

## COUNTY GOVERNMENT OF KISUMU



### COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

#### *Official Report*

#### **THIRD ASSEMBLY – SECOND SESSION**

**Thursday 29<sup>th</sup> June, 2023**

**House met in the Main Chamber at 2:30 p.m.**

**(The Speaker (Hon. Elisha Jack Oraro) in the Chair)**

#### **PRAYER**

**The Speaker** (Hon. Oraro): Thank you. Madam Clerk, please take us through the Order Paper of today.

**The Speaker** (Hon. Oraro): Next order!!

#### **COMMUNICATION FROM THE CHAIR**

**The Speaker** (Hon. Oraro): Honourable Members, I have two communications to make. One, I want to communicate to you that the Sports Ground has been open for the practice for the Members and Staff. You recall that it was communicated to you that the County Assembly Sports Association (CASA) Games is scheduled to take place in August and you are to liaise with Vice Chair for Sports Hon. James Were because the Chairperson Hon. Nancy Matara is still down. Please take note of that.

Two, there is "Piny Luo" Extravaganza is scheduled to start on 30<sup>th</sup> June to 1<sup>st</sup> July 2023. The event will be held in Homa Bay and you had been invited to attend. Coincidentally, I had communicated that I gazetted Friday 30<sup>th</sup> June, 2023 for the purposes of discussing the report

from the Select Committee of Budget and Appropriations and the Kisumu County Appropriations Bill. I have sent the apology of Kisumu County for 30<sup>th</sup>. So, I want to request that we avail ourselves for the discussions on the report from the Select Committee of Budget and Appropriation on the Kisumu County Budget Estimates FY 2023/2024 and the Kisumu County Appropriations Bill, 23023. Take note that the apology has been sent to the technical team organizing the said event. I also want to request the Chairperson, Budget and Appropriations that you follow up with the County Executive for the necessary documentations required for tomorrows business. Welcome to the session. Thank you.

**The Speaker** (Hon. Oraro): Next order!

## PAPER LAID

REPORT BY THE SELECT COMMITTEE OF BUDGET AND APPROPRIATIONS  
COMMITTEE ON ITS CONSIDERATION OF THE PROPOSED KISUMU COUNTY  
BUDGET ESTIMATES FY 2023/2024.

BY

HON. JOACHIM OKETCH, MCA, KONDELE WARD.

(CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE)

**The Speaker** (Hon. Oraro): Hon. Joachim Oketch.

**Hon. Joachim** (MCA, Kondele Ward): Thank you Mr. Speaker. You are moving very fast. I know you are a young Speaker.

*(Laughter)*

**The Speaker** (Hon. Oraro): Please proceed Hon. Joachim.

**Hon. Joachim** (MCA, Kondele Ward): Thank you Mr. Speaker. Pursuant to the provisions of Standing Order No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today Thursday 29<sup>th</sup> June, 2023, a report by Budget and Appropriations Committee on its consideration of the Proposed Kisumu County Budget Estimates FY 2023/2024.

*(Hon. Oketch lays the report before the House for consideration)*

**The Speaker** (Hon. Oraro): Honourable Members, I confirm the receipt of the report by the Select Committee of Budget and Appropriations on its consideration of the proposed Kisumu County Budget Estimates FY 2023/2024 as tabled by the Chair. I want to advise that this report be given consideration by the House Business Committee for purposes of scheduling it for debate. Hon. Chair of Budget, I also want to advise that you sent the report to Members as earlier as possible for effective debate. Thank you.

**The Speaker** (Hon. Oraro): Next order!!

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## NOTICE OF MOTION

REPORT BY THE SELECT COMMITTEE OF BUDGET AND APPROPRIATIONS  
COMMITTEE ON ITS CONSIDERATION OF THE PROPOSED KISUMU COUNTY  
BUDGET ESTIMATES FY 2023/2024.

BY

HON. JOACHIM OKETCH, MCA, KONDELE WARD.

(CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE)

**The Speaker** (Hon. Oraro): Hon. Joachim Oketch.

**Hon. Joachim** (MCA, Kondele Ward): Thank you once again Mr. Speaker. Pursuant to the provisions of Standing Order No. 45 (1) of the Kisumu County Assembly Standing Orders, I wish to give a Notice of Motion that this House adopts the report by Budget and Appropriations Committee on its consideration of the Proposed Kisumu County Budget Estimates FY 2023/2024.

**The Speaker** (Hon. Oraro): Next order!!

## STATEMENTS

**The Speaker** (Hon. Oraro): Hon. Moses Ochele.

**Hon. Ochele** (MCA, East Kano Wawidhi Ward): Thank you Mr. Speaker. I rise on behalf of Joint Committees of JLAC and Planning. The House tasked the Joint Committees to conduct a mission on Nyamlori Traders. The Joint Committees were to table a report today and we conducted a site visit but there are a lot of developing issues. But going by the certain documents that we have not received, I believe that it is prudent that the House gives us more time to enable us receive these documents and analyze what we gathered during the site visit and present a report before we adjourn next week.

**The Speaker** (Hon. Oraro): Honourable Members, before, I give any Member an opportunity to commend on that, I want to bring to your attention that the matter that Hon. Ochele is representing was as a result of a Petition that was brought in this House by a group of Members from Nyamlori. I also want to inform you that you should pay attention to the Standing Orders on Petitions. It starts from Standing Order No. 209. It contains meaning of Petitions and the format in which it's supposed to be done.

Honourable Members, it should be very clear that by presenting a Petition to the Assembly is one of the avenues through which you get the views of the electorates in the House because not all the public can be in this House. Once the Petition comes, it is worked on and the reply is communicated to the petitioners. It has come to my attention that some Members are not okay with the manner in which the petition was brought in this House. When a matter comes to the

House, it is not what you feel but what the public prays for so long as it meets the threshold as prescribed in the Standing Order.

Honourable Members, I also want to say that it is the responsibility of the Assembly to ensure that every petition is as required by the law. It is the responsibility of the Office of the Clerk to ensure that the petitions are done in the right format. It is therefore not in order for any Member to insinuate that if the Assembly assist any petitioner to ensure that the petition is in the right format is out of order. Any opinion on the request by Hon. Ochele.

