 2: Daily Hydrograph showing regulating effect of Kiambere dam on Tana River flows downstream



- Construction of small dams and weirs on the small tributaries feeding the main rivers would also delay the onset of floods in the area and provide the local community with irrigation water.
- Continuous and dedicated catchment preservation to increase infiltration of the rainwater and to avoid flash floods and also to reduce sediment load which has reduced dam storage capacity.

## 6. Conclusion

Without the dams, the floods would have been worse. The dams attenuate the flow because they store some of the water which would cause havoc downstream. The implementation of the planned High Grand Falls Project and construction of other dams will therefore greatly contribute to the solution of the current problem.



SIGNED: .....

Eng. Joseph K. Njoroge, MBS

Principal Secretary

DATE: 8<sup>th</sup> July 2015



**MINISTRY OF TRANSPORT AND INFRASTRUCTURE  
HOUSING AND URBAN DEVELOPEMENT**

**The Clerk of the National Assembly**

**Parliament Buildings**

**NAIROBI**

**REPORT ON PETITION REGARDING CORRUPTION AT THE  
WEIGHBRIDGES IN THE COUNTRY**

Reference is made to the letter ref.No.NA/COI/CORR/2016 (203) dated 22<sup>nd</sup> July, 2016 on the above matter. The issues are being addressed as listed below:-

**The long queues at the weighbridges and the long snarl ups leading to huge economic losses are being addressed on a case by case as follows.**

The Kenya National highways authority manages 9 No. static Weighbridges namely Mtwapa, Mariakani, Isinya, Athi River (Mlolongo), Juja, Gilgil, Webuye, Rongo and Busia.

The Authority has undertaken measures aimed at reducing congestions and traffic snarl ups as follows.

**1. Mariakani and Athi River Weighbridges**

Improvement of the weighbridges is being undertaken under the World Bank and the works are ongoing and are expected to be through by end of September 2016.

(a) The improvement involves construction of a modern weighbridge on either side of the road to remove the bottleneck arising from trucks turning to the weighbridges for weighing. Trucks will be weighed in the direction of travel

(b) The improvement will result in addition of multi deck weigh scales from the Current 1 No existing to 4 No. (2 No. on each side). This will drastically reduce weighing times enhancing faster discharge of vehicles which will have been diverted for weights confirmation.

(c) The improvement also involves construction of **High Speed Weigh in Motion Systems (HSWIM)** on either side of the weighbridge for screening and automatic clearance of compliant trucks. Previously HSWIM was existent northbound, only towards Nairobi.

~~(d) Administrative management of traffic snarl ups through suspension of weighing for a defined period until traffic eases. The discharged vehicles are recorded and forwarded to a succeeding weighbridge for confirmatory weighing.~~

(e) Collaboration between the Axle Load Enforcement Unit and the Athi River Traffic Base Commander has led to better traffic management and kept traffic snarl ups to a minimum.

## 2. Gilgil Weighbridge

The Kenya National Highways Authority awarded a contract for construction of Auxiliary lanes which will be dedicated to trucks and remove congestion arising from blockage of the carriageway by overlapping private cars. The works involves:-

- (a) Construction of 2 Km Auxiliary lane on Nakuru Bound side before the weighbridge
- (b) Construction of 1 km Auxiliary lane on Nairobi bound side before the weighbridge.
- (c) Improvement of Access in the yard on Nairobi Bound side.

Further, the access to the weighbridge which is Nakuru bound was previously done to gravel standards has been improved to cabbro paved access resulting in faster movement of vehicles to the weighing scale and hence faster weighing.

(d) Administrative management of traffic snarl ups through suspension of weighing for a defined period until traffic eases (mostly from Fridays to Sundays). The discharged vehicles are recorded and forwarded to a succeeding weighbridge for confirmatory weighing.

### **3. Juja Weighbridge**

- a) Improvements include conversion of the existing static single axle weigher (SAW) into a Slow Speed Weigh In Motion, resulting in reducing of weighing times.
- b) Administrative management of critical queues through discharge without weighing and collaborating with area Traffic Base Commanders to facilitate smooth flow of traffic

### **4. Mtwapa Weighbridge**

- a) Improvements include conversion of the existing static single axle weigher (SAW) into a Slow Speed Weigh In Motion, resulting in reducing of weighing times.

- b) Upon completion of the improvement project at Mariakani, the Authority is planning to move the existing Multi Deck Scale in Mariakani to Mtwapa to improve weighing operations.
- c) Administrative management of critical queues through discharge without weighing and collaborating with area Traffic Base Commanders to facilitate smooth flow of traffic

#### 5. Busia Weighbridge

- (a) Improvements include conversion of the existing static single axle weigher (SAW) into a Slow Speed Weigh In Motion, resulting in reducing of weighing time.
- (b) Administrative management of critical queues through discharge without weighing and collaborating with area Traffic Base Commanders to facilitate smooth flow of traffic.

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#### 6. Webuye, Isinya, and Rongo Weighbridges

These weighbridges record low daily traffic and few cases of traffic snarl ups are recorded. Any snarl ups are handled administratively through suspension of weighing operations and manual recording of vehicles exempted from weighing during the defined period.

**Inadequate amenities at the weighbridges for drivers who often spend days at the station.**

Weighbridges are installed specifically for weighing of trucks. Only non-compliant trucks are detained at the weighbridges to await appearance in court and/or distribution to compliance. The weighbridge management team endeavors to ensure that cases are dispensed with expeditiously but sometimes delays can occur where a vehicle is arrested late on Friday or over the weekend in which case the accused have to wait until the

We hope that the coming into place of the East Africa Vehicle Control Act which decriminalizes overloading, will go a long way in alleviating the delays at weighbridges as transporters will be able to pay stipulated overload fees at the weighbridge station. The EAC Vehicle Control Act is expected to come into effect on 1<sup>st</sup> October, 2016.

All weighbridges have ablution amenities to cater for drivers and any other weighbridge users. Indeed the Authority is improving the amenities in Mariakani and Athi River to not only include toilet facilities but also shower rooms.



**Eng. John K. Mosonik, CBS**  
**PRINCIPAL SECRETARY**

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**RESOLUTION ON THE MEASURES TO ENSURE ALL ELIGIBLE KENYANS ARE ISSUED WITH NATIONAL ID CARDS**

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The National Assembly's Committee on Implementation is seeking clarification on the following issues:-

- i. The actual number of applicants registered per county out of the projected 1.2 million Kenyans who attained the age of 18 during the 2014/2015 Financial Year.
- ii. The number of new applications per county currently pending before the Registration Bureau.
- iii. The location of the 14 Huduma centres which are operational and the proposed 20 additional centres and whether they cater for new ID applicants.
- iv. The status of migration to electronic ID.

**Response;**

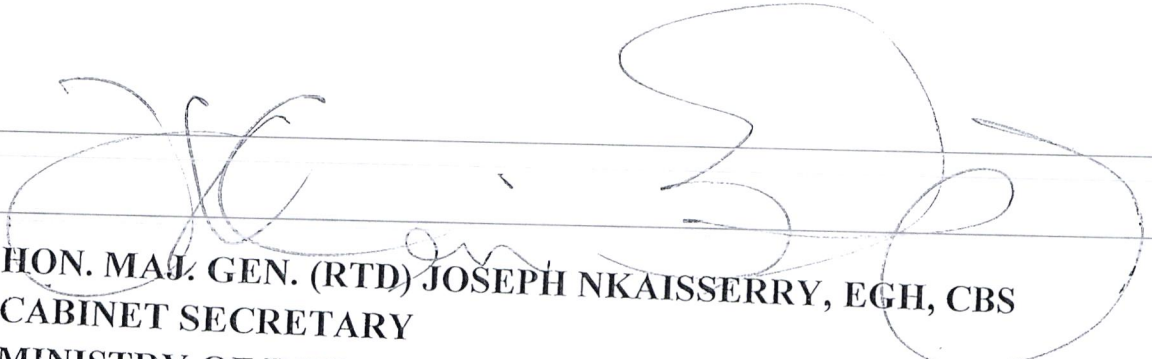
- i. I wish to table a list of the actual number of applicants registered per county during the financial year 2014/2015.
- ii. I wish to table the list of the number of pending new applications per county as at December, 2015. However, these have long been issued.

Submission  
based on  
the CS  
Presentation to  
the Committee  
A

iii. I wish to table the list of 31 Huduma centres which are currently operational, while 19 others have been proposed.

All the operational Huduma Centres are issuing duplicate identity cards only, and do not cater for new identity card applicants. This is because such applicants require to be identified by their respective chiefs before they are registered.

iv. The Government has not introduced the electronic identity cards due to limited funds allocation in the financial year 2015/2016. However, once the requisite funds are availed, the ministry will embark on the implementation of the project.



**HON. MAJ. GEN. (RTD) JOSEPH NKAISSERRY, EGH, CBS**  
**CABINET SECRETARY**  
**MINISTRY OF INTERIOR AND**  
**COORDINATION OF NATIONAL GOVERNMENT**

2<sup>st</sup> June, 2016

**1. ACTUAL NUMBER OF IDENTITY CARDS  
ISSUED PER COUNTY IN THE FINANCIAL YEAR 2014 / 2015**

S/NO	COUNTY	IDS ISSUED
1)	MOMBASA	75,962
2)	KWALE	24,842
3)	KILIFI	51,641
4)	TANA RIVER	7,733
5)	LAMU	1,775
6)	TAITA	10,946
7)	GARISSA	9,654
8)	WAJIR	5,785
9)	MANDERA	3,249
10)	MARSABIT	9,004
11)	ISIOLO	3,684
12)	MERU	44,311
13)	THARAKA NITHI	11,987
14)	EMBU	24,843
15)	KITUI	39,170
16)	MACHAKOS	45,701
17)	MAKUENI	32,965
18)	NYANDARUA	22,397
19)	NYERI	36,041
20)	KIRINYAGA	19,428
21)	MURANGA	32,744
22)	KIAMBU	63,252
23)	TURKANA	12,584
24)	WEST POKOT	7,619
25)	SAMBURU	5,338
26)	TRANS NZOIA	25,227
27)	UASIN GISHU	40,605
28)	ELGEYO MARAKWET	12,198
29)	NANDI	20,210
30)	BARINGO	14,489
31)	LAIKIPIA	15,234
32)	NAKURU	74,637
33)	NAROK	16,481
34)	KAJIADO	28,854

35)	KERICHO	23,712
36)	BOMET	17,588
37)	KAKAMEGA	68,763
38)	VIHIGA	24,275
39)	BUNGOMA	44,204
40)	BUSIA	26,974
41)	SIAYA	29,319
42)	KISUMU	52,928
43)	HOMA BAY	26,794
44)	MIGORI	23,253
45)	KISII	41,648
46)	NYAMIRA	21,889
47)	NAIROBI	294,136
48)	DIASPORA	1,825
	<b>TOTALS</b>	<b>1,547,266</b>

**2. NUMBER OF NEW APPLICATIONS PENDING PRODUCTION PER  
COUNTY, AS AT DECEMBER, 2015**

COUNTY CODE	SUB COUNTY CODE	SUB COUNTY	TOTAL
01	011	MOMBASA	1,379
01	012	KISAUNI	32
01	013	CHANGAMWE	11
01	014	LIKONI	20
<b>01 Total</b>			<b>1,442</b>
02	021	KWALE / MATUGA	894
02	022	MSAMBWENI	198
02	023	KINANGO	339
<b>02 Total</b>			<b>1,431</b>
03	031	KILIFI	1,716
03	032	MALINDI	749
03	033	MAGARINI	179
03	034	KALOLENI	95
03	035	RABAI	75
03	036	GANZE	140
<b>03 Total</b>			<b>2,954</b>
04	041	TANA RIVER	670
04	042	TANA NORTH	36
04	043	TANA DELTA	8
<b>04 Total</b>			<b>714</b>
05	051	LAMU WEST	144
05	052	LAMU EAST	13
<b>05 Total</b>			<b>157</b>
06	061	TAITA	811
06	062	VOI	105
06	063	TAVETA	54
06	064	MWATATE	95
<b>06 Total</b>			<b>1,065</b>
07	071	GARISSA	883
07	072	IJARA	235
07	073	BALAMBALA	140
07	074	FAFI	302
07	075	HULUGHO	80
07	076	LAGDERA	195
07	077	DADAAB	312
<b>07 Total</b>			<b>2,147</b>
08	081	WAJIR EAST	580
08	082	WAJIR NORTH	15
08	083	TARBAJ	27
08	084	BUNA	56
08	085	WAJIR WEST	85
08	086	ELDAS	41
08	087	WAJIR SOUTH	87
08	088	HABASWEIN	67

<b>08 Total</b>			<b>958</b>
09	091	MANDERA EAST	382
09	092	MANDERA CENTRAL	3
09	093	MANDERA NORTH	144
09	094	MANDERA WEST	12
<b>09 Total</b>			<b>541</b>
10	101	MARSABIT 'CEN'	236
10	102	NORTH HERR	55
10	103	MARSABIT NORTH	54
10	104	MARSABIT SOUTH	33
10	105	LOIYANGALANI	314
10	106	MOYALE	210
10	107	SOLOLO	74
<b>10 Total</b>			<b>976</b>
11	111	ISIOLO	362
11	112	GARBATULLA	5
11	113	MERTI	15
<b>11 Total</b>			<b>382</b>
12	121	BUURI	44
12	122	MERU CENTRAL	1,334
12	123	IMENTI NORTH	83
12	124	IMENTI SOUTH	197
12	125	TIGANIA WEST	131
12	126	IGEMBE NORTH	221
12	127	TIGANIA EAST	291
12	128	IGEMBE SOUTH	704
<b>12 Total</b>			<b>3,005</b>
13	131	THARAKA NORTH	23
13	132	THARAKA SOUTH	50
13	133	MERU SOUTH	358
13	134	MAARA	19
<b>13 Total</b>			<b>450</b>
14	141	EMBU WEST	517
14	142	EMBU EAST	83
14	143	EMBU NORTH	28
14	144	MBEERE NORTH	144
14	145	MBEERE SOUTH	81
<b>14 Total</b>			<b>853</b>
15	151	KITUI CENTRAL	1,315
15	152	MWINGI CENTRAL	668
15	153	KATULANI	19
15	154	KITUI WEST	114
15	155	MUTITO	60
15	156	KISASI	72
15	157	MATINYANI	41
15	158	LOWER YATTA	65
15	159	MUTOMO	214

15	15A	IKUTHA	125
15	15B	NZAMBANI	29
15	15C	MIGWANI	106
15	15D	TSEIKURU	37
15	15E	KYUSO	114
15	15F	MUMONI	42
15	15G	MWINGI EAST	146
<b>15 Total</b>			<b>3,167</b>
16	161	MACHAKOS	2,302
16	162	KANGUNDO	45
16	163	MWALA	68
16	164	YATTA	108
16	165	MATUNGULU	68
16	166	MASINGA	124
16	167	KATHIANI	14
16	168	ATHI RIVER	3
<b>16 Total</b>			<b>2,732</b>
17	171	MAKUENI	1,426
17	172	KIBWEZI	317
17	173	MAKINDU	14
17	174	KILUNGU	166
17	175	KATHONZWENI	10
17	176	NZAU	11
17	177	MUKAA	14
17	178	MBOONI WEST	7
17	179	MBOONI EAST	11
<b>17 Total</b>			<b>1,976</b>
18	181	NYANDARUA NORTH	750
18	182	NYANDARUA 'CEN'	30
18	183	KIPIPIRI	48
18	184	KINANGOP	50
18	185	NYANDARUA SOUTH	42
18	186	NYANDARUA WEST	19
18	187	MIRANGINE	20
<b>18 Total</b>			<b>959</b>
19	191	NYERI CENTRAL	2,118
19	192	KIENI EAST	16
19	193	KIENI WEST	7
19	194	TETU	10
19	195	NYERI SOUTH	23
19	196	MATHIRA EAST	37
19	197	MATHIRA WEST	9
19	198	MUKURWEINI	30
<b>19 Total</b>			<b>2,250</b>
20	201	KIRINYAGA 'CEN'	597
20	202	KIRINYAGA EAST	27

20	203	KIRINYAGA WEST	27
20	204	MWEA EAST	16
20	205	MWEA WEST	19
<b>20 Total</b>			<b>686</b>
21	211	MURANGA EAST	1,544
21	212	MATHIOYA	21
21	213	KANDARA	528
21	214	KIGUMO	35
21	215	MURANGA SOUTH	145
21	216	KANGEMA	69
21	217	KAHURO	20
21	218	GATANGA	17
<b>21 Total</b>			<b>2,379</b>
22	221	KIAMBU	1,919
22	222	LIMURU	70
22	223	LARI	62
22	224	GITHUNGURI	30
22	225	GATUNDU NORTH	471
22	227	THIKA WEST	309
22	228	THIKA EAST	73
22	229	RUIRU	23
22	22A	KIKUYU	41
22	22B	GATUNDU SOUTH	41
<b>22 Total</b>			<b>3,039</b>
23	231	TURKANA 'CEN'	1,087
23	232	TURKANA NORTH	409
23	233	LOIMA	563
23	234	TURKANA SOUTH	273
23	235	TURKANA EAST	190
23	236	TURKANA WEST	305
<b>23 Total</b>			<b>2,827</b>
24	241	POKOT WEST	210
24	242	POKOT CENTRAL	47
24	243	POKOT SOUTH	64
24	244	POKOT NORTH	56
<b>24 Total</b>			<b>377</b>
25	251	SAMBURU EAST	274
25	252	SAMBURU NORTH	62
25	253	SAMBURU CENTRAL	116
<b>25 Total</b>			<b>452</b>
26	261	TRANS NZOIA 'W'	716
26	262	TRANS NZOIA 'E'	72
26	263	KWANZA	61
<b>26 Total</b>			<b>849</b>
27	271	ELDORET WEST	800
27	272	WARENG	192
27	273	ELDORET EAST	181

