

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 15th July, 2021

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Speaker (Hon. Lusaka) in the Chair]

PRAYER

MESSAGES FROM THE NATIONAL ASSEMBLY

The Speaker (Hon. Lusaka): Hon. Senators, I have two Messages from the National Assembly.

PASSAGE OF PUBLIC COLLECTIONS BILL (NATIONAL ASSEMBLY NO.66 OF 2019)

I wish to report to the Senate that, pursuant to Standing Order No.41 (3), I have received the following Message from the Speaker of the National Assembly regarding the passage by the National Assembly of the Public Collections Bill (National Assembly Bill No. 66 of 2019).

Pursuant to the said Standing Order, I now report the Message-

“Pursuant to the provisions of Standing Order No. 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Public Collections Bill (National Assembly Bill No. 66 of 2019) was published vide Kenya Gazette Supplement No. 157 of 17th September 2019 as a Bill that seeks to regulate public collections, harambees or public fundraising appeals except public collections for charitable and religious purposes, repeals the Public Collections Act, CAP 106, Laws of Kenya, so as to establish a regulatory mechanism at the national and county levels for the collection of money and property from the public; align the pre-independence Public Collections Act, CAP 106 with the Constitution of Kenya 2010 including addressing the inadequacies, limitations and inconsistencies of the said law and in its place have a more robust legal architecture in addressing pertinent issues in public collections;

AND WHEREAS, the National Assembly considered the Bill and passed it on Tuesday, 11th May 2021 with amendments in the form attached hereto;

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders No. 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.”

Hon. Senators, you will recall that following the High Court ruling on 29th October, 2020, on Constitutional Petition No. 284 of 2019, implementation of the judgment by the Senate commenced.

Notably, the High Court ordered that all Bills for which the concurrence process contemplated under Article 110(3) of the Constitution could not be demonstrated be ceased and that the said concurrence process be adhered to before introduction of such Bills in either House of Parliament.

Hon. Senators, the Public Collections Bill (National Assembly Bill No. 66 of 2019) is one such Bill, for which the concurrence process pursuant to Article 110(3) of the Constitution had not be demonstrated by the time the High Court gave its judgment.

As such, the Bill ought to be aligned to Article 110(3) of the Constitution, following which the Bill will be read a First Time in the Senate.

In view of the foregoing, the Public Collections Bill (National Assembly Bill No. 66 of 2019), as received from the National Assembly vide the Message dated Thursday, 8th July, 2021, will not be proceeded with in the Senate.

I thank you.

APPROVAL OF PUBLIC FINANCE MANAGEMENT
(EQUALIZATION FUND ADMINISTRATION)
REGULATIONS, 2021

I wish to report to the Senate that, pursuant to Standing Order No.41 (3), I have received the following Message from the Speaker of the National Assembly regarding the approval by the National Assembly of the Public Finance Management (Equalization Fund Administration) Regulations, 2021.

Pursuant to the said Standing Order, I now report the Message-

“PURSUANT to the provisions of Standing Orders No. 41 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Cabinet Secretary for the National Treasury and Planning submitted the Public Finance Management (Equalization Fund Administration) Regulations, 2021, as published vide Kenya Gazette Supplement No. 69 of 29th April 2021 (Legal Notice No. 54 of 2021 whose objective is to provide guidance on the administration and management of the Equalization Fund whose operations were halted by a Court Order on 5th November 2019 following Petition No.292 of 2016;

AND WHEREAS, the provisions of Section 205(5) of the Public Finance Management Act, 2012 require such regulations to be approved by both Houses of Parliament;

FURTHER WHEREAS, the National Assembly considered and by a resolution passed on Wednesday, July 7, 2021 approved the Regulations in the form published by the Cabinet Secretary (CS);

NOW THEREFORE, in furtherance to the provisions of Standing Order No. 210 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.”

Hon. Senators, pursuant to Standing Order No. 222 of the Senate, I now refer the said regulations to the Committee on Delegated Legislation for consideration.

I thank you.

Next Order.

STATEMENTS

Let us start with the Deputy Senate Majority Leader.

BUSINESS FOR THE WEEK COMMENCING TUESDAY 20TH JULY, 2021

Sen. Dullo: Thank you, Mr. Speaker, Sir. Pursuant to Standing Order No. 52(1), I hereby present to the Senate, the business of the House for the week commencing Tuesday, 20th July, 2021.

Mr. Speaker, Sir, on Tuesday, 20th July, 2021, the Senate Business Committee (SBC) will meet to schedule the business of the Senate for the week.

Subject to further directions by the SBC, the Senate will on Tuesday, 20th July, 2021 consider Bills at the First Reading, Second Reading Stage and Motions on reports of various Standing Committees as contained in the Programme of the Senate business. The Senate will also continue with consideration of Bills, Motions, Petitions and Statements that will not be concluded in today’s Order Paper.

On Wednesday, 21st July, 2021, the Senate will continue with business that will not be concluded on Tuesday, 20th July, 2021 and any other business scheduled by the SBC; while on Thursday, 22nd July, 2021, the Senate will continue with business that will not be concluded on Wednesday, 21st July, 2021, and any other business.

Mr. Speaker, Sir, we have 33 Bills due for Second Reading. Four of these Bills are due for Division and have been listed in today’s Order Paper.

These are:

(1)The Community Health Services Bill (Senate Bills No. 34 of 2020) (Sen. (Dr.) Agnes Zani, MP).

(2)The Investment Promotion (Amendment) Bill (Senate Bills No. 2 of 2021) (Sen. (Dr. Alice Milgo, MP).

(3)The Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No. 33 of 2020) (Sen. (Dr.) Agnes Zani, MP).

(4)The National Flag, Emblems and Names (Amendment) Bill (Senate Bills No. 36 of 2020) (Sen. (Dr.) Agnes Zani, MP).

In addition, there are three (3) Bills at the Committee of the Whole Stage.

These are:

(1)The Cooperative Societies (Amendment) Bill (Senate Bills No. 11 of 2020) (Sen. (Dr.) Agnes Zani, MP).

(2)The Mental Health (Amendment) Bill (Senate Bills No. 28 of 2020) (Sen. (Arch.) Sylvia Kasanga, MP).

(3)The Wildlife Conservation and Management (Amendment) Bill (Senate Bills No. 30 of 2020) (Sen. Johnes Mwaruma, MP).

Mr. Speaker, Sir, I want to urge all Senators to avail themselves for the Division of the Bills at the Second Reading stage and the respective movers and responsible Standing Committee Chairpersons to be available for the Bills at the Committee of the Whole Stage.

Allow me to take this opportunity to remind Chairpersons of Standing Committees to hasten consideration and public participation/engagement on all Bills committed to their respective Committees.

As reported during the meeting of all Senators earlier today, we have a heavy workload ahead of us and it is imperative that we all play our part in facilitating and expediting the legislative business to proceed to the next stage.

I thank you and hereby lay the Statement on the Table of the House.

(Sen. Dullo laid the document on the Table)

SUSPENSION OF IMPLEMENTATION OF VIHIGA
COUNTY BUDGET FOR THE FY 2021/2022

Sen. Khaniri: Mr. Speaker, Sir, thank you, for giving me this opportunity to make this Statement.

I rise pursuant to provisions of our Standing Orders, in particular Standing Order No. 47(1) to make a Statement on a matter of national concern, that is, the suspension of implementation of Vihiga County Budget for the Financial Year, 2021/2022.

Notwithstanding the fact that the matter is actively in court, I am compelled to make this Statement on the understanding that the residents of Vihiga County expect a voice on this matter from their Senator and the Senate as the guardian of devolution in Kenya.

Additionally, I make this Statement in full realization that our Judiciary is robust and fully independent and that its final judgement will not be influenced in any way, by these proceedings.

Mr. Speaker, Sir, the County Government of Vihiga finds itself in an unfortunate situation whereby it cannot implement the current approved budget at the onset of the financial year. This occurrence has been triggered by a constitutional petition that alleges deliberate and blatant ignorance of mandatory constitutional and legal dictates in the making of the county budget.

In particular, Section 129 of the Public Finance Management (PFM) Act, 2012, provides that the County Executive Committee Member (CECM) for Finance shall submit to the County Executive Committee (CEC) for its approval the budget estimates and other supporting documents and county level draft Bills required to implement the county government's budget in sufficient time.

This is in line with Article 179(1) of the Constitution that states that the executive authority of a county is vested in and exercised by a County Executive Committee.

After the approval above, the documents are then to be submitted by the CECM for Finance to the County Assembly for deliberation and final passage. Allegations that these documents were never tabled and approved by the CEC or provision of evidence to

confirm tabling of the same before being submitted to the County Assembly is the root cause of the suspension of the County Budget.

It is very suspect that a county executive that has been in office for the past four budget cycles can blatantly fail to follow the laid down procedures in the budget-making process. The centrality of fidelity to the Constitution in governance and especially matters of public finance cannot be gainsaid.

The current stalemate has obvious far-reaching implications chiefly in terms of processing salaries and statutory deductions for all staff in the county, procurement of essential goods and services, payment of pending bills and the whole tendering process.

It is extremely difficult to understand the real motivation to the standoff especially given the fact that the alleged illegalities were noted and communicated to the concerned office bearers as early as 3rd May, 2021. Why a whole county executive would fail to discuss and approve the budget estimates at the CEC level is suspect to say the least.

As my colleague Senator observed the other day, governors and their CECMs will abuse this budget cycle to build their campaign financing kitty and personal wealth.

The leadership of Vihiga County has failed in line with Article 10 of the Constitution on national values and principles of governance. The issue of suspension of the county budget is only a tip of the iceberg in the governance problems in Vihiga County.

The other issues include non-payment of recurrent staff in the Health Department that has been pending for more than two years now. It is unfortunate that even with the foregoing, an allocation for the payment of the health workers was not factored in the current budget estimates despite a court order.

Other matters are bloated payroll, the numerous impeachment Motions in the County Assembly in recent months, which are subject in court and the plans to suspend the County Government as stipulated in Article 192 of the Constitution and Section 123 of the County Governments Act, 2012.

To put it into perspective, the state in Vihiga County Government can be termed as a situation of musical chairs where the concerned have ignored their core mandate and responsibility and chosen confusion and witch-hunt.

It is important that leaders always have in mind that leadership is a responsibility that demands so much. We are approaching elections and voters will judge all the elected leaders rightly on their performance. While the Constitution of Kenya provides for rights and freedoms, including election and litigation rights, we should never lose focus of the greater good. All the provisions of the law should be followed and not abused for political expediency.

Lastly, Mr. Speaker, Sir, I remind Members of Vihiga County Assembly and MCAs of all county assemblies in the country that they are the first line of defence for the counties and their governments.

In Vihiga County, the MCAs should rise to the occasion and apply Section 134(4) of the PFM Act, 2012, to authorize the withdrawal of money from the County Revenue Fund (CRF) to cushion the public and ensure continuity in provision of services to the people of Vihiga.

I thank you.

The Senate Minority Leader (Sen. Orengo): Thank you, Mr. Speaker, Sir. The issues raised by Sen. Khaniri, the distinguished Senator for Vihiga are very serious.

Indeed, if all that is enumerated reflects what is happening on the ground, then one would wonder what is going on in Vihiga.

I have noted that there are many impeachment Motions concerning CECMs before the County Assembly and that has been talked about in this Statement. On page 3 of this Statement, Sen. Khaniri has enumerated very important issues and difficulties facing the County of Vihiga. I was counting the number of problems he has spelt out and they are almost 10 of them.

The question of suspension of a county government is as worse as it can get, more than even making laws at the county level. Having a budget that goes to the County Assembly and is passed for the benefit of the people of Vihiga is an important mandate of the County Government of Vihiga.

If what is happening in Vihiga is true, as recounted by Sen. Khaniri who is not fond of making Statements which have no basis, then I recommend that we form a team of the Senate comprising Members from the Committee on Devolution and Intergovernmental Relations and the Committee on Finance and Budget to go to Vihiga. It should have happened like yesterday.

We are the protectors of the counties. The Constitution says that we are there to represent and protect the counties. We should not wait until the problem is difficult to deal with. As you can see, there is even contemplation of suspension of the county government. That should be a matter of last resort.

In the meantime, before we get there, I recommend that we have two committees to go to Vihiga because we want Members of those two committees to get the views of the people on the ground and bring a report back to this House on which the Senate can take some action in one form or the other.

Sen. Murkomen: Mr. Speaker, Sir, I thank Sen. Khaniri for coming up with this important Statement but I do not know where he is.

In the previous term, we had similar instances in some counties and the Committee on Finance and Budget and Committee on Devolution and Intergovernmental Relations managed to intervene in some cases and assist county governments to find solutions. The problem here is decisions made by courts under an application by a citizen and not any of the parties in the management of the county government.

I understand the fact that the governor cannot convene a CECMs meeting. That is strange because everybody in the CEC is an appointee of the governor. In the past, before I brought an amendment in this House that was passed in the National Assembly and signed into law late last year, governors used to find it difficult to fire their CECMs.

We made it clear in the law and now it is part of the County Governments Act, that a governor can hire and fire at will. Why can the governor not fire all his CECMs and hire new ones if they cannot meet? I would understand if it was a tussle between the county executive and the assembly.

When you say the reason you do not have a budget is because an organ that is controlled by the governor cannot meet, that is unacceptable. Maybe the governor needs proper legal advice on how to go about this business. He should fire all the CECMs and appoint new ones, hold a meeting and file papers in court showing that he rectified the anomalies that existed in the budget-making process. We should tell the governor of Vihiga that.

Secondly, I agree with Sen. Orengo, the Senate Minority Leader, that a committee of this House, either the Committee on Devolution and Intergovernmental Relations which I sit in or the Committee on Finance and Budget should be tasked to follow up this matter and report to this House soonest, so that the people of Vihiga do not suffer.

I agree entirely with Sen. Khaniri that if we are not careful and because of the confusion of elections to come, most of the budgets of this period are likely to be misused to enrich individual governors, CECMs or Chief Officers (COs), who could be knowing that this is the last time they are going to hold offices they are holding at the moment.

Mr. Speaker, Sir, we must be vigilant as a House. We must also work closely with the Ethics and Anti-Corruption Commission (EACC) to put measures in place that will ensure that public resources are not stolen by individuals who know that they may never have an opportunity to be re-elected or serve in public offices.

I thank you.

Sen. Wetangula: Mr. Speaker, Sir, Vihiga County is now distinguishing itself as a small county with big problems. That is not good because we want devolution to work and devolution must work.

Under Article 96 of the Constitution, the last line of defense of devolution is this House, when we have this kind of unique but avoidable difficulties, then this House must rise to the occasion.

I have read through this Statement. What I fail to appreciate is what Sen. Murkomen, the distinguished Senator for Elgeyo-Marakwet, said, that if there is a standoff between the executive, then we can understand but a standoff within the executive is inexplicable because the governor can hire and fire CECMs at will. If they are not working, they have no business being there.

A few weeks ago, I read somewhere that four CECMs had been impeached by the county assembly and that the governor had followed the impeachment by dismissing them. Has he replaced those impeached CECMs? Why are those within the executive who are not functioning still there?

I must say the Governor of Vihiga is our former colleague. He was extremely respected when he was an MP, especially because of his commitment and knowledge in environmental issues. I thought he would extend that prowess in the management of his county.

Be that as it may, I want to encourage you as our Speaker that we have a precedent already. When there was an ugly standoff between the County Executive and County Assembly of Taita Taveta County, the Committee on Devolution and Intergovernmental Relations went to Taita Taveta, talked to both parties and brought them to order although the visit by the Committee of this House was subsequently followed by a failed impeachment of the Governor of Taita Taveta County.

Mr. Speaker, Sir, I urge you not to just refer this Statement to a Committee to look at but that you direct the Committee on Devolution and Intergovernmental Relations and Committee on Finance and Budget to either visit Vihiga County or summon the leadership of the County Assembly and County Executive of Vihiga County to appear before the committees and deal with the matter.

A further precedence to this matter was the standoff in Bungoma County where the governor had received the money for salaries but mischievously diverted the funds to pay suppliers. Thereafter, the governor of Bungoma County pretended to the public that

the reason that the county was having problems in paying salaries was because a supplementary budget had not been passed by the county assembly.