**The Speaker** (Hon. Oraro): Next order!!

## MOTION

### ADOPTION OF THE REPORT BY ECDE, ADULT EDUCATION AND VOCATIONAL TRAINING COMMITTEE ON CONSIDERATION OF THE KISUMU COUNTY VOCATIONAL EDUCATION AND TRAINING BILL, 2023

BY

HON. SETH OKUMU, MCA, EAST SEME WARD

(CHAIRPERSON, ECDE, ADULT EDUCATION AND VOCATIONAL TRAINING COMMITTEE)

**The Speaker** (Hon. Oraro): Hon. Seth Okumu.

**Hon. Okumu** (MCA, East Seme Ward): Mr. Speaker and Hon. Members. The Kisumu County Technical and Vocational Education Training Bill, 2023 was read a first time on 2<sup>nd</sup> May, 2023 and subsequently referred to the Sectoral Committee on Early Childhood Education, Adult Education and Vocational Training for consideration and thereafter report to the House pursuant to Standing Order No. 123 of the Kisumu County Assembly Standing Orders.

The Principal Object of the Bill is to give effect to the Fourth Schedule of the Constitution of Kenya, 2010 and the Technical Vocational Education and Training Act, 2013 and provide for a framework for the establishment of systems for the administration, management and governance of Vocational Education and Training within Kisumu County and for connected purposes.

The Bill therefore proposes to provide a mechanism to facilitate effective Administration and Management of Technical Vocational Training Centres within Kisumu County and accordingly gives effect to Clause 3, Clause 6, Clause 17, Clause 18, Clause 26, Clause 35 and Clause 38 of the Technical Vocational Education and Training Act, 2013.

The Bill provides for preliminary matters including the short title, objects of the Act and the guiding principles that guide the management and Administration of Technical Vocational Education and Training in Kisumu County. The Bill further designates the responsible authorities for purposes of developing institution specific guidelines for Technical Vocational Education and Training and further designates responsible TVET Officers to undertake specific

mandates conditioned to improve TVET Management and performance in the Education and Labour Sectors.

The Bill mandates the CEC Member for Education to develop specific guidelines and policies for the identification of trainees with Special Needs and put in place such measures as may be necessary to ensure access to and provision of Vocational Education and Training to trainees with special needs.

The Bill further proposes the establishment of the Kisumu County Vocational Education and Training Fund whose primary object is to provide capitation funds to Vocational Education and Training institutions in accordance with the criteria prescribed by the CEC Member responsible for Education, taking into account the respective institution's output, efficiency and role in areas prioritized by the County Government.

The Bill delegates legislative powers to the CEC Member for Education to make regulations for the better carrying into effect of the provisions of the Act. The Bill does not limit any of the Rights and Fundamental freedoms contained in the Bill of Rights in the Constitution, 2010.

#### ESTABLISHMENT AND MANDATE OF THE COMMITTEE

The Committee on Early Childhood Education, Adult Education and Vocational Training was constituted on 18<sup>th</sup> October, 2022 during the first session of the Third Assembly and reconstituted in April, 2023 in the Second Session in accordance with Standing Orders No. 155 of the Kisumu County Assembly Standing Orders and is composed of the following Members:

#### Committee Members

- |                          |                  |
|--------------------------|------------------|
| 1. Hon Seth Okumu        | Chairperson      |
| 2. Hon. Vitalis K'Omudho | Vice Chairperson |
| 3. Hon Samuel Onyango    | Member           |
| 4. Hon Ken Ouko          | Member           |
| 5. Hon Zacharia Okoyo    | Member           |
| 6. Hon Henrietta Bodo    | Member           |
| 7. Hon Ken Ooko          | Member           |
| 8. Hon Lumumba Owade     | Member           |
| 9. Hon Alice Wajewa      | Member           |
| 10. Hon Joachim Oketch   | Member           |
| 11. Hon. Maurice Ngeta   | Member           |
| 12. Hon Nancy Matara     | Member           |
| 13. Hon James Omollo     | Member           |
| 14. Hon Benson Adegga    | Member           |
| 15. Hon. James Were      | Member           |

#### Committee Secretariat

The Committee has a secretariat comprising of:

- |                        |                 |
|------------------------|-----------------|
| 1. Mr. Harman Moses    | Clerk Assistant |
| 2. Ms. Jacklyne Otieno | Hansard         |

3. Mrs. Rose Baraza

Serjeant-at-arm

Committee Mandate.

The Sectoral Committee is mandated, under Standing Order No. 193 and the Second Schedule of the Kisumu County Assembly Standing Orders to inter alia: -

*To inquire into and report on all matters relating to pre-primary education, adult education, village polytechnics, home craft centres and childcare facilities.*

ACKNOWLEDGEMENT.

Mr. Speaker and Hon. Members. May I take this opportunity to thank all the Members of the Committee for their input and valuable contributions and time during the deliberations on the Kisumu County TVET Bill, 2023 and the writing of this Report. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the County Assembly for the technical support accorded to it during the exercise.

On behalf of the Committee on Early Childhood Development Education and Adult Education and Vocational Training and pursuant to the provisions of the County Governments Act read together with Standing Order No. 123 and Order No. 193 of the Kisumu County Assembly Standing Orders, it is now my duty and privilege to present to this House, the Report of the Committee on the Consideration of the Kisumu County TVET Bill, 2023.

## CHAPTER TWO.

CONSTITUTIONAL FRAMEWORK OF PUBLIC PARTICIPATION.

Mr. Speaker and Hon. Members, the right to political participation is the foundation of public participation. Article 1(2) of the Constitution of Kenya enunciates this point on sovereignty of the people. It states that Kenyans may exercise their sovereign power either directly or through their democratically elected representatives. The language of this provision resonates with article 21 of the Universal Declaration on Human Rights (UDHR), article 13 of the African Charter on Human and People's Rights (ACHPR) and article 25 of the International Covenant on Civil and Political Rights (ICCPR).

Article 10 of the Constitution of Kenya includes public participation as a national value and principle of governance. Clause 2 (a) of the article explicitly mentions 'participation of the people' as such. This value and governance principle is supposed to be adhered to whenever a '...state organ, state officer, public officer and all persons...enacts, applies or interprets any law...' Therefore, the processes of enacting legislations in the County Assembly must be bound by this provision of the Constitution.