<b>27 Total</b>			<b>1,173</b>
28	281	KEIYO	321
28	282	MARAKWET WEST	173
28	283	MARAKWET EAST	79
28	284	KEIYO SOUTH	85
<b>28 Total</b>			<b>658</b>
29	291	NANDI CENTRAL	1,056
29	292	NANDI NORTH	143
29	293	NANDI EAST	38
29	294	NANDI SOUTH	150
29	295	TINDIRET	36
<b>29 Total</b>			<b>1,423</b>
30	301	BARINGO CENTRAL	281
30	302	BARINGO NORTH	38
30	303	KOIBATEK	189
30	304	EAST POKOT	28
30	305	MARIGAT	51
30	306	MOGOTIO	39
<b>30 Total</b>			<b>626</b>
31	311	LAIKIPIA EAST	371
31	312	LAIKIPIA NORTH	10
31	313	LAIKIPIA 'CEN'	18
31	314	NYAHURURU	28
31	315	LAIKIPIA WEST	106
<b>31 Total</b>			<b>533</b>
32	321	NAKURU	1,809
32	322	RONGAI	62
32	323	NAIVASHA	114
32	324	GILGIL	72
32	325	KURESOI	287
32	326	NAKURU NORTH	93
32	327	SUBUKIA	34
32	328	NJORO	73
32	329	MOLO	157
<b>32 Total</b>			<b>2,701</b>
33	331	NAROK NORTH	302
33	332	NAROK SOUTH	137
33	333	TRANSMARA EAST	232
33	334	TRANSMARA WEST	444
<b>33 Total</b>			<b>1,115</b>
34	341	KAJIADO CENTRAL	550
34	342	KAJIADO WEST	103
34	343	KAJIADO NORTH	101
34	344	LOITOKTOK	196
34	345	KAJIADO EAST	20
34	346	MASHURU	22

<b>34 Total</b>			<b>992</b>
35	351	KERICHO EAST	779
35	352	KERICHO WEST	121
35	353	LONDIANI	71
35	354	BURETI	439
35	355	KIPKELION	26
<b>35 Total</b>			<b>1,436</b>
36	361	BOMET CENTRAL	632
36	362	SOTIK	152
36	363	CHEPALUNGU	133
36	364	KONOIN	47
<b>36 Total</b>			<b>964</b>
37	371	KAKAMEGA 'CEN'	1,546
37	372	KAKAMEGA NORTH	121
37	373	KAKAMEGA SOUTH	214
37	374	KAKAMEGA EAST	111
37	375	MUMIAS	297
37	376	BUTERE	798
37	377	KHWISERO	103
37	378	LUGARI	512
37	379	LIKUYANI	158
37	37A	MATETE	84
37	37B	MATUNGU	125
37	37C	NAVAKHOLO	183
<b>37 Total</b>			<b>4,252</b>
38	381	VIHIGA	1,396
38	382	SABATIA	69
38	383	EMUHAYA	245
38	384	HAMISI	130
<b>38 Total</b>			<b>1,831</b>
39	391	BUNGOMA NORTH	324
39	392	KIMIL./ BUNGOMA	125
39	393	BUNGOMA SOUTH	1,197
39	394	BUNGOMA CENTRAL	159
39	395	BUNGOMA WEST	64
39	396	BUNGOMA EAST	243
39	397	BUMULA	211
39	398	MT ELGON	166
39	399	CHEPTAIS	26
<b>39 Total</b>			<b>2,515</b>
40	401	BUSIA	927
40	402	BUTULA	1
40	403	SAMIA	39
40	404	BUNYALA	2
40	405	NAMBALE	44
40	406	TESO NORTH	175

40	407	TESO SOUTH	93
<b>40 Total</b>			<b>1,281</b>
41	411	SIAYA	1,858
41	412	BONDO	558
41	413	UGENYA	81
41	414	GEM	77
41	415	UGUNJA	57
41	416	RARIEDA	113
<b>41 Total</b>			<b>2,744</b>
42	421	KISUMU EAST	1,159
42	422	KISUMU NORTH	24
42	423	KISUMU WEST	218
42	424	NYANDO	579
42	425	MUHORONI	97
42	426	NYAKACH	161
<b>42 Total</b>			<b>2,238</b>
43	431	HOMA BAY	857
43	432	NDHIWA	115
43	433	RACHUONYO SOUTH	254
43	434	RACHUONYO NORTH	588
43	435	SUBA	380
43	436	MBITA	19
<b>43 Total</b>			<b>2,213</b>
44	441	MIGORI	892
44	442	KURIA WEST	269
44	443	RONGO	155
44	444	URIRI	65
44	445	KURIA EAST	78
44	446	AWENDO	43
44	447	NYATIKE	117
<b>44 Total</b>			<b>1,619</b>
45	451	KISII CENTRAL	1,482
45	452	MASABA SOUTH	197
45	453	KISII SOUTH	123
45	454	GUCHA	766
45	455	NYAMACHE	97
45	456	KENYENYA	79
45	457	GUCHA SOUTH	158
45	458	SAMETA	165
45	459	MARANI	29
<b>45 Total</b>			<b>3,096</b>
46	461	NYAMIRA	860
46	462	NYAMIRA NORTH	129
46	463	BORABU	41
46	464	MANGA	20
46	465	MASABA NORTH	120
<b>46 Total</b>			<b>1,170</b>

47	471	STAREHE	1,314
47	472	WESTLANDS	37
47	473	LANGATA	47
47	474	KASARANI	12
47	475	DAGORETTI	53
47	476	EMBAKASI	34
47	477	MAKADARA	44
47	478	NJIRU	22
47	479	KAMUKUNJI	95
<b>47 Total</b>			<b>1,658</b>
99	991	UNITED KINGDOM	7
99	998	USA	1
<b>99 Total</b>			<b>8</b>
<b>Grand Total</b>			<b>75,014</b>

**OPERATIONAL HUDUMA CENTERS AS AT 24<sup>TH</sup> FEBRUARY 2016:-**

1. GPO Nairobi
2. City Square
3. Makadara
4. Machakos
5. Mombasa
6. Kajiado
7. Embu
8. Nyeri
9. Kisumu
10. Nakuru
11. Eldoret
12. Kakamega
13. Meru
14. Kisii
15. Bungoma
16. Eastleigh
17. Isiolo
18. Kibra
19. Kitui
20. Turkana
21. Wajir
22. Kwale
23. Makueni
24. Siaya
25. Nyamira
26. Kiambu
27. Trans Nzoia
28. Busia
29. Taita Taveta
30. Laikipia
31. Nyandarua

## THE PROPOSED HUDUMA CENTERS

1. Kirinyaga
  2. Marsabit
  3. Murang'a
  4. Samburu
  5. Nandi
  6. Kilifi
  7. Garissa
  8. Homa Bay
  9. Migori
  10. Tharaka Nthi
  11. Lamu
  12. Baringo
  13. Kericho
  14. Narok
  15. Vihiga
  16. Tana River
  17. Elgeyo Marakwet
  18. West Pokot
  19. Bomet
- 
-

# RESOLUTION ON THE STATUS OF IMPLEMENTATION OF THE UNIFIED IDENTIFICATION SYSTEM

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## 1.Introduction

Implementation of the Integrated Population Registration System (IPRS) is the government endeavour to harmonise all population registration databases into one national data base and create a “unified identification system” as envisioned by the Vision 2030. The initiative was reinforced by the Parliamentary Motion adopted by the House urging the Government to “spearhead the establishment of a national unified identification system that harmonises all personal biodata.”

Following the official launch of this initiative by His Excellency the President on 11th March, 2015, IPRS has registered an upsurge of agencies seeking to integrate their systems with its Portal. Correspondingly, the primary registration agencies (the Civil Registration Department, the National Registration Bureau, the Immigration Department, the Refugees Affairs Department), which are the sources of the primary records in the database, have intensified their efforts to automate their processes with a view to making the database more comprehensive.

Currently the register has 35 million records of registered Kenya citizens, against a target of 42 million. It also contains about 250,000 records of registered Refugees, and 170,000 records of registered aliens.

The National database currently serves all the major Banks, Credit Reference Bureaus, Telco’s, Money transfer companies and other private sector firms and organizations that are linked to it for real time verification of identity in line with the government policy of “know-your-customer”. The system is also linked to public institutions, generally referred to as Secondary Registration Agencies, such as Kenya Revenue Authority (KRA), National Hospital

Insurance Fund (NHIF), Higher Education Loans Board(HELB), National Social Security Fund(NSSF) and the Unclaimed Financial Assets Authority(UFAA) to mention a few. Also linked to the system under this category are some segments of our Security Agencies.

## 2. Implementation status

I. The IPRS System has been successfully implemented and is currently serving both government and private sector agencies as aforementioned.

Its components include:

- Creation of the electronic National Population Register with information on individuals, including their textual data, photo images and fingerprint biometrics. The Register is fully integrated with all primary registration agencies (National Registration Bureau, Civil Registration Department, Immigration Services, Directorate of Refugees Affairs) and secondary registration agencies such as NHIF, KRA, HELB, etc ;
- ~~Generation and assigning of the Unique Identifier, a 14 digit~~ intelligent personal identification number based on peculiar circumstances of each individual. Currently, all the records in the database have been assigned this unique number. As the process moves forward, this number, to be assigned at birth, will be the unique identity of individuals and will be adopted by the National Registration Bureau when issuing IDs.;
- Deployment of the ICT Infrastructure which is also connected to an off-site disaster recovery site. Correspondingly, in anticipation of smooth flow of data from the primary source, and the need to assign the unique identifier at birth, IPRS has installed a robust System at

CRD with the ability to capture and transmit data to IPRS in real time. The CRD System is now currently linked to Nairobi County, and it's intended to be rolled out to the rest of the counties. This arrangement, if improved on, would make it a lot easier to capture all the requisite data across the country with minimal effort.

- II. The Register is currently having 35 million records of registered Kenyans and foreigners resident in Kenya. This amounts to 83% of the desired target.
- III. All Banks, Telcos, Credit Reference Bureaus, money transfer companies, among others, are connected to IPRS for purpose of identity verifications.
- IV. Government agencies such as HELB, Ministry of Labor, Ministry in charge of Youth Affairs, KRA, National Intelligence Service, Huduma Centres, to mention a few, are also using the System.
- V. Currently, the System has seen an upgrade on its functionalities by introducing the biometric module to enable agencies undertake biometric verification using fingerprints. This module has been tested and will be rolled out soon.

### **3. Advantages of the system**

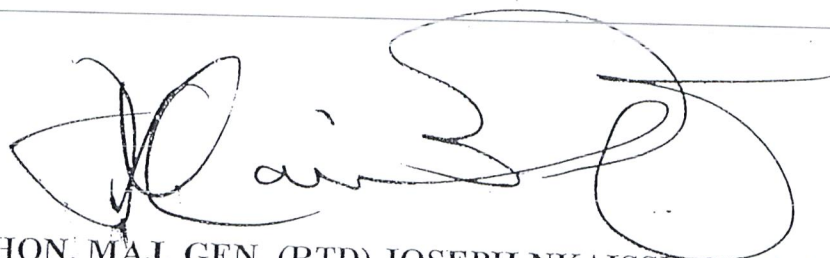
Given the relative comprehensiveness of the Register and the ease with which to access data in real time, the IPRS Portal has greatly influenced the style of doing business by both public and private sector agencies as outlined below:

- a. The System has facilitated operationalization of government's initiative on digital payment through the E-Citizen Portal. Many government services, including Passport processing, renewal of drivers' licenses, land searches, etc, are done on-line using the IPRS Portal.

- b. Financial institutions have used the Portal, not only to stamp out fraud, but also to introduce more innovative services and products in the market. This initiative has seen the introduction of such services as M-Shwari, M-Benki, i-Invest, etc.
- c. The System has also provided an ideal platform for security agencies to carry out surveillance and vetting from time to time.

#### 4. Wayforward

IPRS database currently comprises records of over 83% of the population of Kenya. To get a comprehensive database of all Kenyans, the government is enhancing its efforts to bring in the outstanding records. The Government is also intensifying the on-going initiative towards linking records across the existing databases and assigning a unique identifier for each record, thereby making it difficult to forge identity.



**HON. MAJ. GEN. (RTD) JOSEPH NKAISSERY, MGH, CBS**  
Cabinet Secretary  
Ministry of Interior and  
Coordination of National Government

16<sup>th</sup> February, 2016

48

218



# OFFICE OF THE PRESID

Telegraphic address: "Rais"  
Telephone: Nairobi 2227411  
When replying please quote

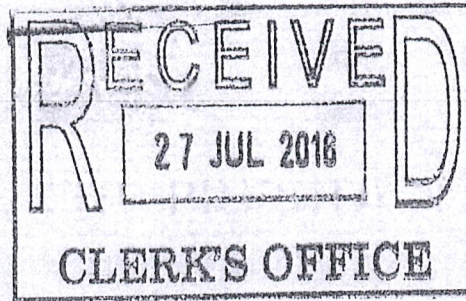
**OP. PA 1/29**

MINISTRY OF INTERIOR  
AND CO-ORDINATION  
OF  
NATIONAL GOVERNMENT

Ref. No. \_\_\_\_\_  
and date \_\_\_\_\_

MENT  
27<sup>th</sup>  
P.O. Box 30510-00100  
Nairobi  
phyllis  
D/Comm  
28/7/16

**Mr. Justin Bundi, CBS**  
Clerk of the National Assembly  
Parliament Buildings  
NAIROBI



Dear *Mr. Bundi,*

**RE: COMMITTEE ON IMPLEMENTATION OF THE NATIONAL ASSEMBLY; RESOLUTION OF THE HOUSE ON DECENTRALIZATION OF THE REGISTRATION OF NATIONAL IDENTIFICATION CARDS**

Reference is made to your letter Ref: NA/CO1/CORR/2016/169 dated 23<sup>rd</sup> June 2016 on the above subject matter.

Registration and distribution of identity cards is decentralized to the divisional/wards level. However, production of identity cards is centralized at the National Registration Bureau's head office.

Prior to 1995, the identity card production system was decentralized. However, the process was prone to abuse through forgeries, fraudulent and multiple registrations, therefore prompting the Government to revert to the centralized production system.

The Government has installed a unique Automated Fingerprint Information System (AFIS) which matches fingerprints of all registered Kenyan Citizens, Refugees, and Foreign Nationals interfaces with the latter's databases. This system therefore prevents attempts by ineligible persons to acquire national identity cards illegally and to block double registration by citizens.

*Mr. Cundicha*  
*Please find in the*  
*reference of actual*

During the financial year  
generation identify car  
data capture and on-lit  
In anticipation, the de  
of the

centres  
Card.

ar 2017/2018, the Government intends to implement the 3<sup>rd</sup>  
rd production project whose key deliverables include live-  
ie submission of applications forms to the production centre.  
partment has already introduced live capture systems in some

his has greatly reduced the turnaround time for production of

Yours *Sincerely,*



**DR. (ENG) KARANJA KIBICHO, CBS**  
**PRINCIPAL SECRETARY/INTERIOR**

① D/Komutley



②  
2011

Mirinda  
ple deal  
AA  
08/7

REPUBLIC OF KENYA  
THE NATIONAL TREASURY

Telegraphic Address: 22921  
Finance - Nairobi  
FAX NO. 310833  
Telephone: 2252299 Ext. 33176

THE NATIONAL TREASURY  
P O BOX 30007 - 00100  
NAIROBI

When replying please quote

REF: ZZ/MOF.253/017

Date: July 1, 2016

Mr. Justin N. Bundi, CBS  
Clerk of the National Assembly  
Clerk's Chamber  
Parliament Building  
Nairobi

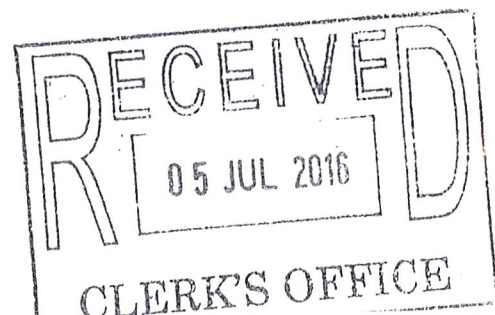
Dear Mr. Bundi

RE: Report on Petition Presented to the House by Departmental Committee on  
Agriculture, Livestock and Cooperative on Imminent Privatization of NKCC.

This is in reference to your letter ref: NA/COI/CORR/2016/ (115) dated 18<sup>th</sup>  
May 2016, forwarding the above Report.

We have noted that the chairperson of the Departmental Committee on  
Agriculture, Livestock and Cooperative presented the Report on Imminent  
Privatization of New KCC to the house on 22<sup>nd</sup> October 2015. We have further  
noted the following specific recommendations for implementation by the  
National Treasury;

1. There exists a register of all original shareholders of KCC. Therefore the  
National Government should first consider the original shareholders of  
KCC or their assignees in the process of privatizing the NKCC;
2. Proposed shareholding structure by the Dairy farmers that gives farmers  
55% while strategic investor 25% and Government 10% be considered  
by National Government while arriving at the final shareholding  
structure of the privatized NKCC; and



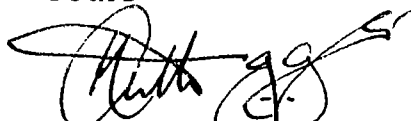
3. The National Government through the privatization process of NKCC, should grants Dairy Farmers two years to enable many Milk Farmers to buy the shares as per above proposed shareholding structure.