The Controller of Budget testified before a Committee of the Senate that money had been sent for salaries but the governor has misapplied it to other interests. When the Committee of this House summoned both parties on the complain of the County Assembly of Bungoma, matters were resolved. The County Assembly now receives their money to run their day to day operations while the matters for the County Executive of Bungoma have been sorted out.

We support the concerns of the Senator for Vihiga County about his county. We go further to say that this House can deal with these matters by summoning the parties before the committees that I have mentioned. That can be done as early as Monday.

When there are extraordinary problems, they need extraordinary measures to resolve them. We have come to the end of the last financial cycle and we are entering the next financial cycle, where there is such a standoff, the victims are *wananchi*; it is not the county executive or assembly that will suffer. It is the ordinary person who does not find drugs in the health centres, see a pothole patched on the road, see water on the taps, who will not see garbage collection at the market or anything being done.

We cannot allow leadership in any county to engage in unhelpful activities that hurt the ordinary person in this country.

I thank you.

The Speaker (Hon. Lusaka): In view of what we agreed on this morning, I will only give two more Senators an opportunity to speak before we move to the next Statement. I will allow Sen. Wambua followed by Sen. Cheruiyot to speak.

Hon. Senators, in the half-day workshop that we had this morning, we agreed that we should manage our Statements well and finish within the Statement Hour. I am only implementing a resolution that was made by the Members today.

Sen. Wambua: Mr. Speaker, Sir, first, I thank you for making the cut. In the interest of time, I will be very brief. Even as we blame the County Executive of Vihiga, I wonder what the County Assembly of Vihiga was doing to pass a budget without questioning due process.

These county assemblies at times behave funny. They should not just pass the budget for the sake of it. They should enquire into it and look into the process by scrutinizing the budget. Here is a situation where due process was not followed yet the Vihiga County Assembly passed the budget. How did that happen?

Secondly, the County Executive Committee Member (CECM) responsible for finance in Vihiga County should be questioned. How do you wake up in the morning to just go and table the budget estimates before the assembly without it being approved by the executive? Where does that happen? If we begin to make accountability personal, then people will learn to encounter fewer mistakes. The CECM for Finance and Economic Planning of Vihiga County must be held to account for what he did and the misfortunes that he is occasioning the people of Vihiga County.

I agree with Sen. Wetangula that extraordinary situations call for extraordinary measures. The other day, the President of the Republic of Kenya went out to officially open several hospitals because we are dealing with an extraordinary situation. The matter in question is now before a court of law. It is incumbent upon the courts to expedite this process so that the people of Vihiga stop suffering unnecessarily.

I am a personal friend of Vihiga County. You and I are helping the Senator for Vihiga in the construction of his former school, Kapsotik Primary School. When the people of Vihiga suffer, friends of Vihiga County feel the pain. I would like to see the matter expedited and the people of Vihiga County served well.

I thank you.

The Speaker (Hon. Lusaka): Proceed, Sen. Cheruiyot.

Sen. Cheruiyot: Mr. Speaker, Sir, I thank you, for giving me this chance. I sympathize with the people of Vihiga County. This is quite an unfortunate situation that the leaders that they elected into office and entrusted with the affairs of their county are not serving them.

The people of Vihiga County have done their part; they have dutifully paid their taxes and all that they expect is services when they go to their county hospitals. Those who work in the various county offices are well remunerated so that when they go to receive the various services that people receive from county governments, they find it to be working.

Of all the weird petitions and pleas that have come to the Senate since 2013, this one is a winner. That the County Executive Committee, which includes the governor, his deputy and the CEC members cannot agree. This calls into question the competence of the good governor of Vihiga County and the County Assembly of Vihiga.

Sen. Wambua has mentioned something that is quite clear. It may not be known to many colleague Senators - I see this practice in the National Assembly and our county assemblies as well - before the budget is passed, various CECM have to appear before the various county assemblies to make pleadings of their budget by saying what is more important to them and part of their programmes.

The MCAs will then sit and consider the quests made, consider the limited resources and pick the things to fund. I do not understand how the County Assembly of Vihiga sat and approved the budget and that it only took the watchful eye of a diligent citizen to notice and go to court.

The courts seem to have agreed with the citizen. This incident points out to us that even we as Senators, we have a lot of mentorship to do to many of our county assemblies.

Mr. Speaker, Sir, Vihiga County is not the only county experiencing this challenge. Various other county assemblies have this challenge. We have handled other petitions that have been brought to our various committees where county assemblies are more vigorous in the defense of the county executive than the county executive members themselves.

The Senate, which is the House that has a constitutional mandate and duty to defend devolution and ensure that it is properly entrenched in our country is on notice on how much it has done in terms of being the big brother to our various county assemblies so that we teach them and understand some of these basic things.

It is, of course, not within our direct duty and responsibly but under the spirit of cooperation, being that the Senate and the county governments are institutions that are passionate about devolution and expect it to succeed, we need to do our work diligently.

My only plea is that I hope that the court that has this matter will expedite the case so that sanity can be restored in the county government of Vihiga so that the citizens can begin to enjoy and receive services that they are now being denied as Sen. Khaniri has mentioned.

In a few months' time, the people of Vihiga County will be presented with an opportunity to choose whether they want to continue to suffer or rectify the mistake that they made. That decision is not for this House to make. It will be made in Vihiga.

I thank you.

The Speaker (Hon. Lusaka): Hon. Senators, I agree that this is a weighty matter. As the House that defends devolution, we cannot abdicate our responsibility. I, therefore, direct that the Committee on Devolution and Intergovernmental Relations as well as the Committee on Finance and Budget travels to Vihiga on Monday; investigate the circumstances that have led to this situation and report back to this House.

I direct the secretariat to facilitate the Members of those two Committees to do their work so that the Senate is not only seen to speak but that we act to defend devolution.

The next Statement is by Sen. Chebeni.

INCREASE IN VIOLENCE AGAINST CHILDREN

Sen. Chebeni: Mr. Speaker, Sir, I rise under Standing Order No.47(1) to make a Statement on a general topical concern on the increase in violence against children.

Globally, violence against children has increasingly become a public health, human rights and development priority due to its significant negative impacts in children and the society as a whole.

Kenya is a signatory to the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child representing a commitment towards response and prevention of all forms of violence against children.

Mr. Speaker, Sir, Kenya has also made regional commitments to end violence against children with the ratification of the African Charter on the Rights and Welfare of Child in 2000. The Charter recognizes all the rights guaranteed in the Convention on the Rights of Child and takes consideration of the specific rights of African children based on their unique context and cultures.

Kenya is also committed to the African Union Agenda 2063 that speaks to the Africa we want which includes Aspiration No.6, which speaks to an Africa whose development is people driven relying on the potential of African people especially its women, youth and caring for the children.

Further, Article 53 of the Constitution of Kenya 2010 provides for the protection of children from abuse, neglect, harmful cultural practices, all forms of violence, inhumane treatment and punishment and hazardous or exploitative labour.

The Constitution of Kenya also protects the rights of children to education, nutrition, shelter, health and parental care. Furthermore, the Children's Act of 2001 articulates the child's right to protection from abuse, harmful cultural practices and sexual exploitation, among others.

Mr. Speaker, Sir, the first Violence Against Children Survey was carried in 2001 and it found out that 76 per cent of females and 80 per cent of males aged between 18 and 24 had experienced violence at least once in their childhood indicating high level of childhood violence in the country.

The second survey carried out in 2009 found out that nearly half of the females; 45.9 per cent and more than half of the males 56.1 per cent, experienced childhood

violence in Kenya. Among the 15.6 per cent of females who experienced childhood sexual violence, nearly two-thirds, 62.6 per cent experienced multiple incidences before age of 16.

Physical violence is the most common type of violence experienced in childhood in Kenya. Nearly two out of five females, 38.8 per cent and half of males, 51.9 per cent experienced childhood physical violence by parents, caregivers and other relatives affecting nearly three in 10 females and two in five males in the country.

Mr. Speaker, Sir, the consequences of child abuse in Kenya is often very devastating causing negative effects of things to do with physical health, social mobility, success of the child and mental health---

The Speaker (Hon. Lusaka): Sen. Chebeni, there is a point of order.

What is your point of order, Sen. Murkomen?

Sen. Murkomen: Mr. Speaker, Sir, I am inside the Chamber but I can hardly hear Sen. Chebeni. For the good of the important message that she is making, can she not come close to the microphone?

Not to me but to the microphone and be as audible as possible for purposes of her message being amplified as it should.

The Speaker (Hon. Lusaka): Maybe you can lower your mask since there is social distance.

Sen. Chebeni: I will be try to be as loud as I can.

(Hon. Senators spoke off record)

But I think I am okay now.

Mr. Speaker, Sir, allow me to continue.

The Speaker (Hon. Lusaka): Proceed.

Sen. Chebeni: Thank you. Mr. Speaker, Sir. As I was saying, the effects of child abuse in Kenya---

The Speaker (hon. Lusaka): What is your point of order, Sen. Orengo?

The Senate Minority Leader (Sen. Orengo): Mr. Speaker, Sir, have you realised the persistence of the Senator for Elgeyo Marakwet in his demand that the distinguished lady should come closer? I thought he would say; can she increase the volume and even after the dear lady increased her volume, he is not talking, he is just doing this---

(Sen. Orengo made some gestures)

(Laughter)

The Speaker (Hon. Lusaka): What is your point of order, Sen. Murkomen?

Sen. Murkomen: Mr. Speaker, Sir, Sen. Mercy Chebeni is my young sister and I would like her to succeed in whatever she does in this House. I want the people of Kenya to remember her as a person who articulated issues that affect Kenyans firmly, audibly and in a manner that she will be remembered not just in the HANSARD but by the people of Kenya.

That is my only interest in this matter.

(Laughter)

The Speaker (Hon. Lusaka): Order. Sen. Murkomen, the concern was, “come closer.”

(Laughter)

What we were complaining about was her voice not being audible. The two have no relationship. If you have any other interests, you will pursue them out of this House. Proceed, Senator.

(Sen. Murkomen spoke off record)

Sen. Murkomen, take your seat. Let us allow her to proceed.

Sen. Chebeni: Thank you, Mr. Speaker, Sir, I will now continue. The consequences of child abuse in Kenya is very devastating, causing negative outcome to the children of this country. Issues to do with health, social mobility and mental health among others. Indeed, violence against children affects the entire social ecology from the individual to the full society.

Cases of child abuse have almost tripled in the recent past, and made worse during the Covid-19 pandemic period. Physical abuse, defilement and child neglect and abduction, remain the top forms of child abuse in the country, as reported in mainstream media.

As late as yesterday, in the news, you could hear that a certain person - I do not know whether he was in his right mind - took several children and killed them after torturing them. Therefore, there is an issue of abduction and torture. It is not fair that young children die at such a young age.

A society that cannot protect its children has no future, given that children are the future. The Government needs to put in place measures to ensure that the rights of children are protected according to Article 53 of the Constitution. There is also need to raise awareness on a nationwide helpline service that operates 24 hours a day that can be accessed.

The Government also needs to ensure the implementation of the National Prevention and Response Plan on Violence against Children in Kenya of 2019 to 2023, to accelerate evidence-based multi-sectoral actions to address violence against children and to reduce the prevalence of childhood violence – that is, a child experiencing at least one form of physical, emotional and sexual violence.

There is also need to sensitize the public on child protection and to continue to strengthen the existing community structures to play a key role in the identification and referral of children in need of protection services.

There is also need for child protection agencies, for example, the police, the Department of Children Services, judiciary among other agencies, to work closely together in cooperation to ensure that matters relating to children are handled very well and are prioritized in their departments.

There is need to ensure that there is training for child protection workforce who deal with children once they have been rescued. The child protection workforce should

be trained on the specific vulnerabilities of young children and adolescents to various forms of violence and how to prevent and respond in collaboration with multi-sector stakeholders, including health and education professionals.

In conclusion, there is need to work together, to ensure justice is served and culprits are punished. Violence against children should no longer be tolerated. Violence against children can only be stopped by the collective efforts of ordinary citizens, policymakers, governments and international stakeholders.

I thank you.

The Speaker (Hon. Lusaka): Thank you. You realise that we have less than 10 minutes for Statement Hour. I will call out the next Statement under Standing Order No.48 (1) ---

We agreed and I was the one who was being blamed for---

(An hon. Senator spoke off record)

Yes. Where is Sen. Were? She is not in.

Proceed, Sen. Rose Nyamunga.

Sen. Nyamunga: Mr. Speaker, Sir, thank you very much for giving me this opportunity but even as we agreed on some of these things, I find it very difficult to let some of these Statements just go like that. By the time we come back to them, maybe we will not even have an opportunity to say anything about it because---

The Speaker (Hon. Lusaka): Sen. Nyamunga, you were in the meeting in the morning and you heard all that was directed to the Speaker. You are also a Member of the Speaker's Panel and, therefore, we cannot be going forth and backwards.

Proceed with the Statement.

STATUS OF THE KENYA YOUTH EMPLOYMENT AND OPPORTUNITIES PROJECT

Sen. Nyamunga: Mr. Speaker, Sir, I rise pursuant to Standing Order No.48(1) to seek a Statement from the Standing Committee on Labour and Social Welfare on the status of the Kenya Youth Employment and Opportunities Project.

In the Statement, the Committee should-

(1) Explain the intended goal of the project and indicate what it has achieved so far.

(2) Provide a status report on the enrolment of youth in the project and outline the challenges facing the implementation.

(3) State the amount, in stipend, offered to the recruits by the Government.

(4) Explain why recruits from cycle four of the project are yet to receive their stipend, and state the measures put in place to address the numerous complaints on timely remittance of stipend to the recruits.

I thank you.

The Speaker (Hon. Lusaka): Okay, that brings us to the end of Statements.

Next Order.

Can the Whips check whether we have numbers for the Division before we go to the next order?

Next Order.

BILLS

Second Reading

THE COMMUNITY HEALTH SERVICES BILL
(SENATE BILLS NO. 34 OF 2020)

(Sen. (Dr.) Zani on 6.7.2021)

(Resumption of debate interrupted on 6.7.2021)

(Bill deferred)

Second Reading

THE INVESTMENT PROMOTION (AMENDMENT) BILL
(SENATE BILLS NO. 2 OF 2021)

(Sen. (Dr.) Milgo on 7.7.2021)

(Resumption of debate interrupted on 13.7.2021)

(Bill deferred)

Second Reading

THE PARLIAMENTARY POWERS AND PRIVILEGES
(AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2020)

(Sen. (Dr.) Zani on 8.7.2021)

(Resumption of debate interrupted on 13.7.2021)

(Bill deferred)

Second Reading

THE NATIONAL FLAG, EMBLEMS AND NAMES
(AMENDMENT) BILL (SENATE BILLS NO. 36 OF 2020)

(Sen. (Dr.) Zani on 8.7.2021)

(Resumption of debate interrupted on 13.7.2021)

(Bill deferred)

*Second Reading*THE COUNTY VOCATIONAL EDUCATION AND
TRAINING BILL (SENATE BILLS NO. 6 OF 2021)*(Sen. (Dr.) Milgo on 14.7.2021)**(Resumption of debate interrupted on 14.7.2021)*

The Speaker (Hon. Lusaka): It is a resumption of debate. Sen. Cherargei, you were on the Floor. You have 17 minutes.

Sen. Cherargei: Mr. Speaker, Sir, I thank you for this opportunity. From the onset, as I said yesterday before the House adjourned, I congratulate the Chairperson of the Standing Committee on Education, Sen. (Dr.) Milgo and colleagues in the Committee for this brilliant Bill.

The County Vocational Education and Training Bill (Senate Bills No. 6 of 2021) is a game changer because this is the time that we are establishing a legal framework in normally what we call village youth polytechnics but many people would call them vocational training centres.

This Bill has come at a very important stage. As we speak today, from 2013, for the last eight years, more than 140 TVET institutions have been established across the country.

Of course, this is a devolved function as has been captured by the Fourth Schedule of the Constitution. It is one of the devolved functions but there has been a set back because normally, under the conditional grant, there was Kshs2 billion that was ring fenced to ensure that the village polytechnics or vocational training centres in all the villages – let us call them vocational training centres – to spur the growth of vocational training centres in this country.