Article 118 of the Constitution directly invokes public participation in legislative process. The provision states 'Parliament (parliament here is *pari materia* with the County Assembly) shall...facilitate public participation and involvement in the legislative and other business of Parliament and its committees.' By dint of this constitutional provision, the Assembly is compelled to engage the public in the process of law making or other legislative business.

Other provisions of the Constitution that provides the foundation of Public Participation are as follows:

*Article 174 (c)* – which provides for the objects of devolution – to give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them;

*Article 196 (1) (b)* – provides for public participation and county assembly powers, privileges and immunities and;

*Article 201 (a)* – provides for openness and accountability, including public participation in financial matters;

The County Governments Act, 2012, Clauses 87 and Clause 91 respectively which establish detailed principles and modalities and platforms for citizen participation in policy formulation and legislation and the Kisumu County Public Participation Act, 2016 which provides for the procedures to be followed when conducting public participation exercise within Kisumu County.

#### OVERVIEW OF THE BILL.

Provisions of the Bill.

Mr. Speaker and Honourable Members. PART 1 (*Clause 1- 3*) deals with PRELIMINARY PROVISIONS i.e., short title, interpretations, Objectives of the Act and guiding principles.

PART II (*Clause 4 – 20*) deals with INSTITUTIONAL ARRANGEMENTS OF VOCATIONAL EDUCATION TRAINING. The CEC Member for Education is required to formulate mechanisms necessary for the administrative structures for the management of Public Vocational Training Centers and provide plans and policies to ensure availability, accessibility and effective delivery of Vocational Education and Training in the County.

These provisions are necessitated by the fact that Vocational and technical education and training are an important facet of Kisumu County's sustainable human capital and economic development. Therefore, for the County's Technical, Industrial, Vocational Education and Training (TIVET) system to play these roles, urgent policy reforms need to be formulated. Currently, the TVET system faces a number of challenges, including fragmentation of its programmes, limited integration into the formal education system, weak linkages with local labour markets, insufficient finances, inadequate monitoring, poor wage employment opportunities for its graduates, and limited alignment with technological innovation at local and global levels.

Therefore, to address these challenges, the Bill proposes to mandate the CEC Member to formulate policies and strategies to tackle issues related to quality of programmes, relevance of the training offered, employability of graduates, collaboration with training institutions, and collaboration among industries and employers. It is important that the County develops national skills standards, national qualifications framework, and adequate internal and external quality assurance mechanisms.

Other measures proposed by the Bill include professionalization of TVET staff, and adequate resource mobilization for TVET from all stakeholders.

It is proposed that TVET programs should be competency-based, demand-driven, and consistent with global and national labour market needs; efficient and equitable; and of high quality. Implementation of this Act will necessitate the provision of adequate proficiency testing for learners.

Board of Governors for the training institutions will from time to time point to the gaps TVET programmes and appropriately support curriculum review.

Public attitudes towards TIVET should change so that the public can view the sector as an avenue to well-paying employment, quality self-employment and higher education, as they view opportunities offered by the formal tertiary education programmes.

PART III (*Clause 28 – 32*) deals with the FINANCIAL PROVISIONS i.e. the Establishment of the Kisumu County Vocational Education and Training Fund which is proposed to provide funds to Vocational Education and Training institutions in accordance with the criteria prescribed by the CEC Member, taking into account the respective institutions output, efficiency and role in areas prioritized by the County Government.

Currently Financing of vocational education and training in Kisumu County is financed from public financing, private financing and international donor assistance and is jointly undertaken by the National Government and the Kisumu County Government, the private sector, NGOs, communities and international development partners.

The recognition of the important role that TIVET plays in the County's and National development demands that the TVET Sector is well funded to meet the short and long term development goals of the County. The Bill therefore proposes distinct and a domiciled fund specifically for this Sector. It will be observed that based on the current fund's allocation trends, funding for this sector has been low given the importance of technical education in development.

PART IV (*Clause 33 – 34*) deals with MISCELLEANOURS PROVISIONS and contains provisions exempting TVET from personal liability in respect of any act done in the execution of powers or duties under the Act. Other provisions include offences and penalties and proposes a fine of not more than Kshs. 200,000 or a term of imprisonment not exceeding six months for any person who ignores or fail to obey the provisions of this Act of any policy instruction issued by the County Government.

PART V (*Clause 35*) deals with Delegated Legislation and mandates the CEC Member responsible for education to make Regulations for the better carrying into effect the provisions of the Act, particularly for:

- a) procedure and criteria for centre-based auditing in Public VTCs;
- b) operational standards of Public and Private VTCs within the County;
- c) the continuous review, evaluation and monitoring of policies and curriculum to assure and ensure Vocational Education and Training s quality, assurance, standards and relevance;

- d) procedures for authorization of Private VTCs;
- e) procedure for the fulfillment of the two-thirds gender rule in the composition of the County Vocational Education and Training Committee; and
- f) participation in benefit sharing or incentive allocation mechanism and to prescribe the fees payable for authorization of a Private VTC.

SCHEDULE. The Bill has one schedule providing for the Financial Report Sample for the Kisumu County Vocational Education and Training Fund.

### CHAPTER 3

#### PUBLIC PARTICIPATION IN THE PROCESSING OF THE BILL.

##### Call for Public Participation

Mr. Speaker and Honourable Members, through an advertisement in the Nation and the Star Newspapers of 29<sup>th</sup> April, 2023 (Annexure i), the Committee invited the public to submit views or make representations regarding the Bill as required by the provisions of Article 118 of the Constitution and Standing Orders No 123 of the Kisumu County Assembly Standing Orders.

##### Receipt of Submissions and Public Hearings on the Kisumu County TVET Bill, 2023

On 9<sup>th</sup> May, 2023, the Committee received a Memorandum from Pamoja for Transformation Organization (Annexure ii) proposing amendments to the Bill as follows:

THAT recognition of prior learning of prior learning is inadequately mentioned in Clause 3 under the Guiding principles,

The Pamoja for Transformation has further recommended that the Committee to:

- i. Align the principles of the Bill with Competency-Based Education and Training Policy Framework (October 2018) by expanding or editing the guiding principles to include Recognition of Prior Learning (RPL) for candidates that have acquired some basic skills.
- ii. Provide provisions in the Bill to promote transformative research for TVET relevance and the circulation of and access to up-to-date and timely information on vocational education and training.
- iii. Expand the composition of the committee to include a representative of the sponsoring religious institution(s) and a representative of the development partner(s) or donor(s). The Stakeholder avers that the composition of the committee needs to take cognizance of other development partners working with the TVETs who may not necessarily form part of the listed representatives to the committee (i.e., INGOs, NGOs) and that since the issues of disability are increasingly gaining attention in public and policy documents, Articles 54 through 56 of the Kenyan Constitution are inadequately catered for in the appointment of the committee.