We however wish to bring to your attention that the term of the Privatization Commission Board expired in September 2015, while the house Report on Imminent Privatization of New KCC was presented to the House on 22<sup>nd</sup> October 2015, and forwarded to this office vide letter dated 18<sup>th</sup> May 2016.

In view of the above, there has been no Privatization Board to review the strategy as directed. However, the recommendations of the Committee will be presented to the new Commission as soon as they are in office for review and consideration. Consequently the implementation status of the recommendations will be submitted as requested.

Yours

*Sincerely*

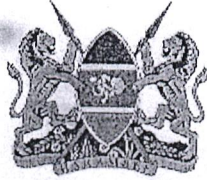


Dr. Kamau Thugge, CBS

PRINCIPAL SECRETARY/ NATIONAL TREASURY

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158

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**MINISTRY OF DEFENCE  
OFFICE OF THE PRINCIPAL SECRETARY**

Telegrams: "DEFENCE", Nairobi  
Telephone: Nairobi 020 - 2721100  
Email: ps@mod.go.ke  
Fax: 020 2723446  
When replying please quote

DEFENCE HEADQUARTERS  
ULINZI HOUSE  
P. O. Box 40668, NAIROBI, KENYA

MOD 17/08

19th May, 2016

**Mr. Justin N. Bundi**  
Clerk to the National Assembly  
Parliament Buildings  
**NAIROBI**

*D/Coombes*  
*Advise the petitioner of the*  
*position lead*  
*25/5/16*

Dear

*Justin*

**RE: REPORT ON PETITION REGARDING WRONGFUL DISCHARGE OF  
EX- SPTE ENOCK MAKANDA, TABLED ON THE FLOOR OF THE HOUSE  
ON 16<sup>TH</sup> JULY 2014**

I refer to your letter Ref. No. NA/COI/CORR/2016/ (76) dated 30<sup>th</sup> March, 2016 on the above subject matter.

The Ministry has considered the recommendation of the Departmental Committee on Defence and Foreign Relations and confirms that the femoral plate that was inserted in the Petitioner's legs will be removed at the Ministry's expense.

In the event that you are in communication with the Petitioner, kindly request him to get in touch with the Chief of Medical's office at the Ministry's headquarters for purposes of making arrangements for the operation.

Yours

*Sincerely,*  
*Kirimi*

**AMB. KIRIMI P. KABERIA  
PRINCIPAL SECRETARY**

NATIONAL ASSEMBLY  
**RECEIVED**  
24 MAY 2016  
CLERK'S OFFICE  
P. O. Box 41842, NAIROBI

*Phyllis Mwangi*  
*rose TAA*  
*20/5/16*  
*25/5/16*

*Gundecha*  
*Bring up details on*  
*the Petitioner*  
*25/5/16*  
*PM*

\_\_\_\_\_

\_\_\_\_\_

*Palwa*



**OFFICE OF THE SECRETARY/CEO**

Website: [www.landcommission.go.ke](http://www.landcommission.go.ke)

Telephone: Nairobi 2718050/020-2187505

Email: [info@landcommission.go.ke](mailto:info@landcommission.go.ke)

ARDHI HOUSE  
1<sup>st</sup> NGONG ROAD  
P.O. Box 44417  
**NAIROBI**

REF: NLC/1/7/13

DATE: 12<sup>th</sup> January, 2017

Justin Bundi  
Clerk Of The National Assembly  
Parliament Buildings  
Po.Box 41842-00100  
**NAIROBI**

Dear *Sir,*

RE: NATIONAL ASSEMBLY COMMITTEE ON IMPLEMENTATION: STATUS OF IMPLEMENTATION OF THE RECOMMENDATIONS OF THE REPORT ON RESETTLEMENT OF ENOOSUPUKIA IDPs.

Reference is made to your letter Ref. NA/DCS/COI/2016/253 dated 15<sup>th</sup> December, 2016 on the above subject matter.

The National Land Commission is mandated to investigate historical land injustices pursuant to Article 67(3) of the Constitution and on the Land Amendments on section 15 of the National Land Commission Act.

The Commission has developed draft regulations on historical land injustices which is to be subjected to the stakeholders and submitted to parliament for consideration.

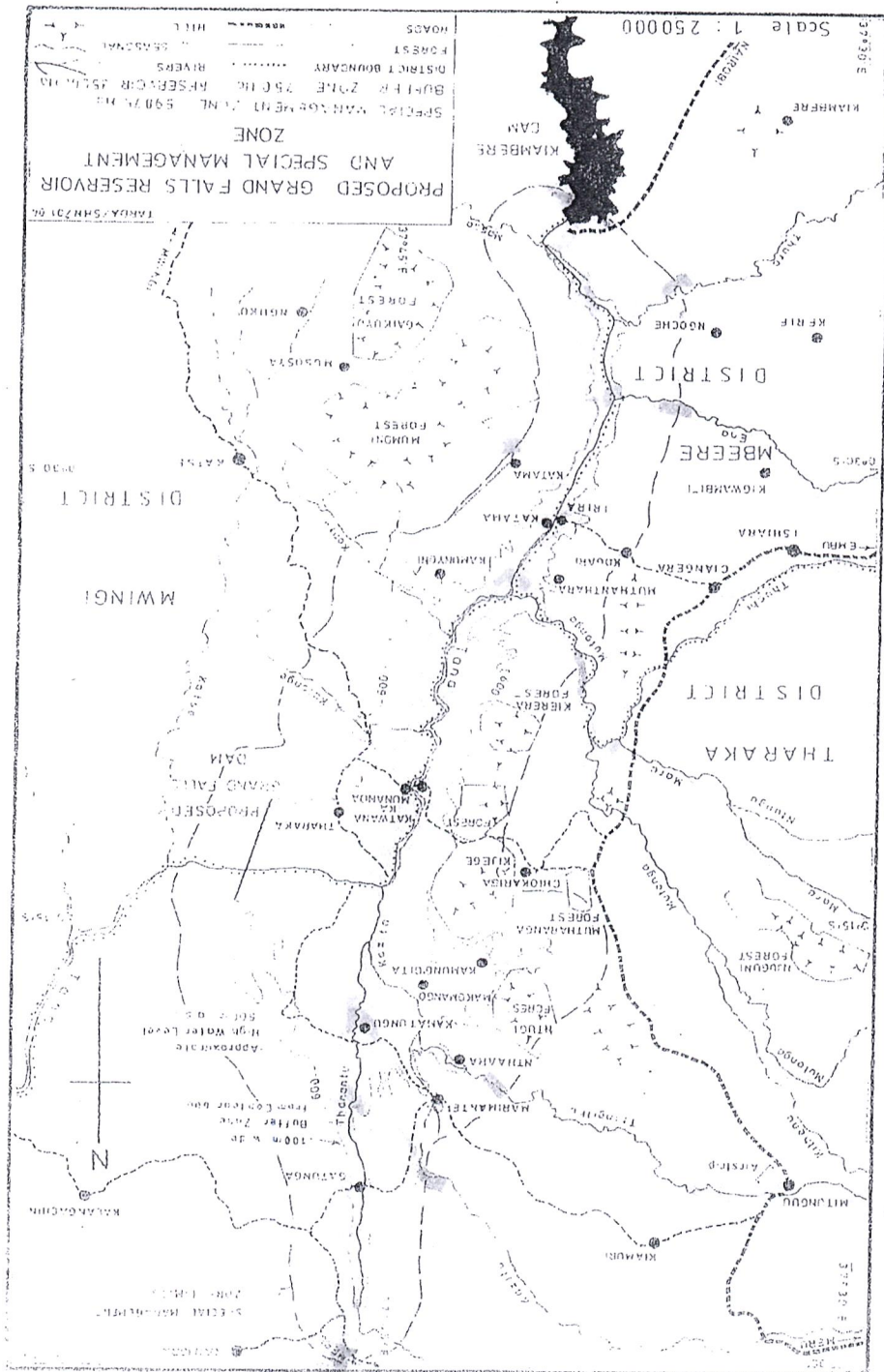
The Commission requests for funding towards the formulation of the regulations and implementations.

Yours *Sincerely,*

*Chavangi Aziz Tom*  
**SECRETARY/CEO**

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94

# MINISTRY OF ENERGY AND PETROLEUM

Telegrams: "MINPOWER", Nairobi  
Telephone: +254 20 310112  
Telex: 23094 MINERGY  
Fax: +254 20 2240910  
Our Ref: ME/5/1/35



NYAYO HOUSE  
P.O. Box 30582-00100  
NAIROBI

171

Date: 8<sup>th</sup> July, 2015

**The Principal Secretary**  
Department of Water and Irrigation  
Ministry of Environment and Natural Resources  
**NAIROBI**

Dear *Justin*

② *MIRUNGU*  
*pls deal* **FA** 15/7

① *D/Committee*  
*T.M.*  
15/7

**RE: DEVELOPMENT OF HIGH GRAND FALLS**

On 6<sup>th</sup> July, 2015, we appeared before the National Assembly's Committee on Implementation, where one of the issues under consideration was the flooding of River Tana.

From the discussions, it was agreed that one of the main control and mitigation measures of the flooding is the construction of High Grand Falls dam. This will greatly raise the amount of water the dams can hold, thereby delaying and/or eliminating the onset of floods.

We are aware that your Ministry has been facilitating the development of High Grand Falls, with its multipurpose benefits of flood control, power generation, irrigation and tourism among others. We request that the development of this crucial dam be prioritized and progressed expeditiously. Further, kindly share with us the status of the development.

We undertake to cooperate with you and will offer any support as appropriate. We have copied this letter to the Chair of the Committee on Implementation, and we request you share with them detailed progress of the development of the High Grand Falls Multipurpose dam project.

Yours *Sincerely*

*J.K.*

**Eng. Joseph K. Njoroge, MBS**  
**PRINCIPAL SECRETARY**

**RECEIVED**  
15 JUL 2015  
**CLERK'S OFFICE**

Copy to: **Mr. Henry Rotich**  
Ag. Cabinet Secretary  
Ministry of Energy and Petroleum  
**NAIROBI**

**Hon. Soipan Tuya**  
Chair  
Committee on Implementation  
National Assembly  
Parliament Buildings  
**NAIROBI**

*JLB*  
→ **Mr. Justin Bundi**  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

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94

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P.O. Box 30582-00100  
NAIROBI

171

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Department of Water and Irrigation  
Ministry of Environment and Natural Resources  
**NAIROBI**

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*Justin*

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*pls deal*

①

*D. M. M. M. M.*  
*T.M.A.*  
*15/7*

*FA 15/7*

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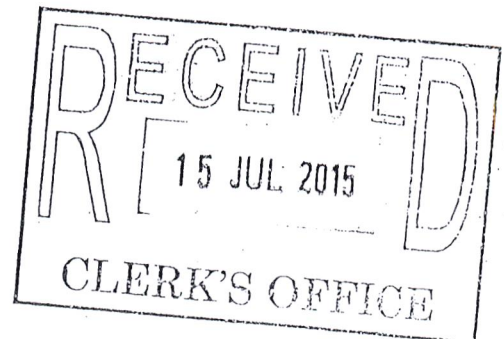
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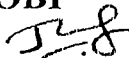
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**PRINCIPAL SECRETARY**



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Ministry of Energy and Petroleum  
**NAIROBI**

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Chair  
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National Assembly  
Parliament Buildings  
**NAIROBI**

  
→ **Mr. Justin Bundi**  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

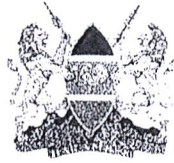
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NAIROBI

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Ministry of Environment and Natural Resources  
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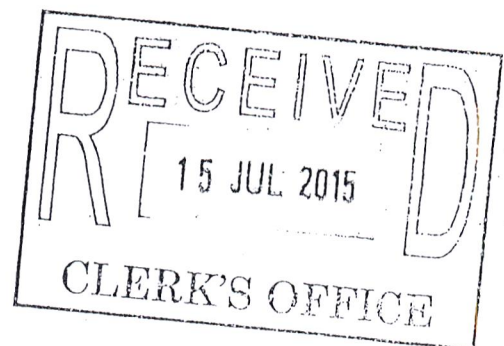
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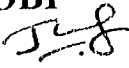
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**PRINCIPAL SECRETARY**



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Ministry of Energy and Petroleum  
**NAIROBI**

**Hon. Soipan Tuya**  
Chair  
Committee on Implementation  
National Assembly  
Parliament Buildings  
**NAIROBI**

  
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Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

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Ministry of Environment and Natural Resources  
**NAIROBI**

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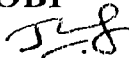
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*J.K.*

**Eng. Joseph K. Njoroge, MBS**  
**PRINCIPAL SECRETARY**

**RECEIVED**  
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**CLERK'S OFFICE**

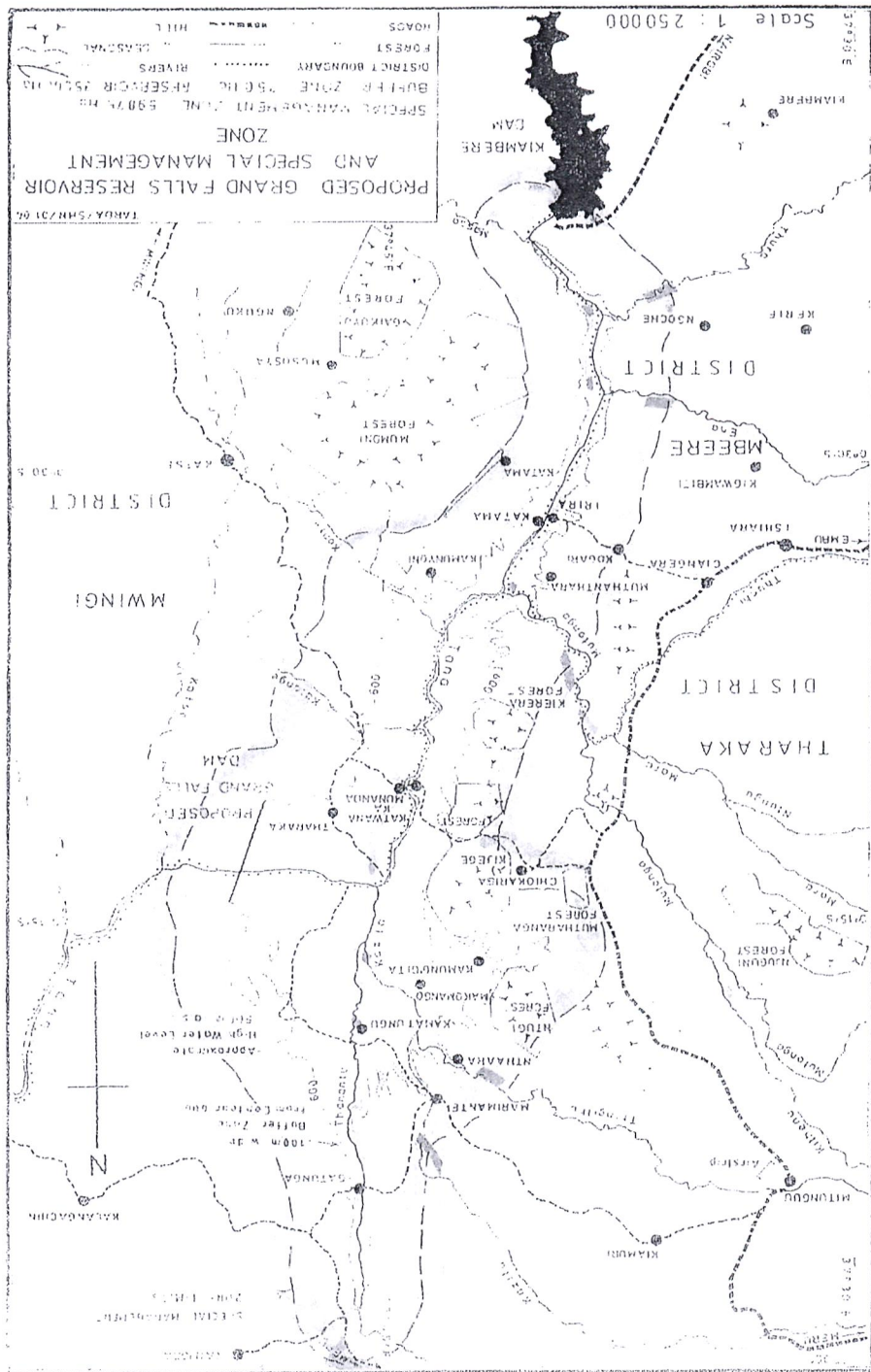
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**NAIROBI**