I have seen two issues. As a country, we need to invest in a more---. Someone predicted that in the last decade, in this decade and the coming decade, this country will be more on infrastructure and many other things that we need to build. Therefore, we need to agree that we need welders, masons, borehole drillers and firefighters.

Mr. Speaker, Sir, these people are very important people in the growth of the economy. As a country, we must invest in them. I want to thank the Committee on Education for coming up with this Bill. This is what we mean by bottom-up approach. We must have people who are willing to be trained as welders, electricians, borehole drillers, firefighters and masons.

In the economy, that we want to build we want to start with where the people are. I agree that there should be guiding principles that the Bill has tried to establish.

When you look at Clause 4, it is about policy examination standards and curriculum accreditation. There is what we call Kenya Trainers Technical College where they train these trainers that are being used to train, especially as instructors. I think KTTC should be the accrediting body that will give the license to many trainers.

The problem we are facing is that - I did ask for a Statement from the Committee on Education - we do not have proper guidelines on how these people are being trained

and accredited. Even as we hire trainers, most of counties are hiring them on contractual basis. They are not hiring them on permanent and pensionable terms.

We should look at the terms of service so that the trainers are hired on permanent and pensionable terms. I know that counties are hiring them on contractual obligations since most counties are also facing the issue of wage bill.

Another aspect is on ensuring examination standards. I think it is important to have uniform examination standards across the country especially in the county vocational centres and KTTC.

We also have the Technical Vocational Authority (TVETA) that has been established under the Act of 2013.

Another aspect I noticed about the Bill is that ability of transferring credit. For example, if you are in Cheptarit Youth Polytechnic near my neighbourhood and you want to relocate to Kaplamai Youth Polytechnic which is somewhere in Emgwen Sub-County, it is easier to do credit transfer just the way we do it in university when you want to transfer from faculty to another or from one university to another. I think it is an acceptable practice worldwide.

Obligations of the county government have been outlined. If this Bill passes into law, I hope that county governments should take even 2 percent because this is a very critical area. We want to build human resource in order to develop our country in terms of infrastructure and buildings.

Therefore, when Clause 5 talks about providing the funds necessary for development, in my opinion - I hope county assemblies are watching - they should ensure that we do not ring fence the Kshs2 billion meant for youth polytechnics, it is very important.

Another aspect is that I must applaud the Bill is ensuring that there is space for the people with special needs both the trainees and the trainers. I think it is very important to ensure that the infrastructure we have is accessible to people with special needs, the learners, trainees and the trainers. I think it is very important to ensure that it is in place. With the production of PWD Card, they should be given a specific allowance to ensure that the trainers are well catered for.

Another aspect is on the uniformity of the curriculum. I agree that they should work with the Kenya Institute of Curriculum Development (KICD) to ensure that we have a standardized format. I am happy that this Bill has said it will work with county governments so that counties can customize, especially counties where I come from in North Rift.

We can specialize on issues of training in animal husbandry and other issues to do with agriculture. Therefore, the KICD, the KTTC and county governments are very important so that they can come up with a way of ensuring that we have a curriculum that is uniform with standardization that what we are training in Wajir, Nandi, Kisumu and Makueni is the same. That is important for the curriculum that we have.

On the issue of ensuring that the county government's obligation is occupational hazard and ensuring that they are unique. If you are training for example, mechanics, you need a good workshop that is functional and has the necessary equipment so that you know that you are in a workshop. Unique equipment are required in the training of these people. The design of workshop areas is very critical.

The obligation of the counties is so unique. In one of the obligations under Clauses 5, 6 and 7 talks about county governments ensuring that they procure equipment and learning spaces.

I am happy that the issue of special needs has been captured in Clause 7 where it talks of other trainers who are versed with the issue of special needs, especially people living with disability. I think it is important that refresher courses be captured in order to train and build the capacity of trainees.

Another aspect that I noticed about this Bill is the fact that we have invited the private sector. I think this will spur the growth of county vocational training centres. I am happy that the private sector has been invited and, therefore, licensing can be given.

Faith-based organizations have a central place in these vocational training centres. We know that faith-based organizations have been sponsors in most of our schools, either primary, secondary and universities.

It is important that we open up vocational training centres, not only to be run by public but also faith-based organizations and the sponsors that we know. I know there could be other meanings of the word “sponsor” in the streets but these are faith-based sponsors and they should be given an opportunity.

I do not know whether we will amend this or not. You cannot start a training vocational centre and then tell the faith-based organizations that it must be secular. I think the Committee on Education should look at this because it should not be mandatory. I think it should be secular. I know it is important that we accommodate all Kenyans regardless of their religion, tribe and where they come from. We are one nation and one people.

In Clause 11, I am happy that the county government has been given an opportunity to ensure that they capture it in the County Integrated Development Plan.

A county like Uasin Gishu in the North Rift has been doing very well in terms of ensuring that there is county vocational training centres from 2014 to 2021. At least they have sponsored more than 3,088 students fully paid through the Tuition Subsidy Programme, full scholarship among others. It is the only county that I have seen they have been training firefighters. I saw them launching something about firefighters, issues of animal husbandry and the revolving fund.

When you look at the County Education Board, let me use the example of Uasin Gishu County, because they are my neighbours and they have really tried to train. They have also trained borehole drillers. Going into the future we need to drill water here and there. Counties must play a cardinal role in this devolved function.

Mr. Speaker, Sir, I agree that there are technical training vocational centers and I am happy that the Government is giving them subsidies in terms of providing them with tuition. However, I think there is a lot that we can do, because for all these things to be fixed, it needs someone somewhere to sacrifice.

Another aspect that I would like to note is the issue of cancellation of licenses. I think that we have given too much power to the county executive. I do not know how, but we need to review it. I hope that the Chair or the Members of the Committee on Education are noting this. Since we have already established a board of governance that runs the county vocational training centers, why would we give absolute power of cancelling the license to county executives?

It is important that we use a board of governors, so that we can review. My learned seniors in this House, including Sen. Murkomen, my lecturer, told me that there should always be administrative action. However, there should be a process of appealing and looking for a way, so that one cannot just wake up one day and say that because Sen. Mutula Kilonzo Jnr.'s college is operational, we need to cancel the license.

The county executive should not be the last call of the cancellation of that process. I am happy that we have a board of governors, the county executive and a county education board. I think that it is very important that we use them so that there is a review process before one's license is cancelled.

Secondly, in Clause 18 it says that they will only consider an application within 30 days. I think it should be 90 days, so that there is a process before one is issued with a final license. They should be given an interim license of 90 days to see if they comply. It is a common standard practice. If it is faith based, sponsored or public institution, we will cross check against a checklist of what they should have done.

Mr. Speaker, Sir, I visited a vocational training center in a place called Ol'Lenguse somewhere in Timboroa. That place is so unique. I want to challenge the Committee and the counties. They have been able to sustain themselves by making things like furniture and selling them to generate their own income.

I do not think these vocational training centers should be the only training ground. When I used to Chair the Committee on Justice, Legal Affairs and Human Rights, we used to go to prisons, and they make good furniture. Why should we import things from China? If you come to our offices, we only have Chinese furniture and they break down after one or two days, whereas we are eating well and endowed. Perhaps the seats made in China are not as strong as the ones made in prisons.

Mr. Speaker, Sir, I think that this Bill should ensure that we have prisons as part of the--- I do not know how the Chair of the Committee on Education will marry how we can inculcate the prisons service so that we can have vocational training centers in counties that have prisons within them. This is to ensure that they are part of this legal framework, because these people are able to train.

I agree with the issue of the board of governors and the curriculum. I am happy that the Kenya Institute of Curriculum Development (KICD) and the Technical Vocational Training Authority (TVETA), established in 2013, have been included.

In summary, what I can say is that this is a game changer. When we move to the future of the bottom-up approach to the economy, this is the Bill that we need. I can assure Sen. (Dr.) Milgo, that if God gives us favour to be part of the change in this country, we shall implement this.

I thank you.

Speaker (Hon. Lusaka): Sen. (Dr.) Zani.

Sen. (Dr.) Zani: Thank you, Mr. Speaker, Sir. I would like to support this Bill. The County Vocational Education and Training Bill is a very important Bill from the Committee on Education. It comes very close to the Early Childhood Development (ECD) Bill, which was enacted. I think that was a big achievement.

We know from Schedule IV, that the responsibility of the Committee on Education at the Senate Level is ECD and vocational training. That is why it was so important to come up with a Bill that streamlines the sector. There is a lot that is already

happening within the counties. There is allocation to them in terms of vocational training and the centers.

However, most counties are doing things differently. Some are doing very well and some not as well. What we would like to do is have a level across each of the counties to maintain the standards. The best way to bring about these standards is to give procedures, formats, rules and legislation to ensure that that is streamlined.

To do this effectively, like we did with ECD education, the Committee on Education should bring together the County Executive Committee Members (CECMs) from the various counties and try to find out what is happening. Before we were able to put the legislation for ECD as a reference point, we heard a lot from the CECMs on what is happening and what they are doing in their counties.

It was important that we get to hear what is happening in the counties in terms of the county vocational education and training process. What source of allocation is going on there? What problems do they have? How are they able to cope with the various problems over time?

Mr. Speaker, Sir as we engage with this legislation, there is a lot of information that is coming through public participation through some of our various stakeholders to ensure that we are on the right track. Indeed, some of the things we are emphasizing are centers of excellence that are key. We are also emphasizing that all counties are unique in their own way.

For example, in Kericho we would want to hear more about tea production and the special courses with regard to that. From the coast region, marine science and the blue economy. Each of the counties should have special courses so that there is value addition. That is why as much as the curriculum will be standardized---

We have responsibilities at both the county and the national level and, therefore, we want to have space for the counties to come up with centers of excellence, or come up with specific programs that are going to be important in those specific counties.

Mr. Speaker, Sir, some of the issues that we have been dealing with at the level of the various counties is to find out what their resource allocation is and how they are using it. In addition, the measures that the county governments have taken to ensure that the centers are adequately resourced stating the data of the number of well-equipped workshops, laboratories, classrooms, libraries, *et cetera*.

With regard to this, I emphasize that it is very important to ring fence the money meant for technical vocational education centers. We have about Kshs2 billion that went to technical vocational training centers under conditional grants. Let us now change because we do not have conditional grants. That money is going as a package to the counties.

We request governors, Members of County Assemblies (MCAs) and CECMs to ensure that there is a system for ring fencing that money so that is used as it is meant to be. This means that they have to come up with very innovative ways.

Mr. Speaker, Sir, I would like to report that, recently one of the counties want to tag the money per enrollment rates so that there is a specific amount for enrollment for particular students. I think that is one way, but I am sure that many counties are looking for dynamics and the dynamism of how to put that into place.

Strategies employed by the county governments to ensure that there is accurate, timely and relevant data on the labour market, which enables coordination and

development of programs aimed at urging the Government to instill supply of skills demand, locally and nationally. There is a gap between skills supply and demand, locally and nationally.

We now know, especially as we move towards what we used to call blue-collar jobs *versus* white-collar jobs that this is the direction countries are going as far as industrialization is concerned.

There was a supplement yesterday on the World Skills Day on why it is important to have more skilled labour because that is where the jobs are. Secondly, we have allocations of up to Kshs30,000 for learners to take the various courses. The time is ripe.

Many of the developed countries are seeking these skilled laborers from plumbing, hairdressing and carpentry. All these are areas where one can easily get a job or be self-employed.

What is the labour demand before we can give the supply? We are requesting an analysis of data from our county governments. For example, we had a program called Colleges and Institutes Canada (CICan) which was a Canadian-Kenya program where there was an element of linking labour demand and supply directly so that you are in communication with the industries and know what they want from the word go.

In the internship, students are attached in the labour industry. From there, they can learn from the most relevant machines.

In most of the training centres in some of the vocational training centres, training is based on machinery that was used 10 years ago. If the industry wants 20 plumbers, they can indicate the kind of infrastructure needed, help in that and have some collaboration between the centres and the training so that there is appropriate training. They can then hire them immediately after, through internship programs and have them move into their jobs safely. Many countries have been able to do that successfully and it has greatly helped.

We are also asking on the number of training centres, the Information Technology influence they have, the access and the digital content that they have within the counties. This is very critical because procurement, for example, is being done digitally.

In one of the Senate *Mashinani*, I remember the governor that county at that time had started training centres with computers just to make sure the young people can be a step ahead.

We are also asking them about the strategies and measures they are putting in place to ensure the disadvantaged groups have equal opportunities and access in the centres and across different programs. We are also asking about strategies employed by the county governments to address the existing challenges related to implementation of TIVET policies and legal framework.

As they give us that information, we are also able to put this through in terms of the legislation required and challenges they are facing. An example is integration in the TIVET centres where also the special needs come in as intergraded rather than having separate centres.

In yesterday's newspapers pullout where we had the World Skills Day, they talked about agribusiness and agri-processing. That is the way forward; that we need to have an appropriate approach that has these centres in commercial activities. In Kenya

where 80 percent of the population resides in the rural areas and is involved in agriculture, it becomes a very important business for us.

The route for industrialization apart from mechanization and manufacturing is clearly in agri-business. It would be very good if we progress that.

The policy is already in place. We have been able to talk to the Principal Secretary, the Cabinet Secretary (CS) in this sector and the Council of Governors Chair in charge of TIVET. We have heard a lot about what they are doing to ensure TIVET centre remains alive. It is only a question of checking on one or two things.

As a Committee, we are still planning to proceed to these counties to see exactly what is happening on the ground and ensure the machinery is in place, teaching is going on and that what they are learning is relevant.

Kenya is also a member of the Acclaimed World Skills International, which means we need to showcase that we are moving an inch further to ensuring we are focusing on skills and how to develop them. That report also said there were 26 centres of excellence and we heard the same from the Chair of CoG.

Mr. Speaker, Sir, this Bill is straightforward. It intends to put the structures in place to ensure TIVET centres can run in a very systematic way from the elaboration and the bodies that are coming into it. Already we have the Technical and Vocational Education and Training Curriculum Development Assessment and Certification Council that has several responsibilities in the training. That is going to be part of the Act. We also have the County Education Board. As Sen. Cherargei said, a lot of responsibility had been put on the CEC Member.

Going through the various Clauses of the Bill, the CECM working in collaboration with the Authority, we are not going to give the CECM direct responsibility on their own. Any decision that has to be made - many have to be made at the county level - is going to be made at the level of the CECM but she or he has the responsibility to ensure that it is well entrenched within the Authority.

We also have the Board of Governors, which will be very instrumental in streamlining some of these issues.

We also have a very important body - the Integrated Vocational Education and Training Centre designed to accommodate and provide courses and training suitable for the needs of the trainees. We also have the National Qualifications Framework where quality control takes place. We do not want to have a county that is far ahead of another or one having a different quality standard. At the end of the day, anybody who comes from any of these centres fits in anywhere.

We also have the Kenya Institute of Curriculum Development (KICD) that is going to be key in establishing the curriculum and giving a fair measure of flexibility within the counties by working with them to come up with very innovative special courses, which may be very important at the county level.

In terms of the structure, we have the Council and the Curriculum body. We also have obligations at the national and county governments that are well spelt out within the Bill. We have the role of management of the vocational and training centre that is critical.

We also have the establishment of systems of accreditation that is going to be relevant both at the private level of private institutions and also for public ones and how the cancellation of the license should happen.

We have the management of the vocational, educational and training centres, the management Board which is a crucial arm to take us through the various functions of how specific management should be done.

Like the Early Childhood Development Education (ECDE) Bill, we expect that after this Bill is enacted and becomes law, it is possible to even have an evaluation framework within the specific counties. For example, in the ECDE, we have the best classroom mode and how it should look like so that when one goes to the counties, they know how the desks and playground, for example, should look like. We are looking for the same things with the TIVET centres, for example, the laboratory and classrooms.

[The Speaker (hon. Lusaka) left the Chair]

[The Deputy Speaker (Sen. (Prof. Kamar) in the Chair]

As we meet the various counties, we have been emphasizing that we need to have equity within the counties. For example, some counties have more centres placed in certain wards. We are asking each county not only to give us their resource allocation but the spread of these centres and what they are doing across the various wards so that we can see that they are evenly spread.

We also know how the remuneration and the record keeping should be done. The standard and quality of education are also very important. Between the CoG, CEC Member and KICD, we have a scheme that will put everything together.