- iv. Consider the progressive implementation of Article 54(2), Article 55, and Article 56 of constitution (2010) in the appointment to the Kisumu County Vocational Education and Training Committee.
- v. Establish of a board of governors in accordance with Clause 28 of the TVET Act of 2013 and provide provisions on the remuneration of the board of governors during their sitting. The Committee may define the composition of the six (i.e., gender, sector of expertise, etc.) to reduce the chances of a possible conflict of interest. The Stakeholder avers that the rule of two-thirds and consideration of Article 54 of the Constitution of Kenya (2010) are not explicitly stated as guides to the appointment of the Board of Governors and the bill is silent on the remuneration of the board during their meetings. It is also noted that the procedures for appointment of six other members on the basis of their skills is not clear.
- vi. Stipulate whether there will be any approval or authorization of closure of Private VTCs as a matter of accountability and provide reasons or threshold for the closure.

Other general concerns on the bill raised by Pamoja for Transformation is silent on the human resource management of VTC trainers or instructors. The Committee has been prayed to consider indicating how instructors or trainers will be sourced; whether it's through the public service board and whether Staffing of the VTCs should be aligned with the courses offered.

#### Proposals and Comments from the Public.

Pursuant to the advertisement placed in both the Daily Nation and the Star Newspaper on 29<sup>th</sup> April, 2023, the Committee facilitated public participation in accordance with the following Schedule:

Sub-county	Ward	Time	Venue
1. Muhoroni	Muhoroni/Koru	9.00am	Muhoroni PAG Church
2. Kisumu East	Kolwa Central	9.00am	Ragumo Community Hall
3. Seme	Central Seme	9.00am	Kombewa Huduma Centre
4. Kisumu Central	Market/Milimani	9.00am	Kisumu Social Hall
5. Nyando	Ahero Ward	9.00am	Karanda AIC Church
6. Kisumu West	South West	9.00am	Ojola Resource Centre
7. Nyakach	Central Nyakach	9.00am	Pap Onditi Hall

In considering the Kisumu County TVET Bill, 2023, the Committee took into account oral submissions from the public during its sittings in the Sub-Counties. The Committee noted as follows:

S/No.	Sub-County	Recommendations	Observations
1.	Muhoroni	<p>During the public hearing of the Bill in Muhoroni Sub-County, the members of the public submitted the following recommendations:</p> <p>That the Bill should provide clear procedures on the relationship between the public and private institutions which have sponsored public VTCs.</p> <p>That the following organizations be included in the composition of County Vocational Education and Training Committee:</p> <ul style="list-style-type: none"> <li>a) Faith-based organization</li> <li>b) Special needs</li> <li>c) Civil Societies</li> </ul> <p>That clear procedures be provided how the Staff for the Vocational Training Centres will be remunerated.</p> <p>That clear procedures be provided on how the Vocational Training Centres will manage their own source Revenue.</p> <p>That the quorum for the County VTC Committee be raised to half instead of a third as it is impractical for four people to make decisions on behalf of thirteen.</p> <p>That pursuant to Clause 25 (b) (i), procedures on how affected learners will be transitioned should be provided.</p> <p>That clear regulations as to who qualifies for trainee capitation contemplated in Clause 29 (1) (d) should be provided.</p> <p>That there should be remuneration for the TVET Boards</p>	None

		<p>contemplated in Clause 11 of the Bill.</p> <p>That procedures for attachment placement should be provided in Regulations.</p>	
2.	Kisumu East	<p>During the public hearing of the Bill in Kisumu East Sub-County, the members of the public submitted the following recommendations:</p> <p>That the Board of Governors contemplated in Clause 11 be amended to Board of Management</p> <p>That the Regulations of this Legislation to identify industries within the County which have entered MoU with the County Government to offer attachment for Students from TVETs.</p> <p>That VTCs to be mandated to offer even certificate courses to help students to pursue diploma courses.</p> <p>That a special account be established for VTCs specifically for funds from National Government to avoid the risk of diversion within the County to other county programs.</p>	None
3.	Seme	<p>During the public hearing of the Bill in Seme Sub-County, the members of the public submitted the following recommendations</p> <p>That the Chairperson for the Kisumu County Vocational Education and Training Committee contemplated in Clause 7 (2) be the Chairperson for the County Assembly's Committee on Education.</p> <p>That the quorum contemplated in Clause 9(3) be two-thirds of the membership and resolution of the committee be made by a simple majority.</p> <p>That members appointed to the Board of Governors contemplated in Clause 11 (2) (f) be sourced from within the Community.</p>	<p>The Public observed that:</p> <p>Current VTCs are experience budget deficits and there is need for sufficient budget to manage the institutions.</p>
4.	Kisumu	During the public hearing of the Bill in Kisumu Central	None

	Central	<p>Sub-County, the members of the public submitted the following recommendations:</p> <p>That the VTCs should also specialize on the Juakali sector and offer credentials based on skills within the Juakali sector</p> <p>That resources to the VTCs should be done in consideration of the populations of the students within the VTCs</p> <p>That VTCs should promote innovation as one of their objects.</p> <p>That the special meeting contemplated in Clause 9(2) should be defined to prevent mischief that may arise from it being construed otherwise.</p> <p>That a representative of the public should sit in the Board of Governors.</p>	
5.	Nyando	<p>During the public hearing of the Bill in Nyando Sub-County, the members of the public submitted the following recommendations:</p> <p>That the Qualifications of the Sub-County VET Coordinator contemplated in Clause 19 be provided in the Bill.</p> <p>That Standards of Public Vocational Training should be clearly defined</p> <p>That day-care facilities be constructed within VTCs to assist students with children.</p>	<p>The Public observed that:</p> <p>Current VTCs within the Sub-county has an acute understaffing and this interferes with its operations.</p> <p>That new VTCs should have basic social amenities and infrastructure</p>

		That procedures for specialization of VTCs be included.	
6.	Kisumu West		
7.	Nyakach	<p>During the public hearing of the Bill in Nyakach Sub-County, the members of the public submitted the following recommendations:</p> <p>That the Board of Governors contemplated in Clause 11 to include student leaders of the Institutions.</p> <p>That the Kisumu County Vocational Education &amp; Training Committee to have a specific Secretary. It was proposed that the Director for TVET be the secretary.</p>	

## CHAPTER SIX

### COMMITTEE FINDINGS AND OBSERVATIONS.

Mr. Speaker and Honourable Members, the Committee made the following findings and observations from stakeholder submissions and its own views during the consideration of the Bill.