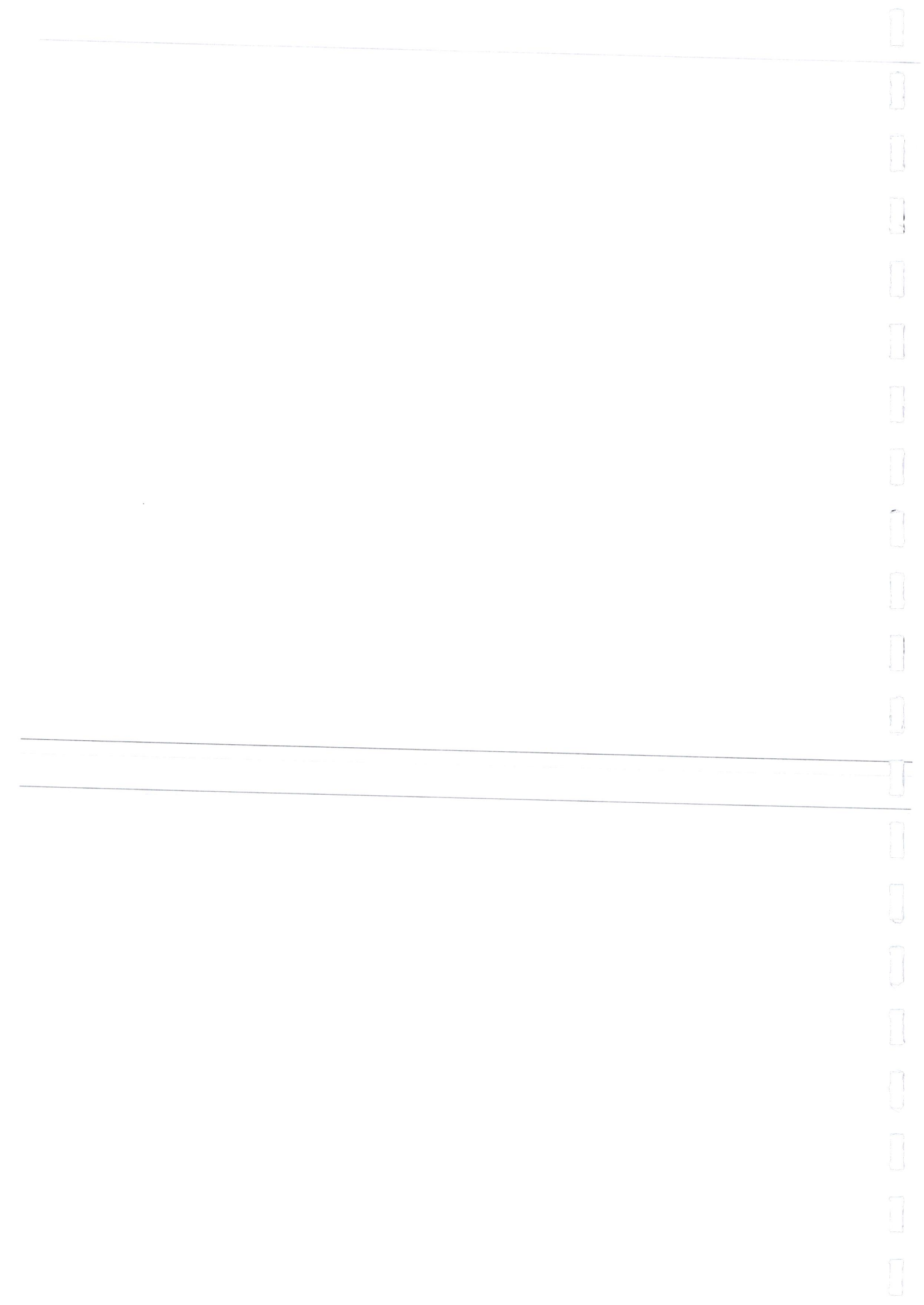
**Hon. Soipan Tuya**  
Chair  
Committee on Implementation  
National Assembly  
Parliament Buildings  
**NAIROBI**

  
**Mr. Justin Bundi**  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

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DD/Committee

② MURUNAO  
file deaf

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FA  
28/2/17

REPUBLIC OF KENYA  
MINISTRY OF EDUCATION  
STATE DEPARTMENT OF BASIC EDUCATION

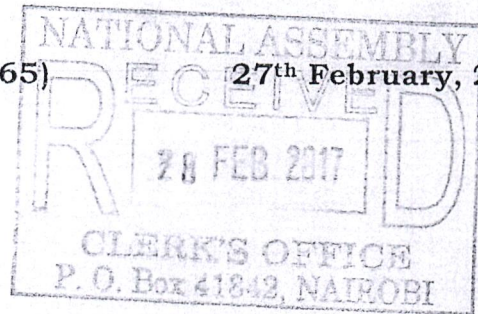
Telegrams: "EDUCATION", Nairobi  
Telephone: Nairobi 318581  
Fax: 214287  
E-mail: [ps@education.go.ke](mailto:ps@education.go.ke)  
When replying please quote

JOGOO HOUSE "B"  
HARAMBEE AVENUE  
P. O. BOX 30040-00100  
NAIROBI

Ref. No. MCE.HQS/3/6/45/ VOL.IX (65)

27<sup>th</sup> February, 2017

Mr. Justin Bundi, CBS,  
Clerk of the National Assembly,  
Parliament Buildings,  
P. O. Box 41842-00100,  
**NAIROBI**



**NATIONAL ASSEMBLY COMMITTEE ON IMPLEMENTATION:  
RESOLUTION OF THE HOUSE ON IMPLEMENTATION STATUS ON POSTING  
OF CHAPLAINS TO SECONDARY & TERTIARY INSTITUTIONS OF LEARNING**

Reference is made to your letter Ref. No. NA/DCS/COI/2017(16) dated 2<sup>nd</sup> February, 2017 on the above subject.

Attached herewith, please find the response in respect of the above subject for your further action.

Judy Nyaga  
For: PRINCIPAL SECRETARY

Mr Cundicha

Please bring up for  
deliberations

amm 28/2/17

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**REPUBLIC OF KENYA**  
**MINISTRY OF EDUCATION**  
**STATE DEPARTMENT OF BASIC EDUCATION**

**INSTITUTIONALIZATION OF CHAPLAINCY SERVICE IN SECONDARY SCHOOLS AND TERTIARY INSTITUTIONS OF LEARNING**

The Ministry of Education is mandated to ensure inculcation of sound moral and religious values to learners in line with the National Goals of Education. The constitution of Kenya Article 10 provides for the need to instill national values to all citizens. The Basic Education Act, 2013 Section 27(d) provides for supervisory and advisory services in matters regarding spiritual development in learning institutions.

Over the years, the Ministry of Education (MOE) has partnered with Faith Based Organizations (FBO's) to provide and nurture spiritual and moral values amongst learners.

In addition, the curriculum through religious education and life skills was developed with an aim of strengthening holistic development of the learners. The reality however is that religious studies are academic oriented and may not appeal to the affective domain of the learner as anticipated life skills, being a non-examinable subject is not taught in most schools. Chaplaincy service in schools has been unstructured and a preserve of a few schools, with a number of service providers not trained to offer essential service.

In response to the resolutions made by the National Assembly on 13<sup>th</sup> October, 2016 asking the National Government to consider deploying chaplains to secondary and tertiary institutions of learning, the Ministry of Education has undertaken the initiative stated below and the status of implementation is as follows:-

- (i) The management of Public Universities in Kenya is guided by the various legislations including the university charters. The universities are semi-autonomous government agencies governed through various structures, Councils being the most superior organ.

The issues raised in the motion relating to the conduct of students in learning institutions is addressed using the following administrative structures in respective universities.

- a) The University Student Councils;
- b) The Office of the Dean of Students;
- c) The Office of the University Counselor; and
- d) The University Chaplain.

- 
- (ii) While in Secondary Schools and other Tertiary Institutions, a ~~Committee whose mandate is on institutionalization of~~ Chaplaincy in learning institutions was appointed by the Cabinet Secretary on the 24<sup>th</sup> October, 2016. The committee comprises of 15 members drawn from the umbrella bodies of Registered Faith Based Organizations and representatives from Teachers Service Commission, Public Service Commission and State Departments of Ministry of Education.

The Committee is chaired by Rev. John Gatu (National Association of Christian Chaplains) and the Deputy Chairman is Dr. Hassan Kinyua from SUPKEM.

The Committee has held several full committee and Sub-Committee meetings, which has resulted to the following achievements as per the Terms of Reference.

**TOR 1** – *Establishing the status of Chaplaincy Service in Secondary and Tertiary institutions.*

The Committee developed data capture instruments. The questionnaire was administered through TSC on-line platform to 2550 Public Secondary Schools sampled from all the 47 counties in December – January 2016. Preparations for data analysis, interpretation and report is ongoing. The Needs Assessment is to establish:-

- Teachers licensed/ordained Clergy practicing chaplaincy
- Teachers who are licensed/ordained NOT practicing Chaplaincy
- Licensed/Ordained clergy (NOT teachers) practicing Chaplaincy

**TOR 2**- *Prepare a report on the status of Chaplaincy in public learning institutions and its implication in the learning process.* The committee intends to conduct Focus Group Discussion (FGDs) in 8 Education Regions.

The interview schedule for FGDs has been developed. Logistical arrangements for conducting FGDs is in ongoing.

**TOR 3** – *Develop a curriculum outline for training Chaplains.* The committee has developed a draft outline of the curriculum and presented the same to the Senior Management of the MOE for their input and advice. The document was also presented to the curriculum developers at KICD for the purpose of aligning the curriculum for training chaplains with the Basic Education Curriculum Reforms Framework.

**TOR 4** – *Development of a proposed Scheme of Service for Chaplains.* A proposed Scheme of Service for Chaplains has been

developed in line with the existing TSC scheme of service. Reference was made to other PSC schemes of service such as scheme of service for chaplains in Prison Service and scheme of service for Chaplains in the Department of Defense. The thinking of the committee is to incorporate the scheme of service for Chaplains into the revised and harmonized TSC scheme.

Other projected activities includes:-

- Analysis of data to develop a detailed report on status of Chaplaincy Services and its implications in the learning process.
- Development of a detailed curriculum content for training Chaplains by the MOE (KICD) and the committee members
- Development of a scheme of service for Chaplains.
- Determine the budget and time line for recruitment, appointment and deployment of Chaplains to public learning institutions.

It is our hope that the findings by this committee will inform the Government on matters of establishment that will be necessary for TSC during the recruitment, deployment of chaplains and the budgetary implications of staffing the schools with Chaplains.



**Fred Matiang'i, PhD, EGH**  
**CABINET SECRETARY**

Date:..... 22.02.2017 .....

① A. Muttes  
24/2/17



(75)

177

**MINISTRY OF EAST AFRICAN COMMUNITY, LABOUR & SOCIAL PROTECTION  
STATE DEPARTMENT FOR LABOUR  
OFFICE OF THE PRINCIPAL SECRETARY**

Tel: +254 (020) 2729800  
Fax: +254 (020) 2726497  
Email: [principalsecretary@labour.go.ke](mailto:principalsecretary@labour.go.ke)  
When replying, please quote:

Social Security House  
Bishops Road  
P.O. Box 40326-00100  
Nairobi, KENYA

Ref. No. MLSS/LD/ADM/35

5<sup>th</sup> February, 2017

The Clerk,  
National Assembly  
P.O. Box 41842-00100  
**NAIROBI**

② MIRUNGU  
pls deaf  
FA  
21/2/17

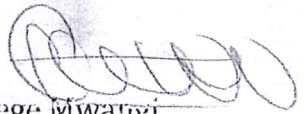
**RE: REPORT ON PETITION ON DEPLORABLE WORKING CONDITIONS  
OF WORKERS AT KWALE INTERNATIONAL SUGAR COMPANY LTD.**

This is to acknowledge with thanks, receipt of your letter Ref. No. NA/DCS/CO1/20.7(7) dated 27<sup>th</sup> January, 2017; the contents of which I have noted.

Further to the undertaking made in my letter of even reference dated 17<sup>th</sup> November, 2016, I wish to confirm that the Ministry made the necessary enquiries into the status of implementation of recommendations of the Departmental Committee on Labour and Social Welfare, following the Committee's visit to the above firm in October, 2015 and I am pleased to herewith enclose the report. The inadvertent delay in submission of the report in good time was occasioned by unforeseen hurdles in obtaining all the relevant documents for verification and this is highly regretted.

To ensure sustained compliance and further improvement of working conditions, the Ministry intends to make a follow-up audit at the firm within a period of one (1) year and inform you accordingly.

With regard to the Committee's scheduled visit to the factory in Kwale, I am pleased to confirm that as requested, I have made arrangements for officers from my State Department to be in Kwale, to meet and guide the Committee's delegation on Saturday, 25<sup>th</sup> February, 2017 as per the tentative programme enclosed in your letter.

  
Chege Mwangi  
For: PRINCIPAL SECRETARY





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## **REPORT ON PETITION ON DEPLORABLE WORKING CONDITIONS OF THE WORKERS AT KWALE INTERNATIONAL SUGAR CO. LTD**

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On 16<sup>th</sup> November, 2016 the County Labour Officer, Mombasa in the company of the County Occupational Health and Safety Officer, Mombasa visited the company with a view to establish the management's status of compliance with the recommendations of the Committee. During the initial visit the management and workers were interviewed. To affirm the parties' respective responses, it was necessary that records be produced to the officers. Some delays were encountered in the production and examination of the records. Herein below is the report on the current status of working conditions at the company and especially in regard to issues over which the Committee had detected anomalies and made recommendation for remedial action.

### **1. Issuance of letters of appointment:**

252 employees have since been issued with letters of appointment specifying their conditions and terms of engagement. The officers verified the documents.

### **2. Adherence to the wages guidelines as per Kenya Gazette Notice No.9 of 2015:**

Pay records confirm that all workers are being paid not less than the legal minimum wages. The management had stated that where wage levels had been below the minimum, the required adjustments have been made. The employer complies with the requirements of statutory minimum standards provided for in Legal Notice No. 116 of 2015 currently applicable in the Agricultural Sector.

### **3. Wage arrears:**

Arising from the wage underpayment claims, a total of Ksh.5,931,426.55 was paid out to workers in compensation of wage underpayments in February 2016. Evidence of cash transfer advice to the firm's Ukunda KCB Branch from the company's Nairobi head office account, and the subsequent payroll records of workers paid out was availed to the Ministry in confirmation.

4. **Protective gear and safety measures:**

The inspectorate staff confirmed that the workers have been provided with safety clothing and protective gear which are currently being used. Copies of the purchase orders were also verified and confirmed by the inspecting officers.

5. **Provision of proper sanitation, food and water to employees:**

A contract for the provision of catering services has been given to an external caterer who prepares food and provides water to employees. Employees confirmed food is sold at a subsidized price on ordinary days but duly catered for by the employer on occasions when workers have to work extra hours.

The Department of Public Health issued the firm a certificate of compliance with the Food and Hygiene Regulations on 28<sup>th</sup> April, 2016.

6. **Provision of better alternative transport mode:**

The management operates a vehicle hire contract bus to ferry employees to the farms and separate arrangement for farm equipment to be transported by tractors.

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Pabari Distributors Ltd has contracted with the company to provide staff bus hire services between Ulaanda and the Ramisi factory site.

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The employees confirmed that the staff buses no longer carry farm implements.

7. **Provision of medical scheme for employees and workmen's compensation:**

It was confirmed that the company has insured its workers for work related injuries under Work Injuries Benefits Act, 2007 with AON Insurance. This was confirmed through verification of insurance Policy No.1/01/114/0002/2012 which covers the period between 1<sup>st</sup> October 2016 to 31<sup>st</sup> December, 2016.

From the foregoing, the Ministry is assured that the management has made reasonable endeavours to improve the conditions of work and adhere to the Committee recommendations.

(2) MURUGU  
pls deal  
FH 21/2/17  
(70)  
OD/letters  
186  
21/2/17

**MEETING WITH THE NATIONAL ASSEMBLY'S COMMITTEE ON  
IMPLEMENTATION ON THE STATUS OF HOUSE RESOLUTIONS, HELD  
ON 21<sup>ST</sup> FEBRUARY, 2017**

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**A. CURRENT STATUS OF THE ESTABLISHMENT OF A DISASTER  
MANAGEMENT AUTHORITY**

The Government appreciates the need to have a disaster policy framework that deals with all forms of disasters that the country faces from time to time; including drought, which is currently affecting the country, particularly in the arid and semi arid areas. It is with this in mind that the Government is pursuing the establishment of the Disaster Risk Management Policy, and thereby ensure that all forms of disasters are speedily and adequately addressed.

The formulation of a draft National Policy on Disaster Risk Management is informed by an emphasis from "response" to "risk reduction" in relation to management of disasters, in line with the Hyogo Framework for Action and the Sendai Framework for Disaster Risk Reduction (DRR) and the heightened need for an all-encompassing legal and institutional framework for DRR in the Country.

The draft National Policy on Disaster Risk Management document was presented before Cabinet for approval, which observed that the creation of National Disaster Management Authority (NADIMA), as suggested was contradicting the Government's policy of reducing parastatals and agencies. Consequently, Cabinet gave guidance that the draft Policy document be revised with an aim of establishing a revamped Department under the Ministry of Interior and Coordination of National Government, which would perform the stated roles of NADIMA as envisaged in the draft Policy. The draft Policy has thus been revised and it now makes no reference to the establishment of NADIMA but to the establishment of an all-encompassing legal and institutional framework for disaster risk reduction in the country.



Lastly, a Cabinet Memo has been prepared and is awaiting signature by the relevant Cabinet Secretaries, before being presented before the National Assembly.

## **B. STATUS OF RECRUITMENT, DELOYMENT, TRAINING, KITTING, ARMING AND REMUNERATION OF NATIONAL POLICE RESERVISITS**

According to the National Police Service Act (2011), the National Police Service Commission is accorded the responsibility of enlisting, kitting, training and determining the command structure of the Reservists.

Currently, there are 7,330 Police Reservists in post who were recruited before the enactment of the National Police Service Act, 2011 and are due for vetting and regularization by the National Police Service Commission in accordance with Section 110 (6) of the National Police Service Act, 2011.

The government is in the process of recruiting suitable Kenyans into the National Police Reservists in order to beef up existing number of Reservists (in post) so as to assist the police service in its performance of its duties in selected counties that are faced with volatile security situations. In this regard, in consultation with the relevant security agencies, the Inspector General, has submitted names of qualified candidates to the National Police Service Commission for recruitment into the reservist in accordance with Section 111 (2) of the National Police Service Act, 2011.