Madam Deputy Speaker, allow me just to go through very briefly Clause 4, which is on the obligations of the national Government that has been put in this Bill in charge of the development of an education, training and research policy and making sure that policy remains current. That policy is able to change according to the needs of what Kenya wants in terms of training, development of examination standards and certification. These have to be at the national level.

Schedule Four is very clear about that. The policy standards and curriculum development remains at the national level. This Clause, therefore, just highlights that even TIVET education is important. Establishment of partnerships and how that should be done remains at national level and the policy for doing that.

Madam Deputy Speaker, at Clause 5, we have the obligations of the county governments. I just want to pinpoint one or two also to save time for other Members who would like to contribute. Procedures and putting in place necessary training infrastructure. It is very risky when we have students, who are training for specific trades, but they cannot operate or work on that machine, they will not be able to do a good job. Therefore, equipping with learning and teaching resources becomes very critical.

We do have a problem of the resources that are going to the counties. We have been asking questions especially on the allocation and resourcing of the counties. We find that in some counties, specific centres are better resourced. Some have received slightly more money than others. We engage and try to at least get equitability. What we also do within the counties is to try to get that excellent centre that becomes the point of reference.

Madam Deputy Speaker, many of the county governments we are talking to say they are not yet there, 100 per cent because of the issue of resourcing, but they are

gradually getting there. The Bill comes in to say this is the standard and coordination mechanism and this is how to get there.

Formulating specific programmes, plans and policy for the county responsible for staffing and personnel within the counties is articulated in Clause 4, alongside carrying out public awareness and advocacy programmes in relation to vocational education.

I know there are certain counties where we have some of the education and vocational centres literally closed. There is little going on within the counties. There was a time in Kenya where there was a lot of focus on education at university level and transition into university level. We are changing and relooking at that policy. We are coming back to emphasize on TIVET. However, those centres should be revived so that they can do what they are expected to do.

Madam Deputy Speaker, for example, the CEC Member can make sure that there is no centre that is closed. Extra effort is made to revive them because we have very many youth. We know part of that problem was because of this issue of white collar and blue collar. Everybody felt that being successful meant going to the university. However, we now know that we want to have people with skills who can go there into the market and do what is expected of them.

Clause 6 clearly gives the role of management for TIVET, employing qualified instructors, administering the curriculum and quality services.

Clause 7 (2) is on the role of the CEC Member. It is very clear. Clause 8 is on the issue of registration. There are categories of vocational trainings given in both private and public institutions.

Madam Deputy Speaker, I want to emphasize on part of the dynamic that happens, especially at Clause 4. Sen. Omogeni is looking at me because he knows that we came across this issue when we were doing the mediation for the Early Childhood and Development Education (ECDE) and the role of the sponsor. Also the limitation of the sponsor in terms of how they can---

My time is up. Would you give me just two minutes to wrap up?

The Deputy Speaker (Sen. (Prof.) Kamar): Yes, you have one minute to wrap up.

Sen. (Dr.) Zani: Thank you, Madam Deputy Speaker. Let me just wrap up. At the end of it, sometimes you find in the training centre the complication of having a sponsor who wants to dictate what has to happen in the centre. According to the Basic Education Act, once a sponsor is mentioned, then that becomes a responsibility, but most other institutions will be there. There will be the board of governors to ensure control.

This Bill changes the landscape of TIVET even as we go to the functions of the board, and all the other clauses to do with the management of TIVET centres. At the last stage at Part IV is the standards and quality. It summarizes and brings to TIVET centres the importance of ensuring that this education sector streamlined.

The Deputy Speaker (Sen. (Prof.) Kamar): Thank you. Sen. (Dr.) Lang'at, proceed.

Sen. (Dr.) Lang'at: Thank you, Madam Deputy Speaker for also giving me this opportunity to add my voice to this important Bill. Remember that this Bill was initiated during the time I was the Chairperson of the Committee on Education and you were still the Vice Chairperson during that time.

We had realized the importance of this Bill, especially when we were in Canada on matters to do with vocational education to solve issues of unemployment in our country. We had also realized that the Education Act was only very much limited to Technical Training Institutes (TTIs). We had realized a lot of achievements from the same, especially through the capitation of Kshs30,000 which was given to students in technical training centres.

Madam Deputy Speaker, I do remember very well during that time that the capitation that was given to students in technical training colleges ensured a lot of enrollment. The enrollment moved from around 180,000 to 800,000 giving an opportunity to most of the youths to get skills that would help them on self-employment in our country. We had realized that there were many challenges on what we referred to as village polytechnics, which are currently county vocational training centres.

There was a lot of disconnection, especially on the progress of the students getting to these vocational training centres, upwardly. If you remember very well, we also had a challenge on matters to do with the cut-off. At what level should a student get into these vocational training schools? Up to this moment, without this Bill, it is not clear. You find any student getting there. This Bill will set standards on entry performance and curriculum.

Madam Deputy Speaker, it captures those students at the lowest level. That is the level where we have many of our youths. In as much as we have captured through technical training, most of those students who complete Form Four, we have not captured very well the pupils that complete without progressing to secondary schools. This Bill will cater for them.

Part I has clear definition of terms. It has created a lot of clarity on various terms that will be used to define this level of education. I am also very happy on the application of the national Government. Up to this time, there is disconnect between the national Government and management of the county governments on this level of vocational training.

Madam Deputy Speaker, I am very happy that the national Government is now getting involved. Currently, they are ran by a management appointed by the governor in county governments. There is no clear progress between the county government on the management of these training centres and the national Government. Another one is the obligation of the county government, which is now very clear. I am sure this will create smooth progress at this level.

Part II is on establishment, registration and accreditation of vocational education and training centres. This is also an important area, especially on the 10th one on sponsorship and registration of these centres. Currently, there are so many that have started and there is no standard criteria for registration.

Madam Deputy Speaker, this should also go down to most primary schools. It is still reckless. You find a primary school operating up to Standard Five or Six and they are not registered. It is worse when it comes to vocational training. You find an existing operational Vocational Training Centres (VTCs) but it is not registered. Sponsors cannot even offer any assistance to these centres simply because they are not registered. Sometimes they even operate on land that has no title deeds.

This Bill has clearly provided requirements that will enable them to progress. They have also invited the private sector to invest in this area. Chair, you have been in

the education sector for a long time and you remember before restrictions came in, you would find some weird colleges on top floors of buildings in various urban centres. It was very interesting and this would interfere with the progress of education of our youth.

With this Bill, there will be control on those private entrepreneurs who would like to commercialize education without taking care of the standards. This Bill is important because there is proper control on private registration of these training centres.

I am also happy about the upward progress. Remember up to this time, VTCs do not allow a student to complete and proceed to technical training institutes (TTIs) and to finally do a diploma, degree and so on. This was a great contribution to our team by Sen. (Prof.) Ongeru. He said that we must provide a progressive movement for a student, so that if they could not go to high school and proceed to university, vocational training should not be an end in itself. It should provide progression from that VTC in the village up to university and even get to Doctor of Philosophy (PhD) level.

Madam Deputy Speaker, let me also comment on uniformity in management of VTCs. Currently, every county is doing it their own way. We are happy that the Early Childhood Education (ECD) Bill was assented to and it has now provided standards on the structures being used by our children, employment of teachers and so on. This will be the same on the management of VTCs.

You will find instructors in Bomet County being paid as little as Kshs6,000 per month, which may be different from the amount paid to those in Uasin Gishu County. I remember we visited some VTCs in your County of Uasin Gishu and they were producing marvelous and important products. I even remember one girl booked you for hairdressing but I do not know if you honoured the appointment later on.

The problem is, they pay their teachers differently. Sometimes it becomes discouraging when you get a teacher in Murang'a County earning three times that of a teacher in Bomet County. This Bill will provide uniformity on training standards of the instructors, payment and matters to do with end performance of students.

I am also happy for the introduction of examination and competency assessment. I will still have to go deep into this one so that we may make sure that we do not get into an examination-oriented system. You remember that transformative intellectualism is not clearly coming out in our graduates.

One time when I was a lecturer at Moi University, we had a visiting engineering professor from Germany. I traveled with him from Nairobi City to Moi University and he was worried about the status of our roads. The worst came when we arrived at the University and the following day, about 1,300 engineers were graduating. He could not relate very well how we could produce many engineers and the type of intellectual exhibition that exists in our country. We should ensure this Bill concentrates on pragmatic skills developing the practical skills of our students without being too examination oriented.

Finally, let me mention something that should be clear out of this Bill. I have realised most of our students do not want to join VTCs and only two things prevent them from embracing VTCs. One of them is the attitude. In the village, they are told that if they cannot make it to secondary school, they can always go to polytechnics. This makes them develop a negative attitude towards getting into VTCs.

Madam Deputy Speaker, to enhance this, we need to encourage young people to join these institutions. The Government should invest a lot in building very attractive

structures and employ current technology to encourage students to train there. Second is financing of these institutions, which the Government should do.

I remember enrolment of students in TTIs was so poor until the Government came in to give them loans and capitation. A good example is Eldoret Polytechnic where I was a Board Member at one time. We used to have only 2,000 students but when the Government gave a capitation of Kshs30,000 and access to loans, student population went up to 18,000. For as long as the Government will not sponsor these students fully to VTCs, we shall still have a challenge when it comes to enrolment.

Yesterday I was ashamed to see students from the University of Nairobi, School of Medicine striking in this century. It was because the Institution has increased school fees to the point that students cannot access some important courses in engineering and medicine. This should be high time that university education in this country is free.

The Government should come up and defend important courses, which are marketable and even reduce the cost. It is not a matter of increasing the cost to the point where students are on the streets because of these expenses.

I encourage the Government to fully sponsor courses in these VTCs in order to attract more learners and it will be a solution to the problems we are having. Our children will get skills and it will reduce crimes in our society because there are so many youths who are idling in the villages.

I support this Bill. May I tell the current Chairperson to really work on it and we shall support her fully because it is the lifeline of our youth.

The Deputy Speaker (Sen. (Prof.) Kamar): Thank you, Sen. (Dr.) Langat.

Sen. Wetangula, proceed.

Sen. Wetangula: Madam Deputy Speaker, I thank Sen. (Dr.) Milgo's Committee for bringing this Bill to the Senate. This Bill will have far-reaching positive consequences on our youth. I will be fairly brief.

I support the Bill in setting out clear definitions and provisions in the establishment and management of VTCs and in centralizing standardization. Without setting standards in education in the country, we would soon have private entrepreneurs setting up vocational training centres, collecting money from citizens and giving them very shoddy products.

Madam Deputy Speaker, this standardization is also very important because we want an equitable growth of our economy by tapping in the available human resource and capacity in the country.

I want to encourage in terms of what I found missing is that in creating these Vocational Training Centres (VTCs), this should not be a process of confining Kenyans to their counties. I want to see a provision where children from Kwale can be found in VTCs in Bungoma; children from Elgeyo-Marakwet are found in VTCs in Nairobi, Kiambu or Wajir so that we build a united country where our children grow up knowing that there are other Kenyans elsewhere as well.

If we limit intakes to these VTCs from our local environment, then we will be killing the spirit of our nation. So, I would want Sen. (Dr.) Milgo to include a provision at the Committee Stage where you say in any of the institutions at least a percentage, say 10 or 15 percent should come from elsewhere so that we create a good mix. After all, we already have a Fund through the national Government like HELB to continue helping to pay fees for these children. If the Government is able to underwrite the fees requirement,

then the counties and all those involved can help children move from one part of the country to the other. That also makes it easy for our young people who have trained in areas other than where they were born to pick jobs there and continue building a united and harmonized nation or Kenya.

Madam Deputy Speaker, I also want to encourage that we need a very serious awareness programme in the counties. This is because there is that stigma that the best children in the villages are those who have gone to university yet we know that this kind of training sometimes gives them better opportunities in life than even going to university. Starting at VTCs going on to polytechnics, you can end up in the university or get a degree in whatever process you want to choose.

We want to encourage curriculum management in schools, career masters in schools to teach our young people that, in fact, today, acquisition of technical skills is more important sometimes than having degree papers that have no bearing on technical skills.

Madam Deputy Speaker, about two, three years ago, I was having a chat with President Thabo Mbeki, the retired president of South Africa and he told me that South Africa is importing welders, fitters and all those medium level workers for their industries from Malaysia, Sri Lanka and Indonesia because they do not have them.

When we train our young people well from vocational training to technical institutes to higher polytechnics and they get good skills, never mind that there may not be immediately available jobs in Kenya, we can export labour to countries that needs them.

For a long time, Poland was the number one supplier of plumbers in the whole of Europe because they had set up technical institutes that were training their plumbers. If you went to anywhere in the United Kingdom the plumber was Polish. If you went to Germany, the plumber was Polish. They made their economy to turn around and now Poland is a major player in the European economy just because of this.

I want to encourage that we train as many of our young people in technical skills as we can. If you go to developed economies like Germany and Japan, for every engineer you have in a production line, he has more than 250 technicians behind him. For every senior engineer you have, you have 300 technicians behind him. They are the ones who make the cars we drive. They are the ones who assemble the fridges we use in our houses. They are the ones who make the phones we use.

It is not everybody with that high-end degree that makes the economy turn around. In fact, it is these middle-level technicians that you will find running our dairy plants, coffee mills, tea factories, plumbing works and every single bit of the economy.

We have the top end professionals to give them guidance, to design and tell them how to execute. Execution is left to them. They are the ones who will make our economy change.

For this country to move from what we have been singing on end that we want to be like Malaysia that was at the same level like us at Independence, Singapore, Indonesia, India, it is because they embraced technical training. It is because they knew that you can have 100 engineers in one country but if you have one million technicians they will make a hell of a difference in the management of the economy.

This is very important because if we want even the counties to compete, because the philosophy of devolution and Sen. Murkomen was involved in this, is never to

endlessly send money from the centre to the counties. The philosophy of devolution is that counties will grow to the extent where they will be donating money to the centre. That is how we want this country to grow.

When you go to a country like Australia, an economy like western Australia subsidizes the national government because it is the mining capital of the world.

If you go to a country like the USA, California does not need any money from Washington. New York does not need any money from Washington. They make enough money to subsidize poorer States within the federation. The same applies to Germany.

We want to see that in another five, ten years, Nairobi should not be looking forward to receiving any money from the National Treasury. It should generate enough money to support Wajir, Elgeyo-Marakwet and others that are less endowed with resources to grow their economies.

How will they do this? You have people who turn the economy. You have people who will sit in offices on their computers and work. You have people who will collect revenue with honesty. All these are people who come from middle-level colleges. You do not need a PhD holder to manage a payroll. You do not need a PhD holder to manage a master roll for paying land rates and land rent. You need technically-trained persons who will sit on end and tell you if Nairobi optimally collected its revenue like we know, Nairobi would be collecting close to Kshs40 billion every year. How much do they collect? Kshs8 billion. The rest of the money is going into people's pockets because we do not have people to do the job.

We have had cases where every five years, we elect 47 Kenyans to be governors. At the end of five years, our number of billionaires has increased by 47 because of poor management of our resources. This is because we do not have people at every level of our chain of management who look at things in a patriotic manner and make sure things are done properly.

I want to encourage the Ministry of Education that going into the future, we must have a serious item in our curriculum on how to inculcate patriotism in our children to the extent that they do not look at ill-gotten wealth as a measure of success. Our children should look at hard work as a virtue of success. That is what we should have.

What we have today is any crook who turns up in the village in a big car, everybody thinks that this is the measure of success. When you turn up in the village and tell them that without you, Nairobi would not be having water, nobody cares.

It is the size of your car that people want to see. *Eti Sen. Farhiya alienda* Nairobi *kuwinda* and she has come back driving a V-8. That is the measure of success. We must change this cycle so that we have Kenyans who work hard for this country.

Madam Deputy Speaker, this Bill is very important. As other Senators have said, there are little bits and pieces that we need to improve. I saw one clause, and I would like to tell Sen. (Dr.) Milgo that with proper drafting, we do not need it. Clause 21 says, 'There is established in every county vocational education and training centers, a board to be known as the board of governors'. It goes on to say that the board shall not be a corporate entity.

You do not need to say that because the law normally says it will enjoy corporate status. When you do not say it, Sen. Murkomen will tell you that in law, specifying one thing will exclude others. So, we do not need a clause like that in the law. I think she should remove it.