**Kisumu County Vocational Education and Training Committee:** The Committee acknowledged that while the Bill had provided for provisions of the Committee meetings, the Bill did not define what satisfies as a special meeting as envisaged in Clause (9) (2) of the Bill. It will be noted that the purpose of putting a caveat on the number of meetings for a committee of this nature is to minimize expenditure on sitting allowances payable to the Committee. It is therefore found that a special meeting should be defined to prevent a mischief that may arise as a result of converting other meetings not contemplated by this Legislation as a special meeting.

**On-Source Revenue:** The Committee also observed that there are Vocational Training Centres that are currently engaged in revenue generating activities within the institutions. Current, the management of on-source revenue is shrouded in inconsistencies and there is no clear structure of how this revenue should be channeled from the institutions to the County Revenue Fund Account. The Bill however, has not provided for procedures for the management of the on-source revenue and the committee has considered that this an area that should be legislated.

Transitioning of Learners upon closure of a Private VTC: The procedures of closure of a Private VTC contemplated in Clause 25 fails to provide for a transition procedure of students from these Private VTCs upon closure. The Committee notes that a transitional provision should be provided to ensure that learning of students in these private VTCs is not adversely affected upon closure of the institutions.

Qualification for Trainee capitation: The Committee has observed that the Bill has not provided for the means of providing trainee capitations to Public VTC and fails to provide primary factors that should be considered for trainee capitation.

Principles and Objects of the Bill: The Committee acknowledged that the object and principles of the Bill be aligned with the National Competency-Based Training Policy Framework of 2018

#### COMMITTEE RECOMMENDATIONS.

In light of the submissions of the memorandum, the oral representations made before the Committee and the Committee deliberations on the Bill, the Committee Recommends: -

THAT CLAUSE 3 (1) (b) be amended by adding the phrase “and in accordance with the Competency-Based Training Policy Framework” immediately after the word “discrimination”;

Clause 3(1) (b) be now read as follows:

*“training shall be availed to all qualified persons without discrimination and in accordance with the Competency-Based Training Policy Framework;”*

THAT CLAUSE 9 (3) be amended by introducing a new paragraph (b) as follows: “without prejudice to the generality of sub-section (2) (a) above a special meeting shall be a meeting convened upon the supposition that something of an urgent nature has suddenly arisen which prevents a one-month notice for its consideration being given in the ordinary way and shall not exceed four sittings in a year”.

Upon introduction of the new paragraph (b), the Sub-Clause (2) be renumbered as (2) (a) and (b).

Clause 9 (2) be now read as follows:

*9 (2) (a). Despite sub-section (1), the Committee may convene special meetings where necessary.*

*(b). without prejudice to the generality of sub-section 2 (a) above, a special meeting shall be a meeting convened upon the supposition that something of an urgent nature has suddenly arisen which prevents a one-month notice for its consideration being given in the ordinary way.*

THAT CLAUSE 11 (2) be amended by deleting Clause 11 (2) (e) and introducing a new Sub-Clause 11 (3) as follows:

*11 (3) The Chairperson contemplated in (2) (a) above shall be elected from among persons appointed in accordance with Clause 12.*

THAT CLAUSE 14 be amended by renumbering the clause and introducing a new sub-clause 14 (2).

New Clause 14 (2) be now read as follows:

*14 (2). The Board of Governors may establish daycare facilities within the VTCs whenever necessary to promote access to relevant training to breastfeeding women.*

THAT CLAUSE 16 (3) (d) be amended by deleting the word incompetence in 16 (3) (d) and replacing therefrom with the word “*incompetency*”. Clause 16 (3) (d) shall therefore read as follows:

*16 (3) The County Executive Committee Member may, at any time, remove a member of the Board on the following grounds –*

*(d) incompetency; or*

THAT CLAUSE 17 (1) be amended by deleting the word “*fourteen days*” and replacing therefor “*seven day*”.

Clause 17 (1) shall be now read as follows:

*17 (1) The Secretary of the Board shall notify the Director of a vacancy that occurs in the membership of the Board within seven days of the membership falling vacant.*

THAT CLAUSE 17 (2) be amended by deleting the word “*twenty-one days*” and replacing therefor with the word “*seven days*”.

Clause 17 (2) shall be now read as follows:

*17 (2) Where the Director has been notified of a vacancy under this Section, the Director shall within seven days present to the CEC Member the notification, who shall thereafter appoint another person to fill that vacancy within seven days.*

THAT CLAUSE 25 (a) be amended by introducing the phrase “*at least one year before closure*” immediately after the word “*..center*” as follows:

*25 (a) inform the County Executive Committee Member of the intention to close down the vocational education and training center at least one year before closure; and*

THAT, CLAUSE 29 (2) be amended by deleting the phrase “*CEC Member*” and replacing therefor with “*the Fund Administrator*”

Clause 29 (2) be now read as follows:

*29 (2) There shall be paid out of the Fund any expenditure approved by the Fund Administrator and incurred in connection with the administration of the Fund.*

THAT CLAUSE 35 (2) be amended by introducing a new paragraph immediately after paragraph (b) as follows: “procedure for the management of revenue and income generated from the Technical Vocational Training Centers.”