In order to inject professionalism, accountability and to motivate the Reservists, it has been deemed necessary that those in post be regularized, retrained, kitted afresh and remunerated. At the same time, newly recruited Reservists will be trained, kitted, armed, deployed and remunerated as envisaged in law.

Further, training curriculum and manuals for the National Police Reservists have been developed and piloted in Turkana, Isiolo and Meru Counties. This Curriculum shall

be used to train all reservists after the vetting of those in post and recruitment of the new ones.

In addition, the Reservists that are in post have been armed and kitted by the National Police Service in accordance with Section 110 (3A) (a) of the National Police Service Act, 2011. The process of procuring a common uniform (that is specific to the reservists), equipment and arms is ongoing in accordance with the Public Procurement and Disposal procedure guidelines. The new Reservists, when recruited, will be kitted and armed appropriately.

The National Police Service Commission and National Police Service are in consultation with the Salaries and Remuneration Commission with a view to determine appropriate remuneration for the Reservists. This is being under taken concurrently with the vetting and recruitment process.

Lastly, in the current financial year, Kshs.420,000,000/= was allocated for the operationalization and management of National Police Reservists in the country. National Police Reservists Regulations have been drafted and forwarded to the Office of the Attorney General for input, while a draft National Police Reserve Policy is being formulated.



**HON. MAJ. GEN. (RTD) JOSEPH NKAISSERRY, EGH, CBS**  
CABINET SECRETARY  
MINISTRY OF INTERIOR AND  
COORDINATION OF NATIONAL GOVERNMENT

17<sup>th</sup> February, 2017



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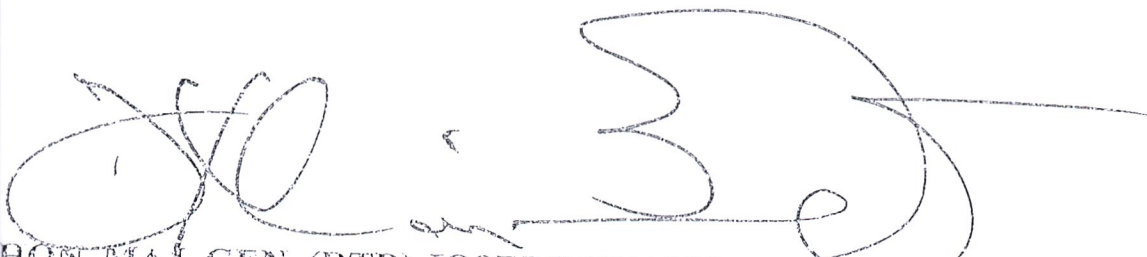
**IMPLEMENTATION STATUS OF THE NATIONAL ASSEMBLY'S  
RESOLUTION ON FREE ISSUANCE OF P3 FORMS AT ALL PUBLIC  
HEALTH FACILITIES**

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The National Assembly has adopted a motion by Hon. Omar Mwinyi which urges the Government to ensure that completion of p3 forms is offered free of charge at all public health care facilities.

**I wish to state as follows;**

The medical examination report form is issued free of charge by police officers to victims of crimes of violence such as assault and rape,. The form is available in all police stations, posts and bases countrywide, besides the Kenya Police Service and National Police Service websites as a free download.



**HON. MAJ. GEN. (RTD) JOSEPH NKAISSERRY, EGH, CBS**

**CABINET SECRETARY**

**MINISTRY OF INTERIOR AND**

**COORDINATION OF NATIONAL GOVERNMENT**

17<sup>th</sup> February, 2017

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# OFFICE OF THE PRESIDENT

Telegraphic Address: "Rais"  
Telephone: Nairobi 222411  
When Replying Please Quote

MINISTRY OF INTERIOR  
AND CO-ORDINATION  
OF  
NATIONAL GOVERNMENT

P.O. Box 30510-00100  
Nairobi

Ref: OP/PA 1/40A

14<sup>th</sup> June 2016

Clerk's Chambers  
National Assembly  
Parliamentary Buildings  
P. O. Box 41842 - 00100  
**NAIROBI**

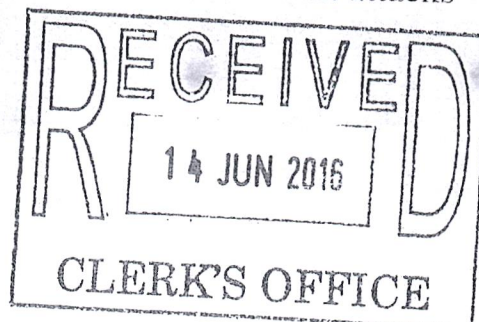
1 D / Committee  
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## REPORT ON PETITION BY RESIDENTS OF MUKUTANI DIVISION, BARINGO COUNTY, PRESENTED TO THE HOUSE BY THE HOUSE BY THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

Reference is made to your letter reference NA/COI/CORR/2016/(112) dated 18<sup>th</sup> May, 2016, on the above subject matter.

Cattle rustling and its resultant conflicts is a security challenge in some parts of north eastern and upper eastern regions in the Country. This has resulted to negative socio-economic effects, which include;

- Loss of lives
- Poverty as a result of families losing their livestock/source of livelihood to criminals
- Ethnic conflict
- Destruction of property
- Insecurity
- Under development since the investors shy away from investing in insecure areas
- Closure of schools and health facilities due to fear of bandit attacks
- Low literacy levels, among others



In an effort to address the menace, the Government, with collaboration with other stakeholders, has developed multi-pronged strategies aimed at eradicating the vice. These include, among others;

- i. The Government has initiated the process of amending security laws to empower security officers to discharge their duties effectively and to also declare cattle rustling as capital offence.
- ii. The Government is in the process of establishing Boundary Dispute Resolution Task Force to address the long standing boundary disputes in the country.
- iii. The Government launched the registration of illegal firearms at Katilia location, Turkana County on 29<sup>th</sup> July 2015 and so far 602 Fire arms have been registered and 10 firearms were surrendered during the launch.
- iv. The Government has profiled hot spot areas to facilitate establishment of police stations and police posts in Baringo and Turkana Counties.
- v. ~~The Government has facilitated the National Government Administration officers, including chiefs and assistant chiefs, with provisions such as motor-bikes, fuel and airtime.~~
- vi. The Government has profiled security roads and airstrips that will enhance security surveillance in Baringo, Turkana, Samburu, West Pokot, Laikipia, Isiolo and Marsabit Counties.
- vii. The Government has profiled the vandalized schools, water and health facilities and other infrastructure, and rehabilitation is ongoing.
- viii. The Government is fast tracking the finalization of the National Police Reserve Policy.
- ix. Once the National Police Service Commission finalizes with the vetting of police officers, the Commission will then embark on the process of vetting national police reservists.

- x. The Government has allocated KSH. 2 billion for the Internally Displaced Persons in the Region as a result of insecurity and leaders were requested to seek additional KSH. 2 billion through the Parliament.



**Wycliffe O. Ogallo, OGW**  
**FOR: PRINCIPAL SECRETARY/INTERIOR**



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NSSF Building  
23rd Floor

(160)

MIRONGU  
MABUT

REPUBLIC OF KENYA



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**MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES**  
**State Department of Fisheries**  
**Office of the Principal Secretary**

Telegraphic Address "MINAG" NAIROBI  
Telex: 22766  
Telephone: 2718870/9  
Fax: 316731  
When replying please quote;

KILIMO HOUSE  
CATHEDRAL ROAD  
P.O. Box 34188-0010  
NAIROBI

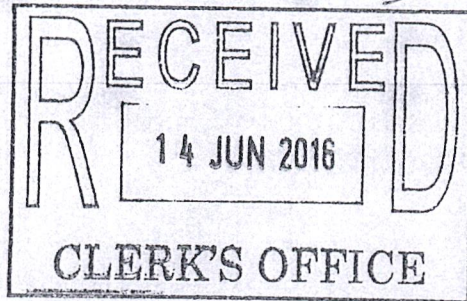
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Ref: MoA/ADM/1/27/3 Vol.V(138)

Stalari 6th June, 2016

Mr. Justin Bundi, CBS  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

14/6/16



Dear *CNA,*

**REPORTS ON PETITIONS PRESENTED TO THE HOUSE BY THE  
DEPARTMENTAL COMMITTEE ON AGRICULTURE, LIVESTOCK  
AND COOPERATIVES**

Reference is made to the letters from your office regarding status of implementation of recommendations made by the Departmental Committee of Agriculture, Livestock and Cooperatives on the following reports:

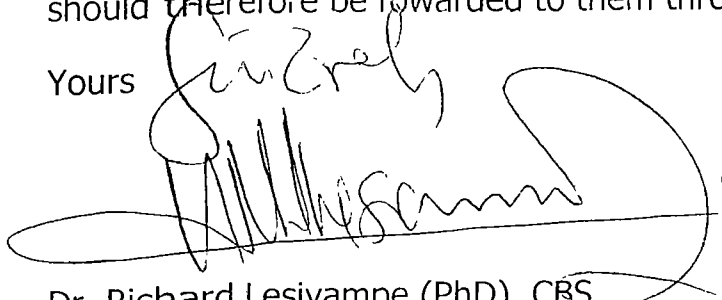
1. Report on Pettition Presented to the House by the Departmental Committee on Agriculture, Livestock and Cooperatives on the removal of the appointed Liquidator of Chuka Farmers Cooperative Society. **(Ref. NA/COI/CORR/2016 (117) dated 18<sup>th</sup> May, 2016)**
2. Report on Petition Presented to the House by the Departmental Committee on Agriculture, Livestock and Cooperatives On

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Imminent Privatization of New KCC. (Ref. NA/COI/CORR/2016  
(117) dated 18<sup>th</sup> May, 2016).

Please note that the above Cooperative Societies and New KCC are under the Ministry of Industry, Trade and Cooperatives. These issues should therefore be forwarded to them through your office for action.

Yours

A handwritten signature in black ink, appearing to read 'Richard Lesiyampe', written over a horizontal line.

Dr. Richard Lesiyampe (PhD), CBS  
**PRINCIPAL SECRETARY**

Copy to:

Cabinet Secretary

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② Samuel Kalamu  
Bring to the attention  
of the Committee  
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## MINISTRY OF TRANSPORT & INFRASTRUCTURE

**Mr Justin Bundi, CBS**  
The Clerk of the National Assembly  
Parliament Building  
**NAIROBI**

### REPORTS ON VARIOUS PETITIONS PRESENTED TO THE HOUSE ON 18<sup>TH</sup> MARCH, 2015 BY THE CHAIRPERSON, DEPARTMENTAL COMMITTEE ON TRANSPORT

#### PUBLIC WORKS AND HOUSING

1. Report on the 40 Kilometre Road traversing Mbiri, Mugoiri and Murarandia Wards;

#### Action Taken:

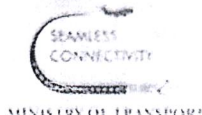
The Ministry has allocated Ksh.100 Million in through Kenya Rural Roads Authority budget for the Financial Year 2015/2016 to construct the outstanding 10km of this road to low volume seal (LVS) standards. Tendering will commence within the second quarter of this financial year.

2. Report on the Northern Corridor Transport Improvement Project in particular, Lesseru-Kitale-Marich Pass (A1).

#### Action Taken:

The following measures have been taken to improve the safety of the road:-

- Retro-reflective delineators (cat eye reflector) have been installed on all curves within the affected 6km section. This intervention ensures that all corners are highly visible to drivers at all times including during poor weather and at night.
- Guardrails totaling approximately 500 meters in length have been installed at the high risk sections. This intervention ensures that vehicles are prevented from leaving the carriageway and descending steep embankments.



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- Thirty (30) enhanced and reflective road signs have been installed on the section of concern. This intervention ensures that drivers are made aware of various road features well in advance so as to guide their decisions, thereby improving safety.
- By October 15<sup>th</sup> 2015, speed control bumps together with their warning signs are expected to have been suitably positioned and installed at key positions on the section of concern.
- KeNHA also commissioned a consultant specialist in Highway design and road safety matters to:
  - Independently listen to the concerns and view of residents.
  - Review the terrain, the existing road, and proposed road design alternatives.
  - Recommend practical options taking all considerations into account.
  - The consultant specialist has since conducted his assignment, presented his report and made certain recommendations which KeNHA has noted. However, the road section from Kitale to Chepkorniswo is also a subject of ongoing rigorous economic, environmental, social and road safety review by the KfW German Development Agency as part of their project appraisal process with a view to financing the project in the near future, likely the 2016 calendar year. The results of the review by the road safety and design specialists have been shared with KfW to facilitate their appraisal. The detailed appraisal process will be completed in the coming months, at which point the final design choices at the road section of concern will also be known.

3. Report on the Construction of a footbridge on Waiyaki Way link ABC Place and the National Council for Persons with Disabilities Office in Westlands;

**Action Taken:**

A raised Zebra crossing has been erected and marked at an appropriate location to access National Council for Persons with Disabilities (NCPD) office. National Transport and Safety Authority (NTSA) is enforcing the 50KPH speed limit on this section of the road.

The construction of a footbridge on Waiyaki Way will be incorporated in the ongoing design for the James Gichuru-Link road.

Vertical text or markings along the right edge of the page, possibly a page number or header.

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4. Report on the Erection of Bumps and Road signs on Mate road in Kathuana Town;

**Action Taken:**

KeNHA has instructed the maintenance contractor in charge of the road to place Bumps and signs at the above location and that will be done by 2<sup>nd</sup> of October, 2015.

The National Transport and Safety Authority is committed to ensuring improvement in road safety in the area and in the entire Embu County. However, due to shortages in resources, the Authority has not been able to have a permanent presence in the region though it has enhanced patrols in the region to detect and deal with traffic offenders.

5. Report on Tarmacking of Gatiiguru-Mcvast-Matangini-Ithanga,Kirathani,Miyuu Ya Ng'ang'a-Mukuyu Road;

**Action Taken:**

The road will be prioritized under Phase II of the Low Volume Seal (LVS) roads programme whose tendering is programmed to commence in the Financial Year 2016/2017

6. Report on the status of Komarock Road;

**Action Taken:**

Kenya Urban Roads Authority has procured routine maintenance contractor for the maintenance of the road. The drains which were overflowing have been improved and the potholes have been hand-packed with stones awaiting application of asphalt concrete.

There is however delay since some road side activities are to be relocated to create space for space removal of overburden and final clean up of the drains to functionality.

The repair works are expected to be completed by end of October, 2015. Meanwhile the section that was supposed to be improved within the Outering road is still programmed as such.

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7. Report on upgrading on Upgrading of Old Mombasa / Maasai Road A, B&C

**Action Taken:**

The road works were done and completed and the road is now open to tra



**Eng. John K. Mosonik, EBS  
PRINCIPAL SECRETARY**



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Director - Committees

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**MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES**  
**State Department of Agriculture**  
**Office of the Principal Secretary**

Telephone: 2718870/9  
Fax: 316731  
psagriculture@kilimo.go.ke  
When replying please quote;

KILIMO HOUSE  
CATHEDRAL ROAD  
P.O. Box 30028-00100  
NAIROBI

Ref: MOA/ADM/1/27/3/VOL. V/88

31<sup>st</sup> March, 2016

**Mr. Justin Bundi**  
Clerk of the National Assembly  
Parliament Buildings  
**NAIROBI**

Dear *CNA*,

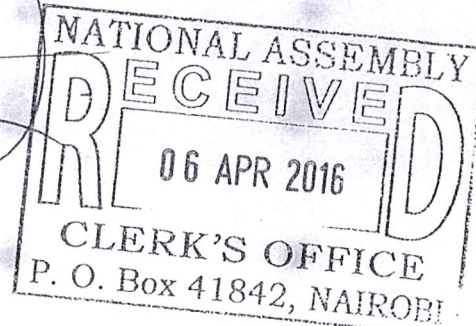
**REPORT ON THE IMPLIMENTATION STATUS OF THE  
RECOMMENDATIONS BY THE NATIONAL ASSEMBLY ON THE NYERI  
COUNTY COFFEE PRODUCTION, MARKETING AND PAYMENTS OF  
FARMERS' DUES**

Reference is made to your letter REF: NA/COI/CORR/2016/42 dated 18<sup>th</sup> February, 2016 on the above subject. Attached please find the status report on implementation of the National assembly resolutions as requested.

Yours

Dr. Richard L. Lesiyampe, PhD, CBS  
**PRINCIPAL SECRETARY**

Copy to: Cabinet Secretary



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**MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES**

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**REPORT ON THE IMPLEMENTATION STATUS OF THE  
RECOMMENDATIONS MADE BY THE NATIONAL ASSEMBLY ON  
THE NYERI COUNTY COFFEE PRODUCTION, MARKETING AND  
PAYMENTS OF FARMERS' DUES**

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*March 2016*

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# REPORT ON THE IMPLIMENTATION STATUS OF THE RECOMMENDATIONS MADE BY THE NATIONAL ASSEMBLY ON THE NYERI COUNTY COFFEE PRODUCTION, MARKETING AND PAYMENTS OF FARMERS' DUES

## 1.0 INTRODUCTION

Following the devolution of agriculture vide the Kenya Constitution 2010, the Nyeri County Government constituted a task force to study the Coffee Industry and make recommendations towards its revitalization. The task force, which was constituted on **16<sup>th</sup> May, 2013**, made a number of recommendations on the coffee sub-sector and among them was that Nyeri coffee is **centrally milled** and **marketed**.

The Kenya Co-operative Coffee Millers (KCCM) Ltd and Kenya Cooperative Coffee Exporters (KCCE) Ltd were identified and contracted for the centralized milling and marketing of Nyeri coffee, respectively.