I have seen where the board established. I thought the qualifications had not been provided but Sen. (Dr.) Zani pointed this out. I would want her to import the law that she is cross referencing in the qualifications of the board members to be part of the law so that you avoid any ambiguity on the qualifications, because many of the people who are going to administer this law will sometimes not care to read the law.

If you tell them to appoint a board, they will appoint their cousins and brothers, some who are illiterate, some not, and some crooked. Then they will run down our institutions. You need a very clear criteria on who should be picked to sit on public boards that are spending public resources.

I want to laud Sen. (Dr.) Milgo for this. Equally important, nobody should just walk into any part of this country and establish an institution without standardization. They need to be checked, vetted, licensed, and adhere to the standards set by the national council that is dealing with all these standards. Examinations that are conducted in these institutions are also standardized and that is a very good idea.

When you get a plumber from Wajir, their quality should not be any different from a plumber from Bomet or Kericho. They are learning the same things, doing the same examinations and getting the same qualifications. They can work anywhere in this country. This is the only way that we can turn our country around.

By emphasizing this middle level training, this Senate is leaning into its billing as the protector of devolution. If the counties train good quality technicians, any technician from Kericho working in Nairobi will end up being the net importer of capital from Nairobi to Kericho for Kericho to grow. We will be competing to see who has the best quality technicians, institutions and vocational training teachers so that we can grow our economy and stop lamenting about which country overtook us. We will then be able to stand on our own right.

Madam Deputy Speaker, as we speak, everybody is talking about Rwanda overtaking everybody in this region; a country that has gone through so much difficulty and yet we have resources. We have some of the best human resource development in the entire developing world, but we have been overrode by corruption to the extent that things simply do not work.

Finally, I want to urge the Ministry of Education, in conjunction with the Ministry of Foreign Affairs to market our technicians to the rest of the world. The only way we can be able--- Why should South Africa import fitters from Malaysia, India, or Sri Lanka when Kenya is here with top level polytechnics churning out people who we do not market?

All of us travel a lot. If you find a Kenyan in America, the last thing they want to know is where the Government resides. This is because the Government does not help them, it does not care and it does not bother. They go there, struggle and live on their own. The only time they encounter the Government is when they are struggling to renew their passports. Nothing else. As we continually talk about the diaspora bringing resources to this country, we want to be part of taking our diaspora out there, so that they can be part of the growth of this country.

I congratulate Sen. (Dr.) Milgo for this Bill. We will support it through. Circulate whatever amendments to us. We will work together. From there one, we want to see a proper collaboration between the national and county governments to make sure that this big dream works well for our country.

Thank you.

The Deputy Speaker (Sen. (Prof.) Kamar): Sen. Murkomen.

Sen. Murkomen: Thank you, Madam Deputy Speaker. I first want to thank the Committee on Education lead by Sen. (Dr.) Milgo, which was previously led by Sen. (Dr.) Langat. She was the Vice-Chair of this Committee when she started this very important Bill.

Madam Deputy Speaker, I know that this is an area that is very dear to you; both as an academician and an administrator in the academy and later on as a Cabinet Secretary (CS) in the same Ministry. This Bill is very good because it is timely. It is time for us to think about our education. If we want to go far as a country, we must reorient our education to the things that matter for our people. We know that for a long period of time, technical education has been ignored because we are pursuing university degrees and papers at the expense of the quality of education.

This is an area that I am extremely interested in as a person who has in the past, been a teacher in the university. It is something that usually bothers me because even when I had a short stint teaching in a high school, I used to wonder why students that leave high school and studied agriculture are unable to compete with their parents with simple things like farming. Why is it that the education they get in agriculture for four years cannot help them to do simple poultry or vegetable farming and make some money from it, even if they are form four dropouts? Why? That is the question we should always ask ourselves. How come after our children finish form four and do not get an opportunity to further their education, there is no small thing they take from high school that they can implement? It is because we have not put emphasis on technical education. This Bill that deals with vocational education training is timely.

Madam Deputy Speaker, I wonder how the Committee is going to receive our recommendations. This is a question that I was asking myself. I am surprised that eight years down the line, this is the question that I am asking myself. Who reviews a Bill that has been developed by a Committee and it is in the Committee Stage? The Bill is from the Committee and it has come to the House for the Second Reading. After the Committee process, there will be amendments. I think that we need to relook this practice, because we are giving all these suggestions to the same Committee to review its own Bill for purposes of amendment. Of course, some of us are going to suggest certain amendments that should be included in this Bill.

The first thing I would like to look at is the definition of what a vocational training and education is. This is not in the Bill itself. You understand what Sen. Wetangula said. To define it in one way is to exclude something in many other ways. The Bill says that vocational education and training means vocational and training programs imparted to a trainee in a vocational education and training center.

In other words, it says nothing about the vocational training itself. In my opinion, there is something important about the definition, and it starts with the Constitution. For it to be a level of education that is administered by county governments, I think it is important to locate its place in the Constitution. In paragraph 9 of Part Two of the Fourth Schedule, the Constitution defines the functions of county governments to include pre-primary education, village polytechnics, homecraft centers and childcare facilities are functions of county governments.

For it to be a function of county governments, we must locate the definition of a vocational institution to be part of what was anticipated to be a village polytechnic. In the definition itself, we should be able to find a definition that says vocational training includes but not limited to as defined in the Constitution as village polytechnic and we can add other definition that we have seen in other very important journals and reports.

I have also seen definitions from articles and reports, including reports of World Economic Forum that vocational training is defined as programmes or courses that focus on the skills required for a particular job function or trade. It is also defined as hand-on job specific instructions and can lead to certification, diploma or even a degree.

Some of the examples of vocational training given by various universities and colleges here and abroad are courses such as automobile repair, plumbing, culinary arts, graphic design, fashion design, welding, massage therapy, carpentry, cosmetology which deals with cosmetics, photography, website design, electrical and so forth.

The definition is also important because for some of the regulatory requirements of this Bill we would expect county governments to regulate to a certain extent or to license a college to a certain level. I was conversing with Sen. (Dr.) Milgo and asking her which one in my county would be called a vocational training centre and which one would be called the technical training institution. Each definition must also distinguish and provide some level of graduating the licensing and management process. This is where we will come back and say resources must follow functions.

For us to say what resource will be managed by what level of government and what money will be given to a particular level of government, we need to define it well. Look at what the Bill says about the responsibility of county government. It includes hiring of trainers, remunerating them, and ensuring they have quality education. Sen. (Dr.) Lang'at has said that some counties pay an instructor Kshs6,000, another Kshs10,000 and Kshs20,000 in another. There must be uniform payment for these people taking into consideration allowances for unique areas.

For us to do so and for county governments to be in charge, we must ask ourselves the level to which this training goes. We can then leave county governments to do it so that we do not create in law something that county governments cannot practically finance. They are already struggling with ECDEs and recurrent expenditure such that hiring of agriculture extension offices becomes difficult.

We just do not need to give county governments the function without asking if they are able to implement it. If we think there would be doubt in some of the counties to implement this, then we create a window of partnership between national and county Governments, including through conditional grants that are allowed by the Constitution for purpose of management of the county functions. I think that is a very important part of the law that we are going to make so that it becomes as practical as possible.

Madam Chairperson, I like the fact there is a clear role given for management of vocational education and training centres, the structures and standard required, the people who are going to be employed and the permits one must receive. This is so that we put the training on the same level in every county.

We need to ask ourselves the level to which this training will be up to. It is not in my interest o that of vocational trainers that a lot of focus should go to what certification is being given; whether it is a certificate, diploma or degree. Since we are distinguishing

vocational training from the formal training we have been having through high school, university and other colleges this one should focus on the skills.

We are telling somebody, for example, that they have opened a salon and understand a little bit of what is required and inviting them to get more skills. If that person has a certificate or not the person should be able to be the best salonist in whatever area they are. Our grandmothers did not have any certification, but they knew who the best masseur was in the locality. If one was hurting, *mama* so and so would deal with the situation because they understood that it was important to focus on the skills more than the certificate.

To what level are we going to focus on this? If we conclude that it is only to certificate level, then it also become easy for us to distinguish the colleges that are going to be run by county governments alone and the ones that are going to be run by the national Government.

Why would we build a big structure and then say it is going to give certificate only?

The Deputy Speaker (Sen.(Prof.) Kamar): Hon. Senator, there is a point of information from Sen.(Prof.) Ongeru.

Sen. (Prof.) Ongeru: I can inform you if you allow me.

Sen. Murkomen: Yes, thank you.

Sen. (Prof.) Ongeru: The Bill clearly stipulates that the level of entry will be at the craftsman. I think we have a benchmark through which we can do the necessary appraisal in terms of support, financing and budget provision.

Sen. Murkomen: I appreciate the information from the former Minister for Vocational Training and Science and Technology. I have no doubt he is competent enough to inform me.

My only concern is not the entry, but the exit. At what level is one going to exit in the institution that will be managed by the county government? If we curb and say that one can only get a certificate from there, then we will also waste resources. We may have built a big structure that can still offer certificates, but there is room for it to offer a diploma or degree for the same people.

Sen. (Dr.) Milgo and the Committee need to look at that co-management with the participation of the national Government. They can look at how the national Government can transfer its function of training beyond the certificate level to a county government through an agreement that those people can be admitted to other courses within the same institution, but then being oversighted by relevant officers of the national Government. We need to find a way of marring the two so that we do not waste the resources that come with establishment of structures for training.

The Bill need a lot of cleaning. For example, in Clause 23 it says-

“The Board shall conduct its affairs in accordance with the provisions of the Second Schedule of the Technical and Vocational Education and Training Act.”

However, the second schedule is not there. The Bill needs to be clear because there are missing things that are being cross-referenced yet we do not have the schedule attached to this very important Bill.

I like the fact that the Bill has already quality and education training. Quality education in this country must not be left to the wishes and ingenuity or lack of it of the

CS responsible of education at any given time. We do not have to say that the quality of education is low because the CS is so and so.

It is important as a country that these institutions operate independently without political or ethnic considerations.

We need to remove education sector from our bad manners of tribalism. If we have to do that, we must allow the technocrats and the public servants to operate independent of political interference. There was a time that depending on who is the Cabinet Secretary (CSs), you determine who is the principal and board member of a certain school. You end up going to a certain institution and find everybody is a Marakwet.

Let me use an example that is less controversial because I am a Marakwet. You ask why and they say but the CS was a Marakwet. This country glorifies those behaviors because when I become the CS of the Ministry of Education, it becomes---

The Deputy Speaker (Sen. (Prof.) Kamar): There is a point of order.

Sen. Murkomen: Madam Deputy Speaker, please, hold my time because I have less than five minutes.

Sen. Wetangula: Madam Deputy Speaker, is the distinguished Senator for Elgeyo-Marakwet in order to set out lamentations on the Floor of this House on, in fact, a policy perfected by his Government? We have seen members of boards appointed and seven of them from one ethnic community; five appointed and four from one ethnic community. We have seen in his backyard a Vice Chancellor flashed out from a university because he is not from a certain community. To his credit, at least, he resisted that.

The Deputy Speaker (Sen. (Prof.) Kamar): Sen. Murkomen, you have three minutes.

Sen. Murkomen: Madam Deputy Speaker, first, that is not a point of order. Be it as it may, let me say this: I have no government yet. When I form my own government, I will be held to account about the functions and the CSs who will be in my government. Secondly is to continue insisting that we need to divorce. If you look at the fights that used to take place - I do not know why Sen. Wetangula is just mentioning Moi University - he knows my position at that time. Thank you very much for that.

There was a time the fight in the University of Nairobi was about this tribe is in charge of this and this is in charge of that. The same to Kenyatta University and Maseno University. All these universities have gone through this problem of ethnic profiling. Every time a new CS comes, he wants to change the council, board and the senate and everywhere to suit particular tribal inclinations.

Madam Deputy Speaker, you know it is Kenyans who encourage this behavior. If you ask Kenyans, can you vote for so and so to become President of Kenya? They tell you, no. Let me say it in Kiswahili. They say *hata hakusaidia watu wake* - He did not help his people. If you put your people everywhere then everybody says *huyo ni mtu mzuri* - He is a good man because he put everybody who comes from his tribe in this and that place.

That behavior should come to an end. We must treat university, colleges and training institutions in a professional manner. Any person who comes from anywhere - I agree with Sen. Wetangula - a vocational training college should accommodate any

student from any part of the country and train them in any county to get the skills they require.

This is so that when we talk about bottom up approach to economic growth, we have the necessary skills. By the way this is in the 'Hustlers' manifesto. This is the key principle that we want to pursue.

The Deputy President who was a former Minister in the same Ministry you succeeded is always a great champion for this level of education. That is vocational and technical training institutions because this is where we should go.

Madam Deputy Speaker, as I conclude, this is so that, we do not get ranked like the way we are at the moment. The Global Human Capital Index report of 2017 ranks us 78 below Cameroon and countries like Slovenia and all these other parts of the world. Imagine even Rwanda is ranked higher when it comes to training their people for purposes of skills. The most important thing we must do as a nation is to invest in this area even if we were to export human capital to other parts of the world who have these technical skills.

I support and believe the Committee will take our recommendations seriously and re-clean the Bill. Even if you require the services of experts in technical areas in our universities, ta

ap into those expertise and work with the Ministry itself. Clean this Bill and pass it expeditiously so that it becomes one of our achievements before this term of Twelfth Parliament comes to an end.

The Deputy Speaker (Sen. (Prof.) Kamar): Thank you, Sen. Murkomen. Sen. Omogeni, proceed.

Sen. Omogeni: Madam Deputy Speaker, thank you for also giving me an opportunity to make my contribution to this important and progressive Bill.

I first want to begin by congratulating my neighbor Sen. (Dr.) Milgo, the Chairperson of the Committee on Education and, also the former Chair of that Committee, my good neighbor, Sen. (Dr.) Lang'at for the good work that has gone into preparing this Bill.

I served for two years in the Committee on Education and we were part of the brains behind the development of this Bill. I must say it is very progressive and will be very useful to our counties.

If you read our Constitution in the Fourth Schedule Part II, one of the functions of the county government, the words that were used are very specific. It says, 'Implementation'. When you are being told 'implementation', you have been given an obligation. It says part of the functions of county governments is implementation of specific--- Sorry I think I am reading the wrong one.

Madam Deputy Speaker, it is to implement pre-primary education, village polytechnics, home craft centers, and child care facilities. If you go to most of our counties, you do not see these centers. I have been to a number of counties and you do not see these centers.

It is a very good idea that the Committee on Education has thought it wise to create a legal framework that will govern the establishment and management of vocational education and training centers in our counties. If you do not guide these counties, you will never see them fully taking up the functions that have been assigned to them under the Constitution.

You heard the debacle we had on what is happening in Vihiga County. So, as protectors of devolution, we must step in to come with laws that must guide our counties in ensuring that they implement the functions that have been assigned to county governments under our Constitution.

Madam Deputy Speaker, in the last ten years or so, this country has seen unplanned expansion of universities all over in many counties. They are unplanned. As Sen Wetangula is saying, you walk in some towns and you will find students on some buildings where downstairs we have funny businesses including bars which is very unfortunate. Some of us who went to pioneer universities like The University of Nairobi, knew universities as centers of learning where we do serious business. It was where you do not just mix things anyhow.

I must confess that there are universities that have been set in the countryside with beautiful facilities. A good example is Kisii University which is former Kisii College away from town with a field for students to engage in extra-curriculum activities and the likes. However, we have ignored our technical colleges for a long time. I think it was derailment of our own policy as Government. If you want to create employment, spur growth of industries and have entrepreneurs, you focus on vocational training.

Madam Deputy Speaker, in China, cottage industries are run by people who have technical knowledge. The furniture that you see people import here are not made by PhD holders. It is just people with technical training who run cottage industries and they are controlling a huge market. There are a number of Kenyans here who have this mentality that the best furniture can only come from China. That is misleading. Our own prisons make the best furniture and we have them here.

There is a furniture business called Panesar Interiors on Mombasa Road. I passed by the other day and I was told it is now in the third generation of the family. If you want the best furniture, you will get it there. They have incredible talent in craftsmanship and you get the best dining tables and staircases. You will be shocked that even without this framework of licensing trainers, Panesar Interiors does classes from 4.00 to 6.00 p.m. Youngsters are given an opportunity to improve their talent on craftsmanship on how to make beautiful desks, staircases and the likes.