And further amended by introducing a new paragraph immediately after paragraph (f) as follows:

“Procedure for the transition of Students from closed Private VTCs. “

Clause 35 (2) be now read as follows:

*35. (2) Without prejudice to the general effect of Sub-section (1), the County Executive Committee Member may make regulations for: -*

- a) Procedure and criteria for centre-based auditing in the public VTCs;*
- b) Operational standards of Public and Private VTCs within the County;*
- c) Procedure for the management of revenue and income generated from the Technical Vocational Training Centres;*
- d) The continuous review, evaluation and monitoring of policies and curriculum of the County Vocational Education and Training Committee; and ensure Vocational Education and Training’s quality, assurance, standards and relevance;*
- e) Procedures for authorization of Private VTCs;*
- f) Procedure for the fulfillment of the two-thirds gender rule in the composition of the County Vocational Education and Training Committee;*
- g) Participation in benefit sharing or incentive allocation mechanism and;*
- h) Procedure for the transition of Students from closed Private VTCs.*

#### CONCLUSION.

Mr. Speaker and Honourable Members, the Committee having considered the Kisumu County Vocational Education and Training Bill, 2023, the Committee therefore recommends that this Hon. House passes the Bill with amendments. May I call upon Hon. Benson Adegga to second?

**Hon. Adegga** (MCA, Kajulu Ward): Thank Mr. Speaker. I rise to second the report as moved by the Chairperson.

**The Speaker** (Hon. Oraro): Honourable Members, now that the report by the Standing Committee of ECDE, Adult Education and Vocational Training on consideration of the Kisumu County Vocational Education and Training Bill, 2023 has been moved by the Chairperson and seconded by Hon. Benson Adegga. I therefore, propose a question that this report is open for debate.

**The Speaker** (Hon. Oraro): Hon. Oiko Pete.

**Hon. Oiko** (MCA, Kabonyo Kanyagwal Ward): Thank you Mr. Speaker. When I see this Bill before the House, it reminds me of the Second Assembly when we were sworn in. That was the time when the Kenya Breweries was being established, being constructed in Kisumu. We had a request that we wanted the youth to be employed. Mr. Speaker as politicians, we did not see the reason why our youth could not be employed, but when the Executive came to explain to us the

technicalities that were there, consequently the good Governor of Kisumu in conjunction with the Assembly made a good decision.

The youth in Kisumu County were asked to join the Youth Polytechnic or Vocational Training that offer technical courses. We were informed that we cannot take *fundi* to be employed if he or she does not have papers. The papers which are needed, the government Trade Test 3,2 and 1 that shows that someone has the skills to be employed in the Building Industry, in the “*Jua kali*” industry as a Carpenter, Welder and as a Plumber.

Mr. Speaker, the government of Kisumu under Prof. Nyong’o, did a splendid job by providing room for our youth to go and learn this artisan courses. The good thing is that, the government paid for these courses and for us, this was a good start. When we are now reaching a level where we are going to have the act to regulate Vocational Training Colleges in Kisumu. We are moving ahead, not only that, Mr. Speaker the National Government is also keen, that every ward should have a Vocational Training Center this is because technical course is the way to go.

Mr. Speaker, we would have applauded the Government of Kisumu hoping that this would work out very well given that our youth will have the technical training and they will be absorbed through the “*Jua kali*” and they will have a way of earning their living. I remember also during the campaigns, Hon. Raila suggested something that the people in the “*Jua kali*” who already have the skills should have recognition of prior learning certificate. There are people who never furthered their education but they are endowed with the gifted and talents, they are mechanics, constructors and carpenters.

Mr. Speaker, the engineers who have the degrees and the diplomas, they are the ones who work for them. So when this people are recognized, we shall have done a good job to our people because someone who is talented, we will not force him to go to school he will only need to learn a few skills.

Mr. Speaker, the furniture made by these carpenters is splendid. Go to Kibuye market you will find the furniture made there by our brothers and sisters. They never went for the Diploma or Degree Courses but because they were talented and they took their time to learn these skills through the “*Jua kali*”, they have become skilled workers and what they are doing in the market is remarkable. I applaud the County Government with the step they have taken to improve the “*Jua kali*” sector in Kisumu County. I hope that it will be a reality for our youth to see the need to develop their skills and the County Government to provide resources to develop our Vocational Training Centres. To achieve this fete, they need to allocate good money to employ the Instructors in good Vocational Training Centres so that we can help our youth. Thank you.

**The Speaker** (Hon. Oraro): Honourable Members, let me give chance in this order, Hon. Dede, then Hon. Kelvin Oraro, followed by Hon. K’Omudho and lastly Hon. Tom Nyaoke.

**Hon. Dede** (MCA, North-Kisumu ward): Thank you, Mr. Speaker for according me this opportunity and also having considered the seniority of the members who stood. I also want to echo my concerns in the report that has been read by the Chairperson of the Committee. The most important part that has made me happy is the Clause 14 (2), which has been added, that;

*“the board of management may establish a daycare facility, which can assist our people especially those our young ladies who give birth in the community but do not have their space to put up their children as they study but now, they do.*

Secondly, being that the government has introduced the Competency Based Curriculum (CBC) System, we are now going to get our children to engage in all that they can do. You find that not all are gifted in bookwork but, in technical know-how, and these VTCs are a chance for them to train and get employment. Lastly, concerning the parents, most of them cannot get resources to take their children to school but now in the VTCs, there is capitation. Otherwise, I support, thank you.

**The Speaker** (Hon. Oraro): Hon. Emily Oginga, I have noticed you, but I already gave the indication of the order to be followed.

**The Speaker** (Hon. Oraro): Yes, Hon. Kelvin Oraro.

**Hon. Oraro** (MCA, Central Kolwa ward): Thank you, Mr. Speaker. May I start by applauding the secretariat and the committee members of this very special committee? The first thing that I wanted to point out when they were starting was that, the report was touching on Technical Vocational Education Training Bill, which they should have corrected by omitting the word ‘Technical’ from that report. This is because the County and the bill itself is touching on ‘the Kisumu County Vocational Education and Training Bill but not Technical Vocational Educational and Training bill. There must be a clear difference between a VTC and TVETs, which the VTCs have borrowed a lot from the bill.

Mr. Speaker, I was lucky to have once sat during the introduction of the bill and they were touching on the TVET Act of 2013, which a lot has been borrowed from. As I join other colleagues to talk about the VTCs, I believe that the country, starting from the last regime, had recognized that TVETs need funding so that majority of the unemployed youths and those who get grade “D” plus and below, and those who cannot afford college fees can do these technical courses.