The County Government intended to monitor the milling and marketing, in order to eliminate any possible malpractices, inefficiencies and ensure the highest returns to the Nyeri coffee farmers.

## 2.0 IMPLIMENTATION STATUS OF THE RECOMMENDATIONS

### *2.1 Recommendation 1: Detailed account of the Coffee produced since the introduction of the Nyeri County Marketing initiative (2013/2014).*

In **2013/2014** production year, a total of **147,564 bags** of parchment and **50,655 bags** of mbuni which totals to **198,219 bags** of coffee was produced and delivered to the Kenya Cooperatives Coffee Millers Ltd (KCCM) in Sagana for commercial milling.

Upon milling an equivalent of **7,583,375 Kg** Clean Coffee (**126,390 bags**) was produced and delivered to the Kenya Cooperatives Coffee Exporters Ltd (KCCE) for marketing as shown in **Annex 1** (attached)

**2.2: Recommendation 2: Copies of agreements and Memorandum of Understanding and contract with third parties in the coffee sales in the Nyeri County Government initiative and copies of Memorandum of Understanding (MoU) between CCMMAA and KCCE**

**i) Copies of Agreements**

**Eighteen (18) coffee societies** signed agreements with the **KCCM (the miller)** and **nineteen (19) societies KCCE Ltd (the marketer)** under the County Government milling and marketing initiative as illustrated in the list of milling and marketing agreements for the year 2013/2014 in **Table 1**.

**Table 1: Milling and Marketing Agreements: 2013/2014**

<b>No</b>	<b>SOCIETY</b>	<b>Miller</b>	<b>Marketer</b>
1.	Gakuyu FCS	KCCM	KCCE
2.	Gikanda FCS	KCCM	KCCE
3.	Barichu FCS	KCCM	KCCE
4.	Iriaini FCS	KCCM	KCCE
5.	Giakanja FCS	KCCM	KCCE
6.	Wachuri FCS	KCCM	KCCE
7.	Njuriga FCS	KCCM	KCCE
8.	Githiru FCS	KCCM	KCCE
9.	New Gikaru FCS	KCCM	KCCE
10.	Aguthi FCS	KCCM	KCCE
11.	Rumukia FCS	KCCM	KCCE
12.	Ruthaka FCS	KCCM	KCCE
13.	Rugi FCS	KCCM	KCCE
14.	Rutuma FCS	KCCM	KCCE
15.	Tekangu FCS	KCCM	KCCE
16.	Kiama FCS	KCCM	KCCE
17.	Mathira North FCS	KCCM	KCCE
18.	Mugaga FCS	KCCM	KCCE
19.	Othaya FCS	Othaya	KCCE
20.	Mutheka FCS	CKCM NKG	CMS Tropical

No	SOCIETY	Miller	Marketer
21.	Mungaria FCS	HIGHLANDS	SMS
22.	Gachatha FCS	CKCM	CMS
23.	Thiriku FCS	CKCM	CMS
24.	Gathaithi FCS	CKCM	CMS
25.	Kiandu FCS	Highlands	SMS

Samples of agreements are appended in **Annex 2** attached.

### ii) Memorandum of Understanding (MoU)

The CCMMAA and KCCE Ltd entered an MoU under the leadership of the Cabinet Secretary, Ministry of Agriculture, Livestock and Fisheries on **24<sup>TH</sup> March, 2014**. **Annex 3: (attached)**

### iii) Coffee Sales realized

The KCCE marketed the Nyeri coffee through Direct sales and the Nairobi Coffee Exchange and a total of **USD 36,739,141**(Ksh 3,233,044,408) was realized (Exchange rate Ksh88/USD).

***2.3 Recommendation 3: The Transactions entered between the Nyeri County Government with the farmers and agents should be mutually agreed upon and be transparent. The coffee farmers should be left to benefit from the liberalized market.***

The Nyeri County Government has since rescinded its earlier Task Force recommendation that Nyeri Coffee be centrally milled and marketed. Many cooperative societies in the year **2014/15** and **2015/16** have **freely** nominated other licensed milling and marketing agents in the liberalized market scenario.

***2.4: Recommendation 4: The existing coffee regulations be reviewed with a view to improving areas which are punitive to the farmers***

The AFFA-Coffee Directorate has reviewed the **Coffee (General) Rules, 2002** and anchored them to the; **Crops Act, 2013, AFFA Act, 2013** and **the Constitution, 2010** and has incorporated feedback from the farmers and other stakeholders on the same. There were various

consultative meetings which were held to receive feedback to inform the regulations review. However, these regulations are yet to be gazetted.  
**(Annex 4: Feedback Report attached)**

Further, the on-going **National Coffee Sub Sector Task Force** is expected to propose additional review of the coffee regulations to support farmers in their efforts to produce, process and market their coffee for increased incomes.

**Republic of Kenya**



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**MINISTRY OF AGRICULTURE, LIVESTOCK  
AND FISHERIES**

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**MEETING WITH THE NATIONAL ASSEMBLY IMPLEMENTATION  
COMMITTEE REGARDING THE IMPLEMENTATION STATUS OF THE  
RESOLUTION BY THE NATIONAL ASSEMBLY TO REVIEW FARM GATE  
PRICES OF MILK TO KSH 45 PER LITRE AT PARLIAMENT  
BUILDINGS, PROTECTION HOUSE**

**BY**

**AG. CABINET SECRETARY  
ADAN MOHAMED, EBS**

**NOVEMBER 10<sup>TH</sup>, 2015**

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## 1.0 BACKGROUND

*The National Assembly passed a resolution on **26<sup>th</sup> September, 2013** to review the farm gate prices of milk at **KSh 45 per litre**.*

*The Cabinet Secretary has been invited for a meeting with the Implementation Committee regarding the implementation status of the resolution.*

## 2.0 RESPONSE

### 2.1 Implementation of the resolution to review the farm gate prices of milk

- The prices of milk at production and consumption levels were decontrolled in **1992** when the Dairy Industry was liberalized. As such, the prices of milk were determined by the market forces of demand and supply.
- A study to determine the costs of milk production was contracted to Tegemeo Institute by Kenya Dairy Board. The objective of the study was to estimate the cost and profitability of milk production in Kenya and to identify key areas of intervention to manage the cost of production.
- The study was undertaken in **seventeen (17)** key milk producing Counties in the Country between **December, 2014** and **May, 2015**, considering different milk production systems.
- It was found that at farm level, most of the costs up to **42%** are incurred through feeding. Other associated costs include; labour, animal health services, breeding services transport of milk to the market.

- It was also found that due to high costs of inputs, the animal husbandry is generally poor leading to low productivity per cow at **8-10 litres/cow/day** compared to developed dairies where production is **30 litres /cow/day**.

The study identified the following for action to improve profitability of milk production and manage costs of production in Kenya

- (a) Improve milk productivity, which at **8-10 litres** per cow per day, is low by world standards.
  - (b) Manage the costs of feeding by **encouraging production and conservation of high quality pastures and fodders**.
  - (c) The Government can also ease the burden on milk producers by **removing the 16% taxation on animal feeds and other inputs**.
- A study to estimate the cost of milk processing in Kenya was also contracted to Tegemeo Institute. The study is focusing on key commodities such as pasteurized milk, UHT milk, yoghurt, milk powder, cheese and butter. The study is expected to be completed by **March, 2016**.
- 

- The studies will inform the cost distribution along the dairy value chain and determine whether there is equitable sharing of returns between the value chain actors.

Pricing decisions for any commodity are influenced by multiple factors including:

- (a) Regulations on price controls
- (b) Cost of production and processing
- (c) Seasonality of production

- (d) Market forces
- (e) International prices

The resolution to set minimum producer prices for raw milk at Ksh **45 per litre** would greatly benefit the producers of milk in Kenya: however, it is important to develop a sound mechanism to arrive at minimum price that is **equitable, sustainable and globally competitive** and which recognizes the activities and costs of upstream stakeholders such as milk processors.

## **2.2 Stop gap measures by the Government to bridge the huge differential in pricing of milk at producer and consumer level**

### **(i) Promotion of high quality pasture and fodder production and conservation:**

- Sustainable pasture and fodder production is important for improved feeding of the animal and hence improved animal productivity. This will lead to higher milk production per cow thus cutting down on the costs of milk production and enhance profitability.
- The Ministry in collaboration with other stakeholders is investing in production and conservation technologies such as **hay balling, hay wrapping, hay briquetting, small scale animal feed processing** among others.

This will ensure constant supply of affordable and high quality pasture and fodder to dairy farmers.

- Capacity building on pasture and fodder production and conservation is also ongoing.

(ii) **Improving distribution and access to milk bulking and cooling facilities:**

- Milk bulking help farmers in collective bargaining while timely chilling of milk attract premium prices. Improving distribution and access of these facilities will enhance collection and cooling of milk. In addition, it will reduce the post-harvest losses of milk and enable producers to fetch higher prices as a result of the bulking and cooling.
- The Ministry in collaboration with partners has procured and distributed **31 bulk milk coolers** to dairy farmer producer groups across milk producing areas in the Country and **9 others** are in the procurement process.
- The County Governments are also being encouraged to invest in Milk bulking infrastructure. Already some counties like Murang'a have heavily invested in milk cooling facilities.
- The Ministry with the support from the Republic of Poland is in the process of procuring **approximately 1000 bulk milk** coolers to be distributed to dairy counties across the country.

(iii) **Small to medium scale Milk processing technologies by milk producer groups:**

- Milk processing and value addition by dairy producer groups encourages vertical integration along the dairy value chain thereby increasing returns to dairy producers. In this regards, the Ministry is promoting appropriate and affordable small to medium scale milk processing and marketing technologies such as **batch milk pasteurizers, milk dispensers, and mini milk processing plants.**

- County Governments have also taken up this initiative and are supporting investment in this area.
- A number of dairy farmer groups have recently started milk processing and value addition e.g. **Wakulima and Ndumberi dairies.**
- The Ministry with support by Polish Government is also procuring batch milk pasteurizers, milk dispensers and mini milk processors to be placed in targeted dairy areas. This will reduce wastage from long distance transport of milk to processing plants and hence increased returns to farmers

(iv) **Strengthening organization and representation of dairy farmers:**

- The Ministry in collaboration with partners is encouraging farmers to form milk producers and marketing groups in order to enhance their bargaining powers and source for good markets. As a result, the Ministry is supporting the Federation of Kenya Dairy Farmers (FKDF) which is the national association of farmers from **27 milk producing Counties** and is actively engaging stakeholders in addressing issues affecting dairy farmers.
- The farmers groups are also being linked to markets to enhance their marketing opportunities.

(v) **Enhancing regulation of the Dairy Industry:**

- The Ministry through Kenya Dairy Board is regulating the Dairy Industry through enforcement of **Dairy Industry Act (Cap336)** in order to ensure compliance to international best practices.

As a result, Kenya Dairy Board has developed guidelines aimed at facilitating milk trade among small scale farmers and traders. This will not only improve the quality and safety of milk and milk products, but improve returns to farmers

(vi) **Quality Based Milk Payment Systems;**

- In order to enhance milk prices for dairy farmers, the Ministry in collaboration with milk processors and partners is piloting a **Quality Based Milk Payment System** where farmers are paid a premium for the quality of milk delivered.
- In addition, the Ministry is strengthening milk quality monitoring and surveillance by equipping the regional butter fat labs with modern milk testing equipment and establishing a National quality laboratory for Kenya Dairy Board.
- Capacity building of farmers on hygienic and quality milk production is also ongoing.

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(vii) **Promotion and enforcement of contractual agreements between milk producer groups and milk processors:**

- The Ministry is encouraging **contractual engagements** between milk producers and processors to cushion farmers from low and fluctuation in producer prices.

(viii) **Establishment of strategic reserves for milk and feeds:**

The Ministry has developed guidelines for Strategic Food Reserve where milk will be part of it. This will enhance food and nutrition security in addition to improving market access for both producers and processors.

1) Feed system



MINISTRY OF TRANSPORT AND INFRASTRUCTURE  
HOUSING AND URBAN DEVELOPEMENT

The Clerk of the National Assembly

Parliament Buildings

NAIROBI

REPORT ON PETITION REGARDING CORRUPTION AT THE  
WEIGHBRIDGES IN THE COUNTRY

Reference is made to the letter ref.No.NA/COI/CORR/2016 (203) dated 22<sup>nd</sup> July, 2016 on the above matter. The issues are being addressed as listed below:-

The long queues at the weighbridges and the long snarl ups leading to huge economic losses are being addressed on a case by case as follows.

The Kenya National highways authority manages 9 No. static Weighbridges namely Mtwapa, Mariakani, Isinya, Athi River (Mlolongo), Juja, Gilgil, Webuye, Rongo and Busia.

The Authority has undertaken measures aimed at reducing congestions and traffic snarl ups as follows.

1. Mariakani and Athi River Weighbridges

Improvement of the weighbridges is being undertaken under the World Bank and the works are ongoing and are expected to be through by end of September 2016.

NRB-NKR/EU/ Malaba duo - Multiple weigh bridge  
/ friendly rest HSES / amenities

Uganda Parliament complained  $\Delta$

- SGS operate w.b.

(a) The improvement involves construction of a modern weighbridge on either side of the road to remove the bottleneck arising from trucks turning to the weighbridges for weighing. Trucks will be weighed in the direction of travel

(b) The improvement will result in addition of multi deck weigh scales from the Current 1 No existing to 4 No. (2 No. on each side). This will drastically reduce weighing times enhancing faster discharge of vehicles which will have been diverted for weights confirmation.

(c) The improvement also involves construction of High Speed Weigh in Motion Systems (HSWIM) on either side of the weighbridge for screening and automatic clearance of compliant trucks. Previously HSWIM was existent northbound, only towards Nairobi.

(d) Administrative management of traffic snarl ups through suspension of weighing for a defined period until traffic eases. The discharged vehicles are recorded and forwarded to a succeeding weighbridge for confirmatory weighing.

(e) Collaboration between the Axle Load Enforcement Unit and the Athi River Traffic Base Commander has led to better traffic management and kept traffic snarl ups to a minimum.

## 2. Gilgil Weighbridge

The Kenya National Highways Authority awarded a contract for construction of Auxiliary lanes which will be dedicated to trucks and remove congestion arising from blockage of the carriageway by overlapping private cars. The works involves:-

- (a) Construction of 2 Km Auxiliary lane on Nakuru Bound side before the weighbridge
- (b) Construction of 1 km Auxiliary lane on Nairobi bound side before the weighbridge.
- (c) Improvement of Access in the yard on Nairobi Bound side.

Further, the access to the weighbridge which is Nakuru bound was previously done to gravel standards has been improved to cabbro paved access resulting in faster movement of vehicles to the weighing scale and hence faster weighing.

(d) Administrative management of traffic snarl ups through suspension of weighing for a defined period until traffic eases (mostly from Fridays to Sundays). The discharged vehicles are recorded and forwarded to a succeeding weighbridge for confirmatory weighing.

### **3. Juja Weighbridge**

- a) Improvements include conversion of the existing static single axle weigher (SAW) into a Slow Speed Weigh In Motion, resulting in reducing of weighing times.
- b) Administrative management of critical queues through discharge without weighing and collaborating with area Traffic Base Commanders to facilitate smooth flow of traffic

### **4. Mtwapa Weighbridge**

- a) Improvements include conversion of the existing static single axle weigher (SAW) into a Slow Speed Weigh In Motion, resulting in reducing of weighing times.

- b) Upon completion of the improvement project at Mariakani, the Authority is planning to move the existing Multi Deck Scale in Mariakani to Mtwapa to improve weighing operations.
- c) Administrative management of critical queues through discharge without weighing and collaborating with area Traffic Base Commanders to facilitate smooth flow of traffic

### 5. Busia Weighbridge

- (a) Improvements include conversion of the existing static single axle weigher (SAW) into a Slow Speed Weigh In Motion, resulting in reducing of weighing time.
- (b) Administrative management of critical queues through discharge without weighing and collaborating with area Traffic Base Commanders to facilitate smooth flow of traffic.

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### 6. Webuye, Isinya, and Rongo Weighbridges

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These weighbridges record low daily traffic and few cases of traffic snarl ups are recorded. Any snarl ups are handled administratively through suspension of weighing operations and manual recording of vehicles exempted from weighing during the defined period.

**Inadequate amenities at the weighbridges for drivers who often spend days at the station.**

Weighbridges are installed specifically for weighing of trucks. Only non-compliant trucks are detained at the weighbridges to await appearance in court and/or distribution to compliance. The weighbridge management team endeavors to ensure that cases are dispensed with expeditiously but sometimes delays can occur where a vehicle is arrested late on Friday or over the weekend in which case the accused have to wait until the following Monday to have their cases determined.

We hope that the coming into place of the East Africa Vehicle Control Act which decriminalizes overloading, will go a long way in alleviating the delays at weighbridges as transporters will be able to pay stipulated overload fees at the weighbridge station. The EAC Vehicle Control Act is expected to come into effect on 1<sup>st</sup> October, 2016.

All weighbridges have ablution amenities to cater for drivers and any other weighbridge users. Indeed the Authority is improving the amenities in Mariakani and Athi River to not only include toilet facilities but also shower rooms.

*Rest places to*



**Eng. John K. Mosonik, CBS  
PRINCIPAL SECRETARY**

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## **RESOLUTION ON THE MEASURES TO ENSURE ALL ELIGIBLE KENYANS ARE ISSUED WITH NATIONAL ID CARDS**

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The National Assembly's Committee on Implementation is seeking clarification on the following issues:-

- i. The actual number of applicants registered per county out of the projected 1.2 million Kenyans who attained the age of 18 during the 2014/2015 Financial Year.
- ii. The number of new applications per county currently pending before the Registration Bureau.
- iii. The location of the 14 Huduma centres which are operational and the proposed 20 additional centres and whether they cater for new ID applicants.
- iv. The status of migration to electronic ID.