We have talent in this county. All we need is a framework in our counties to ensure there is focus on VTCs. My County has a big VTC called Ekerubo Gietai Technical Training Institute. It is huge but you will be surprised that eight years into devolution, there is no equipment better than what business people in Nairobi City County have. What you get in Nairobi Timber is not found in Ekerubo Gietai Technical Training Institute.

Madam Deputy Speaker, look at the budget that we give to our counties. My county will receive Kshs6.2 billion this financial year. A business like Nairobi Timber in Nairobi City County can have good equipment and machines more than a county. I like the obligation placed on counties to equip these institutions. For you to train people who can be released to the market to compete in furniture making with other private businesses, you must give them the best equipment. You do not tell people to do it the traditional way, where you give them some wood and a panga and ask them to make furniture. Go to these private enterprises in Nairobi City County and you will see the kind of equipment that we have.

I thank the Committee for having picked up that. I hope once this Bill is enacted into law, our counties will invest seriously in purchasing equipment to train our youth and enable them compete in the market. We also need to have our priorities right. Just to understand the priorities of our Members of County Assemblies (MCAs), a hospital in my county has been allocated Kshs1.5 million in this financial year's budget, to improve infrastructure.

On the other hand, a public toilet has been allocated Kshs8.5 million. Just imagine! That is what our MCAs are doing. A sum of Kshs8.5 million to build a toilet and Kshs1.5 million to improve infrastructure in a hospital. It is sad. I wish that money can be put in buying equipment like x-ray machines in our hospitals. If you ask people who have homes, Kshs8.5 million is a fully fledged house.

We must continue to be the champions of devolution. Once this law is passed, the beauty is that counties will now be forced to ensure they budget money to implement what is contained in this Bill. Talking about talent, there is a friend of mine called Mr. Reuben Omwoyo in a market in Kijauri, Nyamira County. He is a motor cyclist who got an accident in 2019 and is unable to walk. From his garage and without any training, he has modified his motor cycle and changed it from a two to a three-wheel machine and now moves around in the county. That is the king of talent we have in this country that we want to improve by emphasizing on VTCs

In terms of management, I agree with the Senators who have spoken before me that we need to put standards. I do not like what is in Clause 21. We are so much used to councils such that when you mention Board of Governors (BoG), it is like you are talking about the Council of Governors (CoG). Why can we not call it Board of Management (BoM)? I persuade the Committee to consider an amendment to Clause 21 and say BoM instead of BoG.

These appointments should also be merit based because we do not want cronyism. If you give these powers to a CECM, they will just be directed by the governor to pick the cronies of a governor. Let us have a process that is merit based. We have so many court decisions now that lay emphasis on public participation and merit-based approach on the appointing people to board of management. So, I hope the Committee will consider this amendment to Article 21 and then insist on merit-based appointment.

On Clause 6, I have already mentioned the need. Maybe we need to emphasize that county governments will ensure all VTCs have modern machines that will assist in training our youth. We do not want to leave it as an open cheque system because governors will never give priority to such things, if there are no opportunities to be converted to billionaires as Sen. Wetangula said.

Regarding accreditation of the trainers, I do not know whether it will be a good idea to bring in the Teachers Service Commission (TSC). I do not know but what will be the qualification of the people who will do the training in these VTCs? In Clause 7, I thought it would be wise if we said they should be accredited with TSC the way we have done with ECD. That way, we will not have every Tom, Dick and Harry coming in and saying they are trainers. These things can happen. If you do not provide proper standards in our legislation, we are opening it up for abuse. I hope the Committee will give this obligation to---

The Deputy Speaker (Sen. (Prof.) Kamar): Senator, I see an intervention from the Chairperson of the Committee, Sen. (Dr.) Milgo.

Sen. (Dr.) Milgo: Thank you, Madam Deputy Speaker. Qualification of trainers in VTCs, this is domiciled in the Public Service Commission (PSC). We have the Kenya National Qualifications Authority (KNQA) that looks at standardization and qualification. That is just a point of information.

The Deputy Speaker (Sen. (Prof.) Kamar): Yes, that was a point of information.

Sen. Omogeni: Thank you. Madam Deputy Speaker, I sat in the Mediation Committee that looked into the ECD Bill and we had a long debate on this. Eventually, we said TSC is the best body that can be entrusted with looking at standards of anybody who is providing training on education matters. The PSC does not have the proper expertise, even the capacity, as I am being informed by my neighbour here. I hope the Committee will reconsider that matter.

The other thing I wanted to say is that I wish our youth could go to the interviews and look at the global market now in terms of people wanting to migrate from this country.

Nobody is looking for people with white collar training, lawyers, people with bachelor of arts or PhD holders. This is not the priority for people who want to migrate to the west where there are job opportunities. They are looking at people who have the technical knowledge.

Madam Deputy Speaker if you go to the website of Australia, they are looking for plumbers. That is their priority. Our children should know that even if you do not have a degree, you can still be an achiever.

If we want to open up the international market to our youth, they should be trained in these technical jobs like plumbers and electricians, then you can move to the outside market where you will earn in the same manner like a lawyer. Once you move out of this country, it does not matter whether you have a diploma and the other person has a degree; you will earn the same money. If it is US\$10 per hour, the lawyer and the plumber will earn the same amount.

I want to encourage our youth to go to the website and see the massive opportunities that are there for them to migrate to the developed countries out there. Once they attain this training, they have this diploma, they do not need to look at the local market. There are a lot of opportunities out there in Australia, Europe and all over.

The people who run this kind of industry in the USA are Mexicans. America does not have enough plumbers so the Mexicans keep moving to America to assist them in doing plumbing jobs. Somebody said that if you close that border from Mexico to America there will be no plumbers to work in houses in America.

With those remarks, I support this Bill and hope that going forward the committee will be able to look at some of the observations that have been made by these Senators. This is a very good Bill. It is a game changer and I hope that once it is in place we will attract more of our youth to go to these VTCs so that we create more job opportunities for our young people.

I support, Madam Deputy Speaker.

The Deputy Speaker (Sen. (Prof.) Kamar): Thank you, Senator. Maybe for the information of the Chair, there have been serious fights over whether the technical training sector should be in the TSC. It is one that we may need to approach again with the Technical and Vocational PS and at the same time the Education PS. You need to talk to both of them at the same time. I was in that committee and I know historically that it

happened when I was the Minister for Science and Technology. There has been a fight not to allow the TVET line to be under the TSC. The reasons are varied but we may need to relook at that to see if that would help. That is just for information for the Chair and the Committee.

Sen. Nyamunga: Thank you, Madam Deputy Speaker, for giving me this opportunity. This is one Bill that I have been waiting for, for a very long time. The reason why I have been looking forward to having this Bill is because we have done a lot of disservice to our country.

For a long time, we have believed as a people or a nation that somebody must get a degree for them to be known to have gone to school or to be educated.

We have spent a lot of money as Kenyans moreso in the 1980s, 1990s and I think up to now believing that we must educate our children outside this country because we did not believe in ourselves. That has led to a lot of money drain from this country going out to other countries and supporting other economies instead of supporting our own colleges and system by educating our children in this country.

Not every child is brilliant. The fact that one child may understand something better or quicker than the other does not make that child better. However, in our minds, we believe that there are children who are more brilliant than others because others are capable of understanding quickly and those who are slow, we have taken them to be maybe stupid, if I may use that word. However, I do not think our children are stupid. It is just the level at which our children understand issues.

As a result of that, we have laid a lot of emphasis on white collar jobs and education. Even if a child goes to the university to learn something that will not be of so much value to them or beneficial to this country but we still insist that our children must go to university and must have white collar jobs even when they come back and do nothing.

We have done a lot of disservice to this country by not believing in ourselves. Imagine if in each county we had a vocational training centre and a polytechnic in each and every county, properly established with proper standards that cuts across as most of us have already mentioned that the colleges must be established in a uniform way. The standards must be the same such that anybody qualified in Kisumu should have the same standards with any other person qualified in any other part of this country so that we do not think that if you come from Kisumu, you are more qualified than somebody coming from Turkana.

If we have the same standards and apply them across the board, it will mean that we will believe in our TVET colleges because they are very critical.

I do not think we should be talking about industrialization. We want to talk about food security and housing yet we do not develop our own people to help us develop the three or four categories.

Right now, the Government has four agendas - I have already mentioned three of them - without qualifying our children. I have in my own village, Ahero Village Polytechnic. There are so many students who will never step in Ahero even if they have a D. Having a D does not mean that they cannot improve from a certificate to a higher diploma and continue to whatever level that they would want to reach.

If Ahero or Mboya technical or TVET is properly established with qualified staff and good standards, I believe that a lot of money that our parents are spending taking our

children away from home--- boarding fees is very high and not affordable to many parents. The moment we have these TVETs and VTCs in our villages or our counties, it will cut costs meaning that more people will be qualified.

We had an opportunity to be in Dubai, and Madam Deputy Speaker, you were also there. What we discovered is that even if we took our students from here to go and work in Dubai or any other country outside this country, our qualifications from technical colleges are not up to standard. They will still have to look for another sub-college to educate our students who are already educated. Just like if we educate our doctors and teachers, they may not be able to compete with other nations. However, we should work on our standards.

During that time, we also met a gentleman who runs some colleges known as KENEMA. This KENEMA is entrusted with helping our students who are already trained in our polytechnics and our TVETs to bring them to a level that is acceptable in other countries.

We should not be thinking of taking our children to the technical colleges out there. We cannot compare Kenya to Uganda or Rwanda. This is because those two countries have developed their own TIVET colleges. Their diplomas and technical courses are much better than ours.

Madam Deputy Speaker, every time I step in my home in the village, I will definitely need a plumber, a mason or an electrician. There is no day, I will go over the weekend and not miss to look for one of them. However, in my village, I will be only be looking for three people. There is one plumber, one electrician and one mason. This is because many of our students do not want to be trained. They think that it is not good enough for them yet these three people I have mentioned have homes which they run, they have permanent houses, and their children are going to school.

They do not have degree courses, but they have the technical skills which are helping them. As a nation, we should bring ourselves to a level that we accept that we can move. Any student who may not get a grade A, a B, C- or D can start from wherever they are and move forward, and still achieve their goals. I think we should stop stereotyping and putting too much emphasis on white collar jobs because right now, it is taking us nowhere.

Madam Deputy Speaker, in Kenya, we are very rich in culture. In our TIVETs, we can develop the instruments for culture like music. We have our children who have great talent that may not be accommodated at the university level. We should be able to bring everybody on board in our TIVETs and village polytechnics.

In the type of education that we have now, there is graduation. After Class Eight, you graduate to Form One. After that, these children should be able to graduate so that they do not stop at Form Four. If all of us stop at Form Four, then we need to graduate to some technical college, a diploma or higher diploma programme. That way, we will help our system and our intellectual level of upgrading our students so that we do not stop at Class Eight or Form Four. If we stop there, somebody who has just done Form Four or Class Eight are almost the same. However, if you give them a technical training or upgrade them, you give them some work to do and some income.

I have already mentioned that there are many people looking for young people to work. Many Senators have mentioned that many countries are looking for technically trained people. We should come back to the basics to make sure that we show by

example that even our own children can go to these technical colleges or village polytechnics. That is the only way.

We must lay emphasis and make sure that we make them believe that these technical colleges are good for them. We should develop them, standardize them, and make sure that they are properly run and financed. We can have them, but they are not financed or the infrastructure is not up to standard.

I have given my own example. If you go to Ahero or Boya, the infrastructure is not good. However, right now, the local people have seen the benefit. If they cannot afford a boarding school or college, they take their child next door. From there, they have seen results. Let us, therefore, believe in ourselves and believe in our country.

I really support this Bill because it is good. It needs a few amendments here and there. We will make it much better and will give Kenyans a very good Bill that will stand the test of time and will produce good education and development for the benefit of this country.

I thank you, Madam Deputy Speaker.

The Deputy Speaker (Sen. (Prof.) Kamar): Sen. Cheruiyot.

Sen. Cheruiyot: Thank you, Madam Deputy Speaker, for this chance. I congratulate the Committee on Education for this very progressive Bill. This is one upon whose completion, the Senate will definitely hang it in our collection book of Bills that we have passed in this House. You know that the passage of Bills and implementation are two different things, but let us first deal with first things first. Let us discuss it and pass it.

The responsibility of ensuring that it is properly implemented lies with the Executive. However, God willing, we shall be here to oversight and ensure that the dream of the crafters of this Bill is realized. We will ensure that we equip our young people with the requisite skills to face life and make their contribution to making this country the Republic we all dream of.

I congratulate the team that has worked on this led by Sen. (Dr.) Milgo for this very progressive Bill. Many times we have spoken about the need for us, as a country, to pause for a moment and re-evaluate our education system. I have taken time to listen to the contributions of many of my colleagues. Is it helping us and giving the intended results, or have we missed a point somewhere? We thought that the alpha and omega of an educated population is a society made up of just graduates.

Little did we know that after you come back with your degree certificate, even if you are fortunate enough to get a job, you will still need a plumber, a craftsman, a tailor and a mason. Many of us never sat for a moment to imagine that those people will be in such high demand that it will get to a point that their skills will end up being more expensive or marketable, if I may use such a language, than those who have degrees. They are celebrating saying that they have a degree from university, but have no job to show for it.

Madam Deputy Speaker, this is such a progressive Bill because of four factors that I have picked up from my quick reading. I will quickly enumerate and share my thoughts about what I think the Committee and the rest of us should consider when it comes to the amendments that are proposed in this Bill to make it better and ensure that it serves the purpose for which it was intended.

The first and most important aspect about this Bill is in Part Two where it speaks to the uniformity of these institutions. You can see that there is a desire by the crafters of

this Bill to ensure that as much as we are giving the free reign to our various county governments to set up these tertiary institutions, there will be uniformity. You will not find that in one county one thing is considered to be a TIVET institute and while in another one, people can sit under a tree and say that it is their version of what they consider to be a TIVET institution.

That aspect is important because we have learnt from what happened in the liberation of universities and high school education. You will recall that there was a time that the Ministry of Education, in trying to expand the presence of education centres in this Republic licensed so many schools that did not meet the basic requirements of what is supposed to be at school.

If you walked in the Central Business District (CBD), at one point, there were high schools in the city. You would find that the first floor is a hotel selling chips and sausages, the second floor is a disco hall, and the third floor is a high school. This is the kind of scenario that Part Two of this Bill is avoiding. We should have uniformity of institutions. We should ensure that we inform and guide the standards so that when you set up an institution, it must pass certain checks across all the 47 counties.

As a House of Parliament, we will perhaps get to a point we will try to see how overall we can develop the tools that are necessary for us to perform our work as an institution of oversight. We should set up an oversight team that is separate from us, as Members of Parliament (MPs). As it is right now, it just depends on our interaction with members of the public and the things that we hear across the board. We should be able to have an oversight unit within the institution that points out.

There are so many pieces of legislation that we have passed on standards of various things to do with environment, education and the health sector. As human beings, we cannot remember all of them. If we were to have an institution charged with the mandate and responsibility of ensuring that certain standards are met in the various sectors of our economy, we will be able to point out and say this and that has not been met. That is why this Part II is extremely important. I appreciate its inclusion.

I foresee a challenge in Part III because I have been a Member of the Senate Committee on Finance and Budget for the last two terms in the Senate. We initially used to read in our budget allocation that Kshs2 billion, which was always the standard figure had been set aside for vocational training and colleges.

We had reversed the plan of things because we first provided the funds without being specific. This money was divided among counties. One would find a county getting Kshs40 million, another Kshs100 million or Kshs70 million, respectively. Governors would pick one or two shady things and just be creative about it. They would pack young people in a particular tertiary institution for one week, pay suppliers and that would be considered as vocational education and training. That was not the intention.

This Bill now provides a proper legal framework of how counties are going to partner with these institutions to ensure that we provide the requisite skills for our young people. Herein comes a challenge. Where is the money to set up these institutions?

We all come from the 47 counties. If we speak to our Members of County Assemblies (MCAs) and governors, you realize the strain that exists in terms of trying to use the amount of funds that we are devolving and match it.