Mr. Speaker, as an Engineer, you understand that you need an artisan and a craftsman, who is going to do the donkey work. Engineering is about the special training and reason why something happening, but there are those who do the real work on the ground. As an educationist, I would advise that the best word to refer to them is an artisan, whereby artisan is the lowest level under that line of knowledge. From the artisan, you graduate to a technician, and then a technologist then after that, is when you can be called a fully-fledged engineer. An engineer is someone who designs, then his design is implemented by the artisans that are trained from these Vocational Training Centres. Mr. Speaker, my brother Hon. Bill Oliver here is one who understands the meaning of skills, and is lucky that one of the things he is doing around, which I have also borrowed, is to trying to give the youth opportunities. However, we have realized that most of our Village Polytechnics have nothing to show for. For that reason, therefore, we are trying to look for other avenues of exposing our youths by taking them to TVETs. We have that Akado Vocational Training Centre in my ward, and if I compare the Automotive Department of Akado VTC to Rangwe TVET, I realized that there is no money in

the VTC. Such Bills are avenues that will now aid in the opening of an account for the VTCs so that the government can send the money, which will be guided by the Law which should be put in place. This will allow most of our VTCs to get funding to equip the facilities with relevant apparatus. As it is now, most of our VTCs cannot attract many of the students that we want to help.

Mr. Speaker, this bill has come at the right time, and I want to urge Members that if we pass this Bill, let us use the opportunity to encourage the concerned departments, the CECM Education, to source for funds from friendly countries. I know that our Governor can get more funds and equip most of our VTCs. The moment our VTCs are equipped, I am sure that majority of our youths will join these colleges. The current registration stands at 5000 against 200,000 of youths who are just sitting idle without the necessary skills. It means that there are some things that if we do well, and management is put into place, as well as funds are made available, then we will expect these VTCs within our County to call for more students to join. This will make us solve other problems such as insecurity, which is currently a menace in the County.

Mr. Speaker, a majority of youths who dropped out of school, some, because they cannot take advantage of the motorcycle transport business, they have decided to join gangs. This has made the cases of insecurity to rise in many of our wards. In my ward which is Central Kolwa and that neighboring me, all these is happening because the youths do not have anything to do. We are discussing an important Bill, which if enacted, and necessary structures put in place according to the specifications of whatever the bill was trying to push for, I believe that our VTCs can improve tremendously. Otherwise, I support with that amendment of removing the word 'Technical' from the initial report, thank you Mr. Speaker.

**The Speaker** (Hon. Oraro): Yes, Hon. K'omudho.

**Hon. K'omudho** (MCA, Muhoroni-Koru Ward): Thank you Mr. Speaker, I rise to support this Bill ordinarily as a Member of the House and specifically as the Vice-Chair of this Committee on Education. A lot has been elaborately covered in the report, and you do realize that we haven't had much in terms of parameters that run our VTCs.

Mr. Speaker, it is the first time we are having this kind of polished report that we expect to guide us as we move forward. I have one VTC in my ward, Muhoroni-Koru, and it is really struggling. In fact, recently, the white man who used to sponsor it was leaving and you could hear the desperation from people in that area on learning the news of his departure. I want to believe that with the passing of this bill, we will have a clear management style or parameter as should be. There are only two areas that the revenue has been mentioned, in the findings but you will find that these people do several other things such as poultry, and other agricultural activities. Where do they take these money? No one knows. If we come up with this kind of a bill, we will have a clear structure as the committee has stated clearly in the report.

Secondly, a lot of these things will just collapse, and when they do, people will become hopeless. Mr. Speaker and Honourable Members, majority of people do not make it in as much as we have so many going to the universities. Otherwise, I fully support the report and thank you Mr. Speaker, and Hon. Members.

**The Speaker** (Hon. Oraro): Yes, Hon. Tom Nyaoke.

**Hon. Nyaoke** (MCA, North Nyakach Ward): Thank you, Mr. Speaker. Let me start by thanking the committee chaired by my friend Hon. Seth Okumu, for coming up with this very important report. It is quite elaborate and detailed. I am happy looking at the clauses they have dealt with because of their specifications that are really going to help us enhance the teaching in our VTCs.

Mr. Speaker, if you look outside here now, it is apparent that most of our sons and daughters have gone to the university. However, if you look at these artisan jobs that are taking place in almost all the areas. I come from a construction industry, and we do have challenges in recruiting people to work in these companies because many people who are graduating from universities as engineers do not really have hands-on experience on what they are supposed to do. We rely mostly on the artisans and the junior technicians with good experience that can be used in particular sectors.

Mr. Speaker, if we look at the overall meaning of this Bill is that; if we put a lot of effort in our VTCs, we are going to help so many youths in our vicinities who will be able to be absorbed in the little job opportunities that we do have. I have a plumber who works in my home and he is the same who works in Kericho, Siaya, and Homa Bay. This is happening because we have not encouraged some of our boys to enroll, in the Vocational Training Centers. That is why, it is my prayer that as we adopt this report, we pray that this committee ensures that all these are put to practice so that these juniors we have at home can also join these institutions and acquire the skills that they need. Thank you. I beg to support.

**The Speaker** (Hon. Oraro): Yes, Hon. Emily Oginga.

**Hon. Oginga** (Nominated Member): Thank you Mr. Speaker. I want to start by commending the committee for doing a good job and coming up with the amendments to the Bill and especially on Clause 14 (2). The new constitution enabled us to have the Vocational Training Centers and it is more like giving our people a second chance. It is giving our people education so that they are able to get jobs because not everyone can go to the university.

Mr. Speaker, the introduction of Breastfeeding Rooms to our young mothers in Clause 14 (2) is a good move. We have young mothers who always have a challenge of where to leave the children when they come to access to knowledge. It is my belief that, this would be a good move for these centers to give access to education.

Mr. Speaker, I also came across Clause 5 (b) even though it is an existing item which is establishing of a mechanism of training people with special needs. This is one area that I have a lot of interest in. We have had a lot of discussions with the Chair in this line and he still doesn't want to create jobs for this group but I am still ready to engage him. Kisumu County has no training center for the people with special need. I had a student who wanted to do a course on that area and I realized that there is no such school in Kisumu. Siaya County has such place in Nyangoma and there is one in Sikri in Oyugis, Homa Bay County. I urge Kisumu County to do something about this. I thank the Committee for this report. I support.