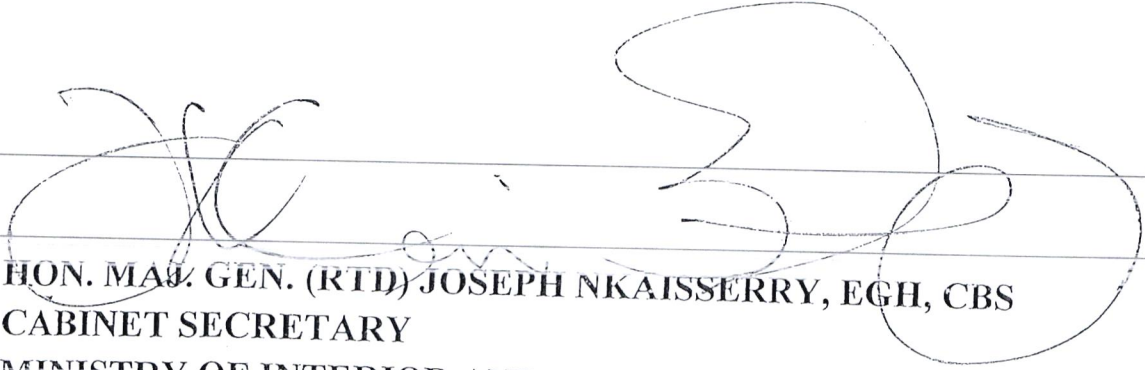
### **Response;**

- i. I wish to table a list of the actual number of applicants registered per county during the financial year 2014/2015.
- ii. I wish to table the list of the number of pending new applications per county as at December, 2015. However, these have long been issued.

- iii. I wish to table the list of 31 Huduma centres which are currently operational, while 19 others have been proposed.

All the operational Huduma Centres are issuing duplicate identity cards only, and do not cater for new identity card applicants. This is because such applicants require to be identified by their respective chiefs before they are registered.

- iv. The Government has not introduced the electronic identity cards due to limited funds allocation in the financial year 2015/2016. However, once the requisite funds are availed, the ministry will embark on the implementation of the project.



**HON. MAJ. GEN. (RTD) JOSEPH NKAISSERRY, EGH, CBS**  
**CABINET SECRETARY**  
**MINISTRY OF INTERIOR AND**  
**COORDINATION OF NATIONAL GOVERNMENT**

2<sup>st</sup> June, 2016

**1. ACTUAL NUMBER OF IDENTITY CARDS  
ISSUED PER COUNTY IN THE FINANCIAL YEAR 2014 / 2015**

S/NO	COUNTY	IDS ISSUED
1)	MOMBASA	75,962
2)	KWALE	24,842
3)	KILIFI	51,641
4)	TANA RIVER	7,733
5)	LAMU	1,775
6)	TAITA	10,946
7)	GARISSA	9,654
8)	WAJIR	5,785
9)	MANDERA	3,249
10)	MARSABIT	9,004
11)	ISIOLO	3,684
12)	MERU	44,311
13)	THARAKA NITHI	11,987
14)	EMBU	24,843
15)	KITUI	39,170
16)	MACHAKOS	45,701
17)	MAKUENI	32,965
18)	NYANDARUA	22,397
19)	NYERI	36,041
20)	KIRINYAGA	19,428
21)	MURANGA	32,744
22)	KIAMBU	63,252
23)	TURKANA	12,584
24)	WEST POKOT	7,619
25)	SAMBURU	5,338
26)	TRANS NZOIA	25,227
27)	UASIN GISHU	40,605
28)	ELGEYO MARAKWET	12,198
29)	NANDI	20,210
30)	BARINGO	14,489
31)	LAIKIPIA	15,234
32)	NAKURU	74,637
33)	NAROK	16,481
34)	KAJIADO	28,854

35)	KERICHO	23,712
36)	BOMET	17,588
37)	KAKAMEGA	68,763
38)	VIHIGA	24,275
39)	BUNGOMA	44,204
40)	BUSIA	26,974
41)	SIAYA	29,319
42)	KISUMU	52,928
43)	HOMA BAY	26,794
44)	MIGORI	23,253
45)	KISII	41,648
46)	NYAMIRA	21,889
47)	NAIROBI	294,136
48)	DIASPORA	1,825
	<b>TOTALS</b>	<b>1,547,266</b>

**2. NUMBER OF NEW APPLICATIONS PENDING PRODUCTION PER  
COUNTY, AS AT DECEMBER, 2015**

COUNTY CODE	SUB COUNTY CODE	SUB COUNTY	TOTAL
01	011	MOMBASA	1,379
01	012	KISAUNI	32
01	013	CHANGAMWE	11
01	014	LIKONI	20
<b>01 Total</b>			<b>1,442</b>
02	021	KWALE / MATUGA	894
02	022	MSAMBWENI	198
02	023	KINANGO	339
<b>02 Total</b>			<b>1,431</b>
03	031	KILIFI	1,716
03	032	MALINDI	749
03	033	MAGARINI	179
03	034	KALOLENI	95
03	035	RABAI	75
03	036	GANZE	140
<b>03 Total</b>			<b>2,954</b>
04	041	TANA RIVER	670
04	042	TANA NORTH	36
04	043	TANA DELTA	8
<b>04 Total</b>			<b>714</b>
05	051	LAMU WEST	144
05	052	LAMU EAST	13
<b>05 Total</b>			<b>157</b>
06	061	TAITA	811
06	062	VOI	105
06	063	TAVETA	54
06	064	MWATATE	95
<b>06 Total</b>			<b>1,065</b>
07	071	GARISSA	883
07	072	IJARA	235
07	073	BALAMBALA	140
07	074	FAFI	302
07	075	HULUGHO	80
07	076	LAGDERA	195
07	077	DADAAB	312
<b>07 Total</b>			<b>2,147</b>
08	081	WAJIR EAST	580
08	082	WAJIR NORTH	15
08	083	TARBAJ	27
08	084	BUNA	56
08	085	WAJIR WEST	85
08	086	ELDAS	41
08	087	WAJIR SOUTH	87
08	088	HABASWEIN	67

<b>08 Total</b>			<b>958</b>
09	091	MANDERA EAST	382
09	092	MANDERA CENTRAL	3
09	093	MANDERA NORTH	144
09	094	MANDERA WEST	12
<b>09 Total</b>			<b>541</b>
10	101	MARSABIT 'CEN'	236
10	102	NORTH HERR	55
10	103	MARSABIT NORTH	54
10	104	MARSABIT SOUTH	33
10	105	LOIYANGALANI	314
10	106	MOYALE	210
10	107	SOLOLO	74
<b>10 Total</b>			<b>976</b>
11	111	ISIOLO	362
11	112	GARBATULLA	5
11	113	MERTI	15
<b>11 Total</b>			<b>382</b>
12	121	BUURI	44
12	122	MERU CENTRAL	1,334
12	123	IMENTI NORTH	83
12	124	IMENTI SOUTH	197
12	125	TIGANIA WEST	131
12	126	IGEMBE NORTH	221
12	127	TIGANIA EAST	291
12	128	IGEMBE SOUTH	704
<b>12 Total</b>			<b>3,005</b>
13	131	THARAKA NORTH	23
13	132	THARAKA SOUTH	50
13	133	MERU SOUTH	358
13	134	MAARA	19
<b>13 Total</b>			<b>450</b>
14	141	EMBU WEST	517
14	142	EMBU EAST	83
14	143	EMBU NORTH	28
14	144	MBEERE NORTH	144
14	145	MBEERE SOUTH	81
<b>14 Total</b>			<b>853</b>
15	151	KITUI CENTRAL	1,315
15	152	MWINGI CENTRAL	668
15	153	KATULANI	19
15	154	KITUI WEST	114
15	155	MUTITO	60
15	156	KISASI	72
15	157	MATINYANI	41
15	158	LOWER YATTA	65
15	159	MUTOMO	214

15	15A	IKUTHA	125
15	15B	NZAMBANI	29
15	15C	MIGWANI	106
15	15D	TSEIKURU	37
15	15E	KYUSO	114
15	15F	MUMONI	42
15	15G	MWINGI EAST	146
<b>15 Total</b>			<b>3,167</b>
16	161	MACHAKOS	2,302
16	162	KANGUNDO	45
16	163	MWALA	68
16	164	YATTA	108
16	165	MATUNGULU	68
16	166	MASINGA	124
16	167	KATHIANI	14
16	168	ATHI RIVER	3
<b>16 Total</b>			<b>2,732</b>
17	171	MAKUENI	1,426
17	172	KIBWEZI	317
17	173	MAKINDU	14
17	174	KILUNGU	166
17	175	KATHONZWENI	10
17	176	NZAU	11
17	177	MUKAA	14
17	178	MBOONI WEST	7
17	179	MBOONI EAST	11
<b>17 Total</b>			<b>1,976</b>
18	181	NYANDARUA NORTH	750
18	182	NYANDARUA 'CEN'	30
18	183	KIPIPIRI	48
18	184	KINANGOP	50
18	185	NYANDARUA SOUTH	42
18	186	NYANDARUA WEST	19
18	187	MIRANGINE	20
<b>18 Total</b>			<b>959</b>
19	191	NYERI CENTRAL	2,118
19	192	KIENI EAST	16
19	193	KIENI WEST	7
19	194	TETU	10
19	195	NYERI SOUTH	23
19	196	MATHIRA EAST	37
19	197	MATHIRA WEST	9
19	198	MUKURWEINI	30
<b>19 Total</b>			<b>2,250</b>
20	201	KIRINYAGA 'CEN'	597
20	202	KIRINYAGA EAST	27

20	203	KIRINYAGA WEST	27
20	204	MWEA EAST	16
20	205	MWEA WEST	19
<b>20 Total</b>			<b>686</b>
21	211	MURANGA EAST	1,544
21	212	MATHIOYA	21
21	213	KANDARA	528
21	214	KIGUMO	35
21	215	MURANGA SOUTH	145
21	216	KANGEMA	69
21	217	KAHURO	20
21	218	GATANGA	17
<b>21 Total</b>			<b>2,379</b>
22	221	KIAMBU	1,919
22	222	LIMURU	70
22	223	LARI	62
22	224	GITHUNGURI	30
22	225	GATUNDU NORTH	471
22	227	THIKA WEST	309
22	228	THIKA EAST	73
22	229	RUIRU	23
22	22A	KIKUYU	41
22	22B	GATUNDU SOUTH	41
<b>22 Total</b>			<b>3,039</b>
23	231	TURKANA 'CEN'	1,087
23	232	TURKANA NORTH	409
23	233	LOIMA	563
23	234	TURKANA SOUTH	273
23	235	TURKANA EAST	190
23	236	TURKANA WEST	305
<b>23 Total</b>			<b>2,827</b>
24	241	POKOT WEST	210
24	242	POKOT CENTRAL	47
24	243	POKOT SOUTH	64
24	244	POKOT NORTH	56
<b>24 Total</b>			<b>377</b>
25	251	SAMBURU EAST	274
25	252	SAMBURU NORTH	62
25	253	SAMBURU CENTRAL	116
<b>25 Total</b>			<b>452</b>
26	261	TRANS NZOIA 'W'	716
26	262	TRANS NZOIA 'E'	72
26	263	KWANZA	61
<b>26 Total</b>			<b>849</b>
27	271	ELDORET WEST	800
27	272	WARENG	192
27	273	ELDORET EAST	181

<b>27 Total</b>			<b>1,173</b>
28	281	KEIYO	321
28	282	MARAKWET WEST	173
28	283	MARAKWET EAST	79
28	284	KEIYO SOUTH	85
<b>28 Total</b>			<b>658</b>
29	291	NANDI CENTRAL	1,056
29	292	NANDI NORTH	143
29	293	NANDI EAST	38
29	294	NANDI SOUTH	150
29	295	TINDIRET	36
<b>29 Total</b>			<b>1,423</b>
30	301	BARINGO CENTRAL	281
30	302	BARINGO NORTH	38
30	303	KOIBATEK	189
30	304	EAST POKOT	28
30	305	MARIGAT	51
30	306	MOGOTIO	39
<b>30 Total</b>			<b>626</b>
31	311	LAIKIPIA EAST	371
31	312	LAIKIPIA NORTH	10
31	313	LAIKIPIA 'CEN'	18
31	314	NYAHURURU	28
31	315	LAIKIPIA WEST	106
<b>31 Total</b>			<b>533</b>
32	321	NAKURU	1,809
32	322	RONGAI	62
32	323	NAIVASHA	114
32	324	GILGIL	72
32	325	KURESOI	287
32	326	NAKURU NORTH	93
32	327	SUBUKIA	34
32	328	NJORO	73
32	329	MOLO	157
<b>32 Total</b>			<b>2,701</b>
33	331	NAROK NORTH	302
33	332	NAROK SOUTH	137
33	333	TRANSMARA EAST	232
33	334	TRANSMARA WEST	444
<b>33 Total</b>			<b>1,115</b>
34	341	KAJIADO CENTRAL	550
34	342	KAJIADO WEST	103
34	343	KAJIADO NORTH	101
34	344	LOITOKTOK	196
34	345	KAJIADO EAST	20
34	346	MASHURU	22

<b>34 Total</b>			<b>992</b>
35	351	KERICHO EAST	779
35	352	KERICHO WEST	121
35	353	LONDIANI	71
35	354	BURETI	439
35	355	KIPKELION	26
<b>35 Total</b>			<b>1,436</b>
36	361	BOMET CENTRAL	632
36	362	SOTIK	152
36	363	CHEPALUNGU	133
36	364	KONOIN	47
<b>36 Total</b>			<b>964</b>
37	371	KAKAMEGA 'CEN'	1,546
37	372	KAKAMEGA NORTH	121
37	373	KAKAMEGA SOUTH	214
37	374	KAKAMEGA EAST	111
37	375	MUMIAS	297
37	376	BUTERE	798
37	377	KHWISERO	103
37	378	LUGARI	512
37	379	LIKUYANI	158
37	37A	MATETE	84
37	37B	MATUNGU	125
37	37C	NAVAKHOLO	183
<b>37 Total</b>			<b>4,252</b>
38	381	VIHIGA	1,396
38	382	SABATIA	60
38	383	EMUHAYA	245
38	384	HAMISI	130
<b>38 Total</b>			<b>1,831</b>
39	391	BUNGOMA NORTH	324
39	392	KIMIL./ BUNGOMA	125
39	393	BUNGOMA SOUTH	1,197
39	394	BUNGOMA CENTRAL	159
39	395	BUNGOMA WEST	64
39	396	BUNGOMA EAST	243
39	397	BUMULA	211
39	398	MT ELGON	166
39	399	CHEPTAIS	26
<b>39 Total</b>			<b>2,515</b>
40	401	BUSIA	927
40	402	BUTULA	1
40	403	SAMIA	39
40	404	BUNYALA	2
40	405	NAMBALE	44
40	406	TESO NORTH	175

40	407	TESO SOUTH	93
<b>40 Total</b>			<b>1,281</b>
41	411	SIAYA	1,858
41	412	BONDO	558
41	413	UGENYA	81
41	414	GEM	77
41	415	UGUNJA	57
41	416	RARIEDA	113
<b>41 Total</b>			<b>2,744</b>
42	421	KISUMU EAST	1,159
42	422	KISUMU NORTH	24
42	423	KISUMU WEST	218
42	424	NYANDO	579
42	425	MUHORONI	97
42	426	NYAKACH	161
<b>42 Total</b>			<b>2,238</b>
43	431	HOMA BAY	857
43	432	NDHIWA	115
43	433	RACHUONYO SOUTH	254
43	434	RACHUONYO NORTH	588
43	435	SUBA	380
43	436	MBITA	19
<b>43 Total</b>			<b>2,213</b>
44	441	MIGORI	892
44	442	KURIA WEST	269
44	443	RONGO	155
44	444	URIRI	65
44	445	KURIA EAST	78
44	446	AWENDO	43
44	447	NYATIKE	117
<b>44 Total</b>			<b>1,619</b>
45	451	KISII CENTRAL	1,482
45	452	MASABA SOUTH	197
45	453	KISII SOUTH	123
45	454	GUCHA	766
45	455	NYAMACHE	97
45	456	KENYENYA	79
45	457	GUCHA SOUTH	158
45	458	SAMETA	165
45	459	MARANI	29
<b>45 Total</b>			<b>3,096</b>
46	461	NYAMIRA	860
46	462	NYAMIRA NORTH	129
46	463	BORABU	41
46	464	MANGA	20
46	465	MASABA NORTH	120
<b>46 Total</b>			<b>1,170</b>

47	471	STAREHE	1,314
47	472	WESTLANDS	37
47	473	LANGATA	47
47	474	KASARANI	12
47	475	DAGORETTI	53
47	476	EMBAKASI	34
47	477	MAKADARA	44
47	478	NJIRU	22
47	479	KAMUKUNJI	95
<b>47 Total</b>			<b>1,658</b>
99	991	UNITED KINGDOM	7
99	998	USA	1
<b>99 Total</b>			<b>8</b>
<b>Grand Total</b>			<b>75,014</b>

**OPERATIONAL HUDUMA CENTERS AS AT 24<sup>TH</sup> FEBRUARY 2016:-**

1. GPO Nairobi
2. City Square
3. Makadara
4. Machakos
5. Mombasa
6. Kajiado
7. Embu
8. Nyeri
9. Kisumu
10. Nakuru
11. Eldoret
12. Kakamega
13. Meru
14. Kisii
15. Bungoma
16. Eastleigh
17. Isiolo
18. Kibra
19. Kitui
20. Turkana
21. Wajir
22. Kwale
23. Makueni
24. Siaya
25. Nyamira
26. Kiambu
27. Trans Nzoia
28. Busia
29. Taita Taveta
30. Laikipia
31. Nyandarua

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## THE PROPOSED HUDUMA CENTERS

1. Kirinyaga
  2. Marsabit
  3. Murang'a
  4. Samburu
  5. Nandi
  6. Kilifi
  7. Garissa
  8. Homa Bay
  9. Migori
  10. Tharaka Nthi
  11. Lamu
  12. Baringo
  13. Kericho
  14. Narok
  15. Vihiga
  16. Tana River
  17. Elgeyo Marakwet
  18. West Pokot
  19. Bomet
- 
-

761

2/2



*D. Chelimo*

*For implementation  
kind.*

# THE PRESIDENCY

MINISTRY OF INTERIOR  
AND CO-ORDINATION  
OF  
NATIONAL GOVERNMENT

P.O. Box 30510-00100

Nairobi

18<sup>th</sup> July, 16

Telegraphic address: "Rais"

Telephone: Nairobi 2227411

When replying please quote

**OP.PA 2/27A**

Ref No .....

and date

*lilal*

*29/7*

**Dr. Kamau Thugge, CBS,**  
Principal Secretary,  
National Treasury,  
**NAIROBI.**

*Leonard Machira  
AS TNA  
29/7/16*

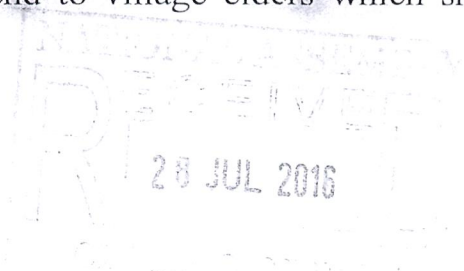
Dear *Dr. Thugge,*

## PROPOSED ALLOWANCES FOR SERVICES OFFERED BY VILLAGE MANAGERS/ELDERS

The Constitution of Kenya 2010 Article 6(3) states that "A National State organ shall ensure reasonable access to its services in all parts of the Republic so far as it is appropriate to do so having regard to the nature of the services". To actualize this article of the Constitution, the National Assembly enacted National Government Coordination Act 2013. In this Act, Article 14 and 15 (f) as read together with the Chiefs Act (Cap 128) allows the National Government to seek the services of Village Elders.