I see a challenge if we, as Senate continue lumping up counties with various responsibilities without prescribing where this funding to set up these institutions will

come from given the provisions of Article 114 on Money Bills. This is a challenge, which we as a House must think and find a way creatively advising.

We could even set a provision that the CS even for Treasury and Planning will, for example, gazette regulations on how we will raise funds to set up these tertiary institutions. Other countries have set a certain amount of tax paid by various corporations and institutions for training. They understand that if they do not continually train people, it will get to a time where even those institutions will not secure enough technicians and skilled people to perform particular responsibilities.

We must tax our brains and think critically how to raise funds to establish these intuitions. We understand how budgeting is done and how the country is being run at this time or even for the last eight years.

The National Assembly does not seem to appreciate that counties are part and parcel of the Republic of Kenya. A thriving county cannot diminish our standing and stature as Members of Parliament.

I struggle every time I engage Members of the National Assembly to distinguish between a governor and a county government. It is possible to dislike a governor because of their bad practices, but still love your county and wish the best for your county government.

When such progressive Bills get to the National Assembly they have the powers now to even make additions. If they were to do so, we would quickly agree with that amendment to ensure these institutions are properly funded. However, chances are that they will not do it. They may imagine, "Oh, these are just additional funds we are sending to the counties."

Every time some of these Members of National Assembly think about counties, they think about the governor instead of the people of that county. We must create a mechanism of how we will fund these institutions so that they do not become like many of these tertiary institutions that are lying idle.

I, for example, appreciate what this administration has done with the TIVET. It is useful and a step in the right direction, but more needs to be done.

Madam Deputy Speaker, I was once speaking to two of colleagues from my county who are in the National Assembly. They were arguing about machines that had been sent to one of the TIVET centres. I asked them what the challenge was, they said, "Can you imagine they have sent baking equipment." They said people would be saying that while one person took mechanical equipment to your constituency, another was asking his people to be bakers and salonists. That is part of culture change and things we need to teach our people.

From that we learnt that there is need to involve all stakeholders so that people appreciate that indigenous knowledge can never be replicated anywhere else. One cannot sit comfortably in their air-conditioned offices in Nairobi and imagine they know better than the people who live and work in Makueni. They will tell you what they need in their vocational centres because they have identified their needs. For example, they can say they are interested in training in masonry. If they are engaged in coffee growing, they may need people to learn to repair coffee machines.

One will be shocked that in many of our factories even a county such a Kericho where I come from, we have many tea factories. However, each time the machines break down, we have to send for engineers from India because that is where those machines

were manufactured. Most of those engineers are graduates of tertiary institutions. This is what we are saying needs to be done.

We need to learn from Germany. More than 51 per cent of their skilled labour are graduates from these tertiary institutions. Year after year, they ensure these institutions are properly funded and receive the necessary support from the various corporations.

They continue to churn out technicians; people who are properly skilled and can be received by the various corporations and institutions because of how important a role they play in setting up the economy of that country. Their economy is a powerhouse because of these people; not white-collar jobs. That is why they have about 40 to 45 per cent only of white-collar trainees. They focus more than half of their training on technicians.

I hope that when this Bill passes, we shall also continually fund and ensure that these institutions receive the requisite support.

Madam Deputy Speaker, if you are follower of international politics, you do recall that at the height of his fight with China, President Trump tried to force the various American corporations that do business with China to manufacture locally. The corporations told him, "Mr. President, while we appreciate and would wish to give these jobs to locals to manufacture for us things such as phones and computers, tell us where we will find those skilled technicians and the volume that is needed?"

They might be available, but not to the volume that would be expected for the economies of scale for a corporation as IBM, where one can get a million people, yet, these are readily available in countries such as China and Taiwan.

I know for a fact that most of these people are not university graduates, but technicians who have come from such institutions in those regions. They have them in such abundance that many institutions will pitch tent here in our Republic because they know they can easily get skilled labour.

[The Deputy Speaker (Sen. (Prof.) Kamar left the Chair]

[The Temporary Speaker (Sen. Nyamunga) in the Chair]

Each time people talk about an enabling investment climate, skilled labour is one the parameters that people must look for. They just want to know despite the fact that we can give them good taxation and available power, if you have people can do the job right. This is the example that we are learning.

Madam Temporary Speaker, Part IV speaks to the issue of curriculum. This is also extremely important because we do not want to allow every Tom, Dick and Harry to just move around and say I have to create a curriculum of how to be a mason, or do this or the other. These institutions will lack meaning. There is importance and wisdom. I agree with the decision of the Committee for curriculum to also still be standardized.

Let us trust the age old institutions like the Kenya Institute of Curriculum Development (KICD) to still be the institution that are charged with the mandate of ensuring that they develop curriculum for these institutions. I am sure they will infuse it with the local knowledge that I was talking about and partner with local technicians who will generate new knowledge.

Madam Temporary Speaker, there is a feeling and sometimes a very wrong one in this country that sometimes when something stays for too long, we somehow need to fix it. It is the kind of thinking that led people to go to a very good institution that we used to have here called the Kenya Polytechnic. It was an institution that used to provide very skilled technicians for the various institutions in this country.

Companies like the East African Breweries Ltd. (EABL) used to pitch up tent there every year. They had a standing imprest knowing that in any graduating class with a diploma, the top ten students we will pick them and put them straight in the labour market. This is because they knew how well those people were. Somebody sat at Jogoo House and said no, they are not doing a good job. Let us convert it into a university now teaching business management and marketing.

Madam Temporary Speaker, we need to protect institutions like KICD because you would know that the more an institution ages the better refined they become in the work that they do. Utalii College is one such example. If you travel to the Middle East and many of our colleagues do travel most of the time, the chances that any Kenyan you will meet managing a hotel was trained at Utalii College is almost 90 per cent, including even others who come from different parts of the world to come and just study in this world class institution.

Yet you find people trying to say I think it has been bypassed by time and we need to change it and convert it into a university like we did with the rest of the institutions. We must protect these institutions that produce such people. How do you protect them? It is by ensuring that the curriculum is standardized so that it is developed. Anytime there is new knowledge coming, it is made to be part and parcel of that training. For this one of Part IV of the Bill, I concur and agree with the proposal that is being made by the Committee.

Madam Temporary Speaker, finally is the issue of this board that they have created. It is an important one. I only wish they had gone further than the traditional way. Also, one of the things that we need to do as a Parliament, especially we that are lawmakers, is to move away from this standardized way of drafting our laws.

It is known that anytime when you are creating a board, we have the cliché qualification that are set out; for example, one must be a holder of a degree and others. Let us also be creators of new knowledge. Let us specify and think better and say have a representation from religious groups.

For example, if I was to create such a board in Kericho County where I come from, I will give a position to represent and you will allow the tea factories which are in abundance to have a nominee in that board. They are the ones who know the kind of skills that they need. They will ensure these institutions are training young people who can repair even these tea plucking machines that people are fighting instead of embracing and realizing that this is part of the change that we need.

Madam Temporary Speaker, on that proposal, I still think we can do something better with it in terms of the composition of that board and specify who are the members-

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The Temporary Speaker (Sen. Nyamunga): Hon. Senators, I just want to plead with you. If you do not need to take the 20 minutes, you can always donate because we have Members who have been sitting here the whole afternoon with an intention of

making a contribution to this Bill. We should be fair in that direction. Sen. Mutula Kilonzo Jnr., proceed.

Sen. Mutula Kilonzo Jnr.: Thank you, Madam Temporary Speaker. I hope I can take a shorter period. Now that most Senators have spoken to the Bill and the contents of the Bill, I will skip that.

Let me start by saying that I am not sure, but I am surprised that we are dealing with this now. We should have done it a little earlier. This is so urgent and important that I am tempted to say it is the solution to the so-called bottom-up approach, the contraption that I am so against. I see it with some political party.

This is actually the solution of training young people to get skills. I will urge Sen. (Dr.) Milgo as I congratulate her for this Bill to visit an institution in Mbooni Constituency called Wambuli Technical Institute. I have been there. I am not quite sure whether the equipment I saw in that college is standard in the whole country because it should be. It is very modern equipment. They are making radios and antennas. The modern technology is in Mbooni Technical Institute.

Madam Temporary Speaker, I would like the Committee, as we debate on this Bill, to confirm. It bothered me when Sen. Cheruiyot said they got a bakery because that is not what they are doing in Mbooni. As I said, they are building radios and battery cells. That should be the standard all over the country so that we can train people to do some of these things.

Sen. Cheruiyot is right. I am not sure he was in our team when we went to Germany where we found young people. They are not insisting. Their education is two-tier. You go to class, but you go to a technical institute. Here is a group of Senators. We walked into an institution where we found young people fixing a Bosch engine. They were 18 year old. No wonder the German machines are the best in the world. These young people were fixing them.

Madam Temporary Speaker, we went to another technical institute and they were doing what I am calling the nano-technology where your aerial is stuck to your car. This is to the extent that, for example, if this road that we are doing on the Expressway if you need to make a payment, it will be on your windscreen. Every time you cross the road, you do not need the toll stations that I have seen being demolished in Gilgil that were just avenues for collecting money from poor Kenyans.

Would it not be nice, Sen. (Dr.) Milgo, that out of these technical institutes you can have a pool of painters, carpenters and plumbers? I can tell you that we are getting our plumbers and carpenters from Machakos County because there are none in Makeni County. It is not possible. I think the ultimate goal of training these people is to find a pool of good painters, trainers and plumbers who can be used all over the country.

Madam Temporary Speaker, can I shock you that in my forays together with the Speaker in Dubai, we discovered that we have only 23,000 Kenyans in United Arab Emirates (UAE) total, majority of whom are house helps? We have vendors in UAE for exporting househelps. It is not a bad thing, but it does not make sense at all to me that out of a country of so many young people, we are only exporting househelps. It is ridiculous.

A young man walked into my office today. He is running a bureau that exports house helps in Saudi Arabia. That is the best we can do for the country. It is a tragedy. The ambassador then shared with me a long list of workers required in Dubai. That was about 1,000 of all cadres of technical skills that are required in Dubai, including

something that we do not think is important called washing of planes, and yet it is such a well-paying job that half of the people who are sitting on desks in Nairobi are not paid as much as the people who are washing planes at Dubai International Airport. What we are doing is important, but we must create a pool so that when all these organizations are looking for trained skilled workers, we can have them.

There is no better place that you will find technology where people are doing manual and skilled labour than the United Arab Emirates (UAE).

Madam Temporary Speaker, I was privileged to be introduced to a certain young man by Sen. Cheruiyot. This young man went to Japan as an architect and is now married to a Japanese and speaks fluent Japanese. He is now in charge of disaster management in so far as buildings that are earthquake compliant are concerned in Japan. He is a Kenyan. It is unbelievable, but possible. This is one of those methods where we can give hope.

Our education has failed because we have trained people to think that when you get a degree, you must get job as opposed to having a skill and getting a job anywhere in the world.

This is the solution to some of the problems we are having with the youth. Recently, one of our colleagues complained that we have so many architects who do not have jobs. There are places where they are expanding left, right and centre and I think this forms a solution.

Let me mention something I have found interesting that even we in the legal profession hope we can train our lawyers. Part I, Clause 3(c) says:

“Every person shall, in the exercise of powers and performance of functions under this Act, be guided by the following principles –

(c) promotion of innovativeness, technology transfer and an entrepreneurial culture.”

That is what is missing in all our professions. We are training lawyers and bankers, but we never train them to be entrepreneurs. We are bringing the Chinese here to build the Standard Gauge Railway (SGR) and there is no technology transfer. When something breaks down, we still have to look for people all the way from Beijing to come and do very simple menial jobs like tightening screws and bolts.

Madam Temporary Speaker, I can tell you the technology for the construction of this nice road that I admire every time I drive to Makueni County, will not be transferred to Kenyans. It is a mistake. When we visited Thwake Dam, we bothered to show the Head of State a very interesting bridge across Athi River. It is a very simple bridge, but carries heavy load of concrete and stones. Ordinarily, if a Kenyan engineer was asked to construct that bridge that we have been unable to do since 1963, it would cost Kshs1 billion. The top is wooden. That skill can be found though this.

Technology transfer is the most admirable thing in this Bill. That is what we need to do for our young people, so that across our rivers all over the country, we can have a bridge like the one in Thwake. I am sure it did not cost much.

I am concerned about examination standards in Clause 4. This is what is ailing the Kenyan education system. Everything is about examination. Let us walk away from examination standards and find something else more useful.

As I finish, I would like to urge you to visit that college in Mbooni Constituency. I propose that we have the same standards found there all over the country. Konza Techno City will have the Kenya Advanced Institute of Science and Technology

(KAIST), which will teach innovation. It is what you want to do here. In doing vocational education, we must also include innovation. We have mentioned it here, but let us give a little more prominence. We are not just teaching people to do skills, but to be innovative as well.

I was given the title “Konza Innovation Champion” because I brought young people to do very a simple innovation. A young man from Dandora slums, sponsored by Sen. Sakaja, beat Class Eight pupils. He had never seen a laptop in his life, but when he was given an opportunity to innovate a compass, small thermometer in a computer, he was able to beat many students.

Congratulations to Sen. (Dr.) Milgo for this very important Bill. It is a solution. If I seat in Makeni County, this is one process that I would emphasize on because it is the solution and answer to the cry by young people, that we are not including and training them. It is not a contradiction to have a young man with a degree in engineering and he has another skill. That is what I saw in Germany and what Sen. Cheruiyot is referring to. You have a degree in Business Management, but you also have another skill through vocational training.

I support.

The Temporary Speaker (Sen. Nyamunga): Thank you, Senator, for even donating few minutes to your colleagues.

Hon. Senators, I do not think it would be wrong for us to reduce the time, so that we accommodate everyone. Unless somebody is really against that, I reduce to 10 minutes so that we accommodate our colleagues who have been sitting here the whole time.

Sen. Faki, proceed.

Sen. Faki: Asante, Bi. Spika wa Muda, kwa kunipa fursa hii kuchangia Mswada wa elimu ya mafunzo ya kiufundi. Kwanza, ninampongeza Sen. (Dr.) Milgo na Kamati ya Elimu ya Bunge la Seneti, kwa Mswada huu ambao utasaidia vijana pakubwa humu nchini. Pia Mswada huu utasaidia wale waliyohitimu katika masomo mbalimbali lakini hawana elimu ya kiufundi.

Ufundi kama useremala, uashi au ujenzi na kadhalika, unahitajika ili kusaidia taifa hili kusonga mbele katika kuendelea duniani. Masomo ya kiufundi yalianza zamani lakini kwa kuwa hakuna mfumo wa kuyabeba, imekuwa ikifanyika kibahati nasibu.

Kwa mfano, nilipoingia kidato cha kwanza miaka mingi iliyopita, nilifanya somo la useremala na ufundi wa kujenga majiko na vyombo vingine. Kwa hivyo, sio jambo la ajabu kufanya masomo ya kiufundi. Ni jambo ambalo limekuwa. Hata mimi baadaye, ufundi huo ulinisaidia kufanya kazi ndogondogo nyumbani kwangu.

Masomo ya kiufundi ni muhimu sana katika Jamhuri na yatasaidia vijana ambao hawakubahatika kupata masomo ya chuo kikuu. Haimaanishi kuwa waliosoma hadi chuo kikuu hawawezi kushiriki haya masomo ya kiufundi. La! Wanaweza kushiriki kwa sababu itawasaidia pakubwa kupata ajira na kujiajiri binanfsi katika kazi walizohitimu.

Kwa sasa, taasisi chache humu nchini zinatoa masomo ya kiufundi kwa vijana ambao wamemaliza Darasa la Nane au Kidato cha Nne lakini hawakubahatika kujiunga na chuo kikuu. Kwa hivyo, Mswada huu utasaidia kuweka mfumo ambao utatoa mwongozo mzuri katika swala hili.

Niko na maswala machache kuhusu ufafanuzi wa elimu ya kiufundi katika Mswada huu. Sehemu ya Pili, Kifungu cha 2 kinasema:

“2. (1) In this Act —

“Public vocational education and training centre” means a vocational education and training centre established, owned or operated by a county government and includes a sponsored vocational education and training centre.”

Hii ni kubadilisha maneno kama vile Sen. Orengo alivyofanya juzi, alipozungumzia swala la *noun and verb* kuwa kitu kimoja.