**The Speaker** (Hon. Oraro): Yes, Hon. Bill Oliver.

**Hon. Bill** (MCA, Kobura Ward): Thank you Mr. Speaker. I am happy that the report we are discussing will take our County to another level. I am saying this because when we begin to work after the elections, I realize that our young people want to get the opportunity to join the Vocational Training Centers. We had a discussion with my people and many of them wanted to join the VTCs and I can confirm that about 500 of them joined the VTCs.

Mr. Speaker, the document before us is going to cover management of these centers. The 8-4-4 we have had a lot of demerits. One of them is producing people which are focused on passing the exams instead of skills. That system gave us a lot of people who had nothing to give in terms of skills. The VTCs is trying to rectify what the 8-4-4 system didn't give us which I am very grateful for and I am also grateful that our Governor saw it fit that every ward should have a VTC. This is because we have very many factories/industries within Kisumu County. However, you will realize that majority of the people working in these companies come from outside Kisumu County and I hope that most of you have also realized that. It may be due to the skills that are required by most of the companies want, our people do not have them. So, having this document will enable us to rectify a lot of things and we also realize that after sometimes, we will even have controlled security in this County. That is because, we have so many people who are yearning for various skills and after they have achieved what they want from the Vocational Training Centers, you will realize they are going to be employed or rather get something else to do with their acquired skills and in return, they will have money in their pockets and that will reduce insecurity within Kisumu County and Kenya Country at large.

Mr. Speaker, we have another system known as the CBC. Somehow, it is promoting what the Vocational Training Centers are offering and I believe that in future, Kisumu County is going to be one of the Counties with very skilled labour so that we avoid very many importations of very unnecessary things from Kenya. Why am I saying so, you will realize that up to now as a Country there are things that we still import like furniture which we are supposed to be producing from this Country. So, I support this report because I know that it is going to take our County to greater heights, thank you.

**The Speaker** (Hon. Oraro): Honourable Pamela Awuor, MCA, Migosi Ward.

**Hon. Oyoo** (MCA, Migosi Ward): Thank you Mr. Speaker. I want to support the motion on the floor concerning the Vocational Training Institutions. Mr. Speaker, skill is a very important thing for a youth or somebody who is still at an early age because you can use it to do so many things in the society. When we promote these VTCs, there is going to be equity and techniques that are going to bring money and empower our youths as well as the society.

Mr. Speaker, the establishment of these Vocational Training Center will promote dignity and efficiency as a manual labourer. Even if you are a manual labourer and you have the skill, you will do it in a dignified and proper manner. With that, at least you will be highly paid unlike someone who has no skills. When we take our children to these VTCs, we increase training opportunities in very common skills like; cooking, tailoring, laundry, hairdressing etc. and many of our youths are going to be empowered. Therefore, it is important that all the 35 wards must

have these kinds of Training Centers because many of our youths are unemployed, which is a problem in the society. Once we empower our youths, they are able to depend on their own and even do their own businesses. This will reduce over-dependency of many of our young people who do not have any source of income.

Mr. Speaker, these TVETs will be able to develop curriculums that are responsive to our economy. Once they have developed such curriculums which go with the new technological worldly trends. Let us say for example in our society, majority of people are fishermen and through these centers, we can develop techniques on how we can preserve and transport our fishes and this will be important to our people. Just like I said, it will empower us and at the same time stabilize the economy of this place. Once again, I want to support this motion, it is important as it will help us and in turn take us to another level. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Honourable Alice Wajewa.

**Hon. Wajewa** (Nominated Member): Thank you Mr. Speaker for this opportunity. First of all, I want to start by applauding the Chairperson ECD and Vocational Training Centers for the elaborate report. I also want to thank the committee members for the work well done. As you are aware that education is an equalizer on our time and it gives hope to the hopeless.

Mr. Speaker, why am I saying this; we have our children who have gone through primary education and dropped, while some have reached up to form four level and have not been able to proceed with their University education because of low marks. Some of them are really affected psychologically because they think they have failed in life. But, there is a Vocational Training Centers here which gives them hope. Most of them may have not excelled academically but have potential skills. So, these centers are going to bring out their skills and they become important people in the society. Most of them are going to be trained and it will enable them to be productive people in the society and earn a living just like others.

Mr. Speaker, I am so much impressed with this Bill because it even caters for our young mothers. The introduction of Day Care and Feeding Centers is very important to our girls. Those who have lost hope that they are young mothers and there is nothing they can do. They cannot attend Training Centers while at the same time take care of their children at home. Therefore, when we give them an opportunity to bring along their children to the Vocational Training Centers, this will be a good opportunity for them to excel.

Mr. Speaker, mine is just to thank our Governor for taking his time and putting more effort in VTCs which are going to be established within the wards. I just want to support, thank you so much.

**The Speaker** (Hon. Oraro): I had noticed Honourable Boitone.

**Hon. Boitone** (MCA, Nyalenda A Ward): Thank you Mr. Speaker, I realized that the microphones have also seen that I want to oppose this Bill. From where I represent which is Nyalenda “A” Ward, the highest population of these people are living below a dollar. These are

people who are struggling to put food on the table. They are struggling to educate their children. The basic need is an issue to them.

Mr. Speaker, any parent including us who are taking their children to school, we all do that in anticipation that our children make it to the University. There is no parent here today who will be paying school fees from form one to form four and expecting the child to join Vocational Training Center. This is the truth, we are investing in our children so that they get the best of the highest level of education they can attain. I am therefore looking at it from a different angle. In as much as the Bill is going to be passed, reading from the mood of the House.

Mr. Speaker, I want to encourage the department that, let us look into how we can support students in secondary schools in whichever way so that they either make it to the University or they do Diploma courses but not what has been brought today in this Assembly. That is my thought Mr. Speaker and for that matter. I oppose the Bill, thank you.

**The Speaker** (Hon. Oraro): Honourable Mildred Ajumbo.

**Hon. Ajumbo** (MCA, Central Seme Ward): Thank you Mr. Speaker. I rise to support the work that was done by this Committee on the Bill that is proposed before us. I have looked at the Bill itself, read it and be able to identify several proposals and corrections. It