Further, reference is made to the National Assembly report of the Departmental Committee on Administration and National Security on petition regarding compensation for services rendered by Village Elders refer [copy attached for ease of reference]. In this report dated April 2016, as communicated to the Ministry by the Clerk of the National assembly, the Committee recommended that:-

1. The Ministry of Interior and Coordination of National Government should provide a facilitation stipend to village elders which should be



provided for as a budgetary item in the Ministry's Budget for the 2016/17 Financial Year. Further the allowances should be disbursed to the village elders through their respective Assistant Chiefs.

2. The Ministry of Interior and Coordination of National Government should standardize the size of an area under the jurisdiction of a Village elder and the number of village elders in a Sub-Location to minimum of three elders and a maximum of five elders taking into consideration gender equity and urban and rural settings.

In actualizing the above, the State Department of Interior is recommending formation of village elders as follows:

**Sub Location level:**

- (i) Assistant Chief - Chair
- (ii) Police Officer In-charge - Secretary
- (iii) 2 Women elders
- (iv) 3 Men elders
- (v) 1 Youth representative
- (vi) 1 Person with disability
- (vii) 1 Business representative

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**Location Level:**

- (i) Chief - Chair
- (ii) Police Officer In-charge - Secretary
- (iii) 2 Women elders
- (iv) 3 Men elders

The State Department of Interior is further proposing payment of a sitting allowance of KShs.500.00 per person per sitting for upto a maximum of 2 sittings in a month. Therefore, the financial implication is as follows:

**Sub-Locations**

9653 Sub locations x 9 non public officers @ KShs.500.00 x 2 sittings per month = KShs.86,877 per month x 12 months = **KShs.1,042,524,000** per annum.

**Location**

4137 locations x 5 elders @ KShs.500.00 x 2 sittings per month =  
KShs.20,685,000 per month x 12 months = KShs.248,220,000 per annum.

Therefore the total financial requirement per year is **KShs.1,290,744,000.**

The Report from the National Assembly was received after the budgetary process for 2016/17 had been finalized, and therefore this allocation is not reflected in the 2016/17 budget for the State Department of Interior.

The purpose of this letter therefore, is to request you to provide the required funding to enable the State Department of Interior implement this directive.

Yours *Sincerely,*

**Dr. (Eng.) Karanja Kibicho, CBS**  
**PRINCIPAL SECRETARY/INTERIOR**

Copy to:

**Dr. Joseph K. Kinyua, EGH,**  
Chief of Staff and  
Head of the Public Service,  
**NAIROBI.**

**Hon. Maj. Gen. (Rtd) Joseph K. Nkaisserry, EGH,**  
Cabinet Secretary,  
Ministry of Interior and Coordination of  
National Government,  
**NAIROBI.**

**Mr. Justin Bundi, CBS,**  
Clerk to the National Assembly,  
Parliament Building,  
**NAIROBI.**

Encls.

\_\_\_\_\_

\_\_\_\_\_



*237 Phyllis Ndirangu*

*② Ndirangu  
to bring to the  
attention of the  
Cust. Sec. 25/10/16*

*What is the  
status of the  
proposed  
amendment  
to the*

**OFFICE OF THE PRESIDENT**

**MINISTRY OF INTERIOR AND CO-ORDINATION OF  
NATIONAL GOVERNMENT  
STATE DEPARTMENT OF INTERIOR  
NATIONAL CONSULTATIVE COORDINATION COMMITTEE  
ON INTERNALLY DISPLACED PERSONS (NCCC)**

Telephone: address: Rais  
Telephone: Nairobi 2227411  
When replying please quote

Teleposta Towers  
Kenyatta Avenue  
P. O. Box 350100-00100  
Nairobi

Ref: OPPA/NCCC/1/3 Vol. I/(4)

12<sup>th</sup> October 2016 *releasing  
Act?*

**Mr. Peter Kenneth**  
Chairman  
Enoosupukia Land Evictees



*Lulu  
24/10*

Dear Mr. Kenneth,

**REF: PARLIAMENTARY INTERVENTION ON THE MATTER CONCERNING  
ENOOSUPUKIA LAND EVICTEES**

You have in the past petitioned the Government through various offices seeking to have the plight of Enoosupukia land evictees addressed. You also took your petition to Parliament where the matter was addressed through the relevant Parliamentary Committees and direction given.

In this regard, we wish to make the following clarifications concerning the Enoosupukia Land evictees:-

- a) Following presentations to the Parliamentary Departmental Committee on lands, Parliament directed that the Ministry responsible for internal displacement should carry out a profiling exercise to establish the exact number of the displaced people of Enoosupukia. In another resolution, Parliament directed that the National Land Commission through the taskforce on historical injustices expedite the process of formulating a bill on historical injustices for

*@Hon Wanyonyi was scheduled  
to appear before the Budget Committee  
on 12/10/16 but did not attend as he was*

consideration by Parliament to help address historical land injustices.

- b) The profiling was carried out as per the Parliamentary order between 5<sup>th</sup> and 8<sup>th</sup> April 2016 and a report on the outcome of the profiling was sent to Parliament.
- c) It is the prerogative of Parliament to decide on what to do next after perusing the report.
- d) The law currently in place (The Prevention, Protection and Assistance to Internally displaced Persons and affected Communities Act, 2012) only provides for the resettlement of 2007/08 Post Election Violence Victims which clearly does not cover the Enoosupukia victims who were affected in 1992/93.

We hope that the above observations have clarified our position regarding the Enoosupukia Land evictees matter.

Yours Sincerely,



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**Dr. (Eng.) Karania Kibicho, CBS**  
Principal Secretary

**Copy**

1. **Hon. Prof. Githu Muigai, EGH, FCI Arb**  
The Attorney General  
Sheria House, Harambee Avenue  
**Nairobi**
2. **Mr. Justin Bundi, CBS**  
Clerk of the National Assembly  
Parliament Buildings  
P.O. Box 41842-00100  
**Nairobi**
3. **Mr. Patrick K. Njagi**  
Secretary  
National Consultative Coordination Committee on IDPs (NCCC)

06/7

UD / Committee

074

REVIEW OF THE PARLIAMENTARY REPORT AND THE SAN MARCO PROGRAMME AGREEMENT

The Joint Committee on Energy, Information and Communications, and Education, Research and Technology presented a report on the Status of the San Marco Space Application Centre in Malindi to the Tenth Parliament in September 2012.

The parliamentary report proposed the following recommendations *[in italics]*

1.

*The Government should enhance its oversight role in ensuring that the San Marco Space Application Centre maximizes its presence in Kenya in the enhancement of the Governments development agenda in education, research, communication and information. The Kenyan Government should be involved both at the technical and managerial levels to ensure sufficient supervision of operations and management and maximum utilization of benefits at the Space centre.*

The proposed agreement has introduced a Joint Management Board that will jointly manage the Space Centre and to which the Chief Executive Officer of the centre shall be answerable. The CEO shall be deputized by a Deputy CEO appointed by the Government of Kenya. In addition, the proposed agreement has introduced five Implementing Arrangements to govern the implementation of the areas of cooperation. These are:

- a) Support to the Kenya National Space Agency;
- b) Access to Data;
- c) Education and Training;
- d) Telemedicine; and
- e) Establishment of Regional Centre for Earth Observation.

*Draft Bill pending  
- space policy  
- least framework for  
the same*

Under Article II. 2, both governments agree to use the space centre for the following activities:

- a) Space science and technology;
- b) Earth Observation, applications and services;
- c) Support in Surveillance services also using the mobile segment;
- d) Space communications;
- e) Telemedicine;
- f) Satellite data acquisition;
- g) Tracking and telemetry services;
- h) Launching and tracking of satellites and suborbital platforms;
- i) Atmospheric research;
- j) Navigation and positioning application and services;
- k) Education and training.

2.

*The new San Marco agreement under review and all future agreements should be approved by Parliament in line with the Constitution 2010. The new agreement should correct the anomalies existing in the previous agreements and ensure it includes among others:-*

- (i) Joint management of the facility;

The proposed agreement provides for joint management of the facility through the following:

*No mention*

- (1) A **Joint Council of Ministers** which shall be the supreme organ responsible for strategic policy guidance for the space centre as well as other areas of cooperation in space science and technology. It shall comprise of Ministers as may be designated by both governments from time to time (Article IV).
- (2) A **Joint Steering Committee** comprising of Chief Executive Officers of respective Ministries and Chief Executive Officers of respective National Space Agencies shall facilitate the implementation of the Agreement (Article V).
- (3) A **Joint Management Board** comprising of three technical persons designated by the relevant Ministries, National Space Agencies of each Government, and any other persons as each Government may designate in order to jointly manage the space centre (Article VI).

- (ii) *A clear framework for third party agreements and signing of third party agreements in the presence of the Kenyan Government;*

The Joint Management Board, amongst its functions, shall consider and recommend for consideration by the Joint Steering Committee the possible engagement and/or involvement of Third Parties in the utilization of the space centre (Article VI. 7.e).

- (iii) *Provision for employment of Kenyans in senior managerial positions;*

The Joint Management Board shall consider staffing needs of the Space Centre (Article VI. 7.i). The Government of the Republic of Kenya shall also second professional staff to the Space Centre in consultation with the Joint Management Board in such capacities as the Parties may mutually agree (Article VII. 6).

- ~~(iv) *Enhanced capacity building of Kenyans in space science technology;*~~

In addition to the areas of cooperation, an **Implementing Arrangement on Education and Training** has been introduced to provide a supplemental framework for cooperation between the Government of the Republic of Kenya and the Italian Space Agency, on training and education programs and activities.

(v)

- Sharing of revenue gained from commercial services provided to users of the centre;*

The Government of the Italian Republic shall remit to the Government of the Republic of Kenya 50% of the profit of contracts with Third Parties for commercial services provided by the Facility, including but not limited to

launching services, satellite tracking and telemetry services, communication services, data acquisition, surveillance and navigation (Article VIII. 5.f).

- (vi) *Technology transfer and increased access to data collected;*  
The following Implementing Arrangements specific to accessing data and use of satellite technology:
- a) **Implementing Arrangement on the Establishment of a Regional Center for Earth Observation** which aims to:
    - i) Establish a Regional Centre for Earth Observation
    - ii) Provide requisite infrastructure for acquisition, processing, access, dissemination and archiving of Earth Observation data, products and services;
    - iii) Promote access to and use of Earth Observation data, products and services by end users in Kenya and in the East and Central African region;
    - iv) Promote research and applications development in the Earth Observation field.
  - b) **Implementing Arrangement on Access to Earth Observation and Space Science Data** which aims to which aims to:
    - i) Provide access and use of Earth Observation and Space Science data available to ASI for use and distribution according to each specific mission data policy, for research and national development programs in Kenya.
    - ii) Promote access and use of data from past, ongoing and future space programs undertaken by ASI and its partners.

- (vii) *Use of satellite technology to address climate change, environmental risk factors and security; satellite based research; and*

The adoption and use of satellite technology is a prerogative of the Government of Kenya and institutions, including the Kenya Space Agency, exist to ensure utilization of space technology to address societal needs and research.

The Governments of Kenya and Italy have also agreed on an **Implementing Arrangement on Support to the Kenya Space Agency**. This arrangement shall promote cooperation in the following areas:

- a) Legal and institutional support for the establishment of the Kenya National Space Agency;
- b) Capacity building;
- c) Management support for the development of short, medium and long term sustainable space programmes;
- d) Human and infrastructure resources development;

- (viii) *A clear exit strategy in the likelihood that Kenya would like to manage the San Marco Space Application centre independently.*

Article XV (Vesting of Assets to the Government of the Republic of Kenya) provides for the transfer of all rights and properties by the Government of the Italian Republic upon the lapse of the renewed Agreement or at such a lesser period formally agreed by the Joint Council of Ministers.

Article XVII (Amendment, Modification and Review) also provides for the amendment of the Agreement by mutual consent of both governments and a mid-term review of its functioning and implementation.

Article XVIII (Entry into Force, Duration and Termination) provides for the termination of the Agreement at any time by either Party after serving notice of not less than twelve (12) months in writing. This notice may be issued upon the mid-term review where either party is fundamentally in breach of their obligations.

3. *A proper framework on third party usage of the station should be formulated so that the Kenyan Government will be aware of the third party users of the station and how much money is earned from these third party agreements. Further, the Kenyan Government should ensure that it is present at the signing of all third party agreements.*

The Joint Management Board shall also consider the financial performance of the space centre and recommend to the Joint Steering Committee, measures to ensure due fulfillment of commitments and obligations of the Centre (Article VI. 7.h).

4. *Considering the importance of San Marco Space Application Centre to space science technology in the country and its establishment for peaceful uses, the National Council for Science and Technology under the Ministry of Higher Education, Science and Technology should take a lead role in the management and coordination of its activities. Other Government Ministries including the Ministry of Defence should play a supportive role in the management of San Marco activities.*

Space technology and its related applications has been embraced by different sectors of the economy the world over, while Science and Technology has continued to play a supportive role by establishing training programmes and conducting research. The lead role can be played by a central Ministry or a dedicated agency that will solely handle space related issues. The Cabinet therefore approved the establishment of the Kenya Space Agency in the Ministry of Defence.

The establishment of the San Marco Project base (then the San Marco Equatorial Range) in 1964 was to conduct equatorial launches and offer Telemetry, Tracking and Control support for spacecrafts and launchers. Rockets used to launch satellites and suborbital platforms are essentially missile technology. Launch bases around the world are

*means is non-obsolete*

effectively controlled by the military due to the inherent risks involved in handling missiles. The mandate to coordinate space related activities was therefore assigned to the Ministry of Defence.

The activities carried out at the centre also include acquisition of satellite data and their use and distribution is therefore controlled in the interest of national security. Access to facilities in the centre is open through guidelines agreed on by both Governments. This therefore does not prevent officers from government agencies from accessing and utilizing data from the facility or conducting research.

The Inter-ministerial Committee charged with the management of the San Marco Programme and the related agreement consists of members from all the relevant departments including the National Commission for Science, Technology and Innovation in the Ministry of Education, Science and Technology. Therefore interests of all stakeholders are presented in a common front.

5. *The Kenyan government should take an interest in the data/information gathered at the centre and ensure that this data/information can be accessed by its agencies, Universities and other institutions for use in research, education, disaster management, land use/land cover mapping, meteorology and maritime surveillance among others.*

The Ministry of Defence has officers stationed at the Space centre who are aware of all activities carried out there, and the type and format of data acquired and transmitted. At present, the existing infrastructure and equipment is only able to support a limited number of activities on a day to day basis. These include three astronomy missions and occasional support for European Space Agency launches into equatorial orbits. This capacity can be enhanced by installing additional equipment to complement the already existing ones. Some of the equipment are also obsolete or dilapidated and require replacement.

The Government of the Italian Republic has factored in improvement of the satellite data and telemetry, tracking and command infrastructure at the centre in cooperation with the Government of the Republic of Kenya.

*Kenya should ensure that qualified Kenyans are competitively recruited in key positions at the Space Centre and offered competitive remuneration packages. The management of the centre should ensure that they adhere to best practices regard to employee matters.*

The Government of Kenya will ensure an enabling environment to competitively recruit and retain talent in the sector, including the Malindi Space Centre, and adherence to best practices. The Joint Management Board at the centre shall also consider the interests of the centre.