Hapo mwisho wa Sehemu ya Kwanza, Kifungu cha 2 kinasema:

“Vocational education and training” means the vocational education and training programmes imparted to a trainee in a vocational education and training centre.”

Haya ni mafunzo yanayotolewa katika kituo cha elimu ya kiufundi. Hata hivyo,, haitoi mwongozo na kupeana mfano wa masomo ya kiufundi kama vile useremala.

Hata hivyo, elimu ya kiufundi haitoi mwongozo. Mfano wa masomo ya kiufundi ni useremala, masomo ya ufundi wa kujenga, masomo ya kiufundi ya kuunganisha umeme. Tuna masomo mengine ya kiufundi kama ya kupika, kutengeneza vikapu na kadhalika. Kuna haja ya kuangalia kwa undani haya masuala ya vipi tutaweza kutambua masomo ya kiufundi.

Haya maelezo yalipeanwa sasa kwa Mswada huu hayatoi mwongozo kamili wa masomo ya kiufundi.

Jambo la kufurahisha ni kwamba serikali zetu za kaunti zinapewa jukumu katika masomo haya ya kiufundi. Tumeona kwamba wengi wanapigania kazi za kuajiriwa lakini kazi nyingi siku hizi ni za kujajiri mwenyewe na masomo ya kiufundi kama haya yanatoa fursa ya kuweza kujajiri mwenyewe.

Tatu, kuweka msingi ama *standards* ya kuweza kutambua wale wanaofanya masomo ya kiufundi pia imekuwa swala nzuri sana kwa sababu tuanona wengi waliofanya kazi za ufundi hawana cheti isipokuwa wale wanaoenda kupitia kwa serikali ambao wengi wanashindwa kufanya hivyo kwa sababu wanatakikana waende wakaandike mtihani wa masomo ya theory lakini hawakufaulu kiingereza. Kwa hivyo, inakuwa shida wao kuweza kupata shahada kupitia mfumo wa kisasa.

Mswada huu utatoa fursa kwa wale ambao wamefanya ile kazi ambayo wanatakikana kufanya, kwa mfano, kujenga, useremala na fundi wa mifereji. Wataweza kufanya mitihani kama ile bila ya kuwa na hofu kwamba wataanguka kwa sababu ya kutosoma somo la kiingereza kwa mitihani mingi huandikwa lugha ya Kiingereza.

Hivi vyo pia vitakuwa na mfumo kamili ambo unatambulika ili ukiwa unatoka kaunti moja kwenda kaunti nyingine unaweza kujiunga na chuo katika sehemu nyingine na uendelee na masomo yako bila ya kuwa na matatizo yoyote.

Tumeona pia ya kwamba hata wale ambao ni watu wanaoishi na ulemavu wameweza kupewa nafasi wafundishwe wakiwa na *special needs*.

Najiunga pia na Maseneta wenzangu kusema kwamba ule mfumo wa kuwa na *board of directors* tuondoe tuweke mfumo wa kuwa na *board of management* ili kila anayekuwa pale anakuwa ni msimamizi vyo vile ili tuweze kuhakikisha kwamba tuna usimamizi sawa sawa.

Tumeona kwamba zamani kule Mombasa tulikuwa na chuo cha Mombasa Islamic Institute ambacho kilikuwa kinatoa mafunzo kama haya. Baadaye kililegeuzwa kikawa polytechnic na kikaendelea kuwa polytechnic mpaka mwaka juzi katika mwaka wa 2002

wakati kilipofanywa kuwa chuo kikuu. Hiyo imepoteza nafasi kubwa kwa watu wa Mombasa kwa sababu yale masomo ya kiufundi ambayo yalikuwa yanafanyika pale, hivi sasa hayapatikani na hii inafanya watu wengi waweze kuondoka kuja kutafuta masomo yale katika sehemu zingine katika nchi.

Kwa hivyo, hizi vyuo vya kiufundi ambazo tunazungumzia hapa zitasaidia pakubwa kuleta elimu ya kiufundi mashinani kwa sababu elimu hii itasaidia zaidi wale ambao wanapatikana mashinani na itaweza kuwapa ajira na vile vile kuwapa ufundi ambao unahitajika katika kila sehemu.

Kuna sehemu zingine ambazo zina ufundi maalum. Kwa mfano ukienda Lamu utapata kwamba fundi wa seremala wale ambao wanatengeneza Lamu *carvings* zinatoa taswira nzuri sana ya Kaunti ya Lamu na vile vile inapeana nafasi ya utalii na kupata pesa nyingi kwa mifumo kama hiyo. Vyombo vinavyotengenezwa na ufundi kama huo vinagharimu pesa nyingi kwa sababu ya ule ufundi wa kuchonga ambao unaambatana na taaluma hiyo.

Ufundi kama huu hauwezi kupatikana katika vyuo vya kisasa vya ufundi lakini inaweza kupatikana kwa wale ambao wameweza kuwa na taaluma ile kwa muda mrefu na wengi wao hawakuenda shule kufundishwa taaluma kama hiyo. Tukitoa nafasi kama hii ya vyuo vya kiufundi itawapa nafasi wale ambao wana taaluma kama hizo kuweza kuzipitisha kwa vizazi vifuatavyo.

Naunga mkono Mswada huu na ninajua utasaidia pakubwa kwa kupunguza ukosefu wa ajira katika nchi yetu na vile vile pia kuleta maendeleo kwa sababu wale ambao watafundishwa watatumia ujuzi wao kusaidia kuinua uchumi wetu kwa njia mbali mbali na hiyo itakuwa faida kubwa ambayo tutapata kwa Mswada huu.

Asante, Bi. Spika wa Muda, kwa kunipa fursa hii.

Sen. Halake: Thank you, Madam Temporary Speaker, for giving me this opportunity. Let me also take this opportunity to congratulate Sen. (Dr.) Milgo and her Committee for a timely Bill. This Bill is definitely one that will strengthen the policy and regulatory framework for technical and vocational education in this country.

This Bill, if implemented, will definitely be one that will strengthen our protection of counties and devolution.

I will not speak too much to the content of the Bill because my colleagues have done justice to it. The Bill has a lot of definitions and has defined a lot of the provisions very well. It has also really described the establishment, registration and accreditation of vocational education.

It has also really set out the management of vocational education and training centres. Quality standards have been set as well as the transitional provisions.

I am happy with that. However, one of the things that we need as Parliament as we make laws is to really look at the relevance, quality and the alignment to the country's strategies, policies and the development agenda of the country. Towards what end are our institutions aligned; to what strategies are our institutions aligned? Do we have the right institutions? Are the courses that we going to offer relevant? What courses are we going to offer?

One of the things that we need to do is that our legislative proposals do they improve the relevance and quality of our youth in this particular case? What have we put in place to ensure that counties are able to play some of the roles you have assigned to them?

I am just looking at the roles that were assigned to counties. I was a bit concerned because in order for them to be responsible for staffing of personnel of vocational training and institutions; supervision of vocational education training within the county; if we know what our counties are, will they be able to supervise the good skills level that will be provided at our TIVET institutions and do justice to it? Where will they get that capacity to be able to supervise?

Where will they get the capacity to supervise? I think that providing the necessary funds is okay because somebody must implement the policies, strategies and standards developed by the county government for the delivery of vocational education and training and implementation of this Act.

Madam Temporary Speaker, perhaps the alignment to the broader national policies, legislative frameworks and regulations, needs to be very clear so that we do not have different standards being implemented and supervised by different counties. Having said that, I congratulate the team. I do not want to speak too much to this.

The other issue is the measurement. What will the counties be measuring? Are they going to measure if they taught 1000 students who do not have the requisite skills to do deliver? Have we put provisions in place so that the measurement is not to churn out numbers, but to align to the outcomes we want? For instance, the capacities that we need in the county for the social economic development in the county, the employment of the county youth and such things, become the measure of success in this case.

We need to align the county development plans to the needs of the capacity of the county. From there, we will look for what we need. Do we need skills in building construction, power and energy generation, water distribution, large public works, agro processing and hospitality? Is there any other value we can add to the oil production in Turkana or the mining in Kwale?

Our legislation must be aligned to these kinds of strategies for socio-economic development because it is not an end to produce 1,000 people who have certification but do not have the requisite skills for specific needs of the county. It could be agro processing, hospitality or value addition to our mining industry and solar projects.

I congratulate them for making sure that they mentioned the need to have Information and Communication Technology (ICT) integrated into all our trainings. It can be an area for quality improvement, technology transfer and innovation, and could also be an area that would definitely add value to e-learning and the future of our pedagogy.

Madam Temporary Speaker, technical training in itself does not ensure that we have jobs. It is what we do with the skills and how aligned the skills are. If in Isiolo County we are training for the hospitality industry because we want to be a resort city, we must build flexibility into these trainings. This is so that as things change and we start moving towards solar energy and, the Lamu Port-South-Sudan-Ethiopia Transport (LAPSSET) corridor comes to our neighbourhood, we can flexibly integrate some of these things.

As I finish, one of the things that we need to look at in terms of the capabilities and capacities, is making sure that education systems, quality improvement and technological improvement is not just left to the county, but aligned with the national Government, so that our counties have the same quality standards as opposed to everybody having different standards.

Madam Temporary Speaker, with those few remarks, I thank you for giving me the opportunity. I look forward to the implementation of this Bill. The capacity that it has is to change the minds of the people so that we do not look at technical and vocational education as inferior.

In countries like Canada, the Northern Alberta Institute of Technology is one of the places where students do not even finish college before the industry starts to grab them. What partnerships do we have with the private sector?

What partnerships do we have with the private sector? Should we be giving tax rebates and exemptions for industries that are providing technical training and internships and things like that, so that we do not expect the Government to have all the answers and capacity building? We should then get into partnerships where we incentivize the private sector to get into this process.

I hope those kinds of things can be built into this legislation so that we start encouraging our industry to be part of this journey. This is going to be a very good piece of legislation that is going to turn our country around and provide employment and add value to all the things we need to make sure our counties are thriving.

Thank you, Madam Temporary Speaker. I congratulate my Committee and cede the rest of my time.

The Temporary Speaker (Sen. Nyamunga): Hon. Senator, you have consumed all your time.

Sen. Farhiya: Thank you, Madam Temporary Speaker for giving me this opportunity. I thank Sen.(Dr.) Milgo and the Committee for the foresight to address a glaring gap in legislation.

We have been churning out many persons for white-collar jobs in our institutions. Is there proper career guidance when people are completing school in terms of their skills and where they can branch into? We cannot explain that everybody goes to university and we have many graduates out there who do not have jobs. What mechanism has the Ministry of Education put in schools to ensure students are properly guided in career?

There is also need to discuss career and job market match in schools. We need to identify needed knowledge gaps. We need about 10 blue-collar jobs persons for every two white-collar persons. If we are only training white-collar jobs, how are we going to get jobs for them?

Manufacturing is one of Jubilee Government's Manifesto for creating jobs and produce. We cannot be an economy that is just consuming. We have to be an economy that is producing. Otherwise, we will consume all our resources and have nothing to pay our bills. that is where we are heading if we do not change our course. I am glad that is going to change through this Bill.

If we produce locally all the equipment we need in this country, we will be saving a lot of foreign exchange. That means our economy will also develop in tandem with how much skillful our population is.

In terms of ICT, I am disappointed because we used to be ahead in Kenya in great innovations such as mobile banking and other things. What happened in between? We need to harness that because it is future of how things will go in terms of innovation and development.

We need to identify where the pain is in the society and how we can address that to make money. Unless one solves a problem, they can never make money.

There is also need for specialization. Sen. Wetangula talked about people going to different counties. We can only do that if each county has its specialization and anybody who needs that goes to that county. Otherwise, if all of us mass produce, we will have blue-collar persons that do not have jobs as well. We need to have each county specializing in certain areas and everybody knows that, for example, Wajir county specializes in livestock related training.

If we go for training then it means we should employ ourselves. If we are employing ourselves, we need startup capital. Sen. (Dr.) Milgo maybe this is one of the things you need to add. That part of the curriculum development in the county, their priority should be capital injection. They can come up with a revolving fund where you give this one and he pays back for the other person to take loan.

Madam Temporary Speaker, people need to be responsible financially. You can give them soft loan without interest. At least when they startup, they do not have to struggle again paying a loan with a high of interest from a bank which consumes all their profits then there is no incentive to do the work.

Finally, there is need to match skills to the market. What is necessary in our market, neighbouring countries, Canada or wherever that you need to address. There is need to do so. In absence of job market with skill matching, then whatever we do will just waste resources.

I support and also wish to cede my time.

The Temporary Speaker (Sen. Nyamunga): Thank you Senator for ceding your time. Finally, Sen. Chebeni, proceed.

Sen. Chebeni: Thank you, Madam Temporary Speaker for giving me this opportunity to also say something about this Bill. This is a very important Bill. I congratulate Sen. (Dr.) Milgo's Committee for taking care of this matter in this Republic. I say this because when you look at the future of workforce in Kenya or the world, it is aimed at what skills one has. We are going to look at what technical capacity one has. This will pay your bills and get you some coins here and there.

It is very critical to have frameworks put in place to ensure that we plan for our future. The future labour force will depend on skills.

Clause 3 is on guiding principles. Particularly Clause 3 (b) talks about equality, equity and nondiscrimination in the provision of the vocational training. Recognition of trainees with special needs is very important. You realize that young people who are living with disabilities most of the times are not incorporated when it comes to the education sector.

Madam Temporary Speaker, this Bill gives opportunity to all young people, including those living with disabilities in this country.

Clause 4 talks about the obligations of the national Government. I want to agree with this Bill. The national Government deals with standards, policy, curriculum development, accreditation of institutions and so on.

Most importantly, the aspect of monitoring and evaluation of vocational programmes is very important. Many times we develop programmes, but we do not see them to conclusion. We do not see what is working for us or not. We do not keep checking to see the relevance of these programmes. That is a very important aspect of this clause.

Madam Temporary Speaker, Clause 5 talks about the obligations of the county governments. One of the clauses that I really liked is the one that ensures that county governments carry out public awareness and advocacy. This will go well towards changing the attitude and perception about TIVET institutions in our country. Sharing information will change the attitudes of young people towards vocational training.

Clause 6 talks about promotion and circulation of up to date information to the public so that we do not rely on information that is not factual. It is information that is up to date and it will serve the young people of this country.

Clause 7 talks about trainees with special needs. Again we are not leaving anyone behind. Young people with disabilities and special needs are taken care of and given this important training and education.

Madam Temporary Speaker, Clause 32 is about examination and competency, especially Clause 32 (1) (b); issue of a certificate to a trainee. I think painters, masons, plumbers and electricians need to be considered as professionals in this country. They will be given certificates at the end of training. This is the only way we can market our technicians in the region.

Lastly, the national Government should also conduct a skills gap analysis in the country as they consider the courses for the trainees.

That way, we will not train people without knowing the required skills. Therefore, proper research and development should be done in this sector. This is a very important Bill and I congratulate Sen. (Dr.) Milgo and her Committee.

I support.

The Temporary Speaker (Sen. Nyamunga): Thank you, Senator. May I now call upon the Mover to reply.

Sen. (Dr.) Milgo: Thank you, Madam Temporary Speaker. I thank the 17 Senators who have contributed to this Bill. We have many amendments and cleaning up to do on this Bill.

Without mentioning the names of the 17 Senators, they have proposed good clauses to be included in this Bill. Notable among them, is the linkage to entrepreneurial and micro enterprises. It has also been proposed that we benchmark with the best practices, advertisement and ensure we also export skills and not just tea and domestic workers.

There is a lot to be done on this Bill and my Committee is equal to the task. As I reply, I thank my strong Committee, the secretariat and everyone who has had an input. This Bill will go a long way to be a game changer to the economy of our country.

I beg to reply.

Madam Temporary Speaker, I request that pursuant to Standing Order No.61 (3), the putting of the question be deferred to a later date.

The Temporary Speaker (Sen. Nyamunga): That is granted. It will be put at a later date next time it is listed.

(Putting of the Question on the Bill deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Nyamunga): Hon. Senators it is now 6.30 p.m., time to adjourn the House. The Senate, therefore, stands adjourned until Tuesday, 20th July, 2021 at 2.30 p.m.

The Senate rose at 6.30 p.m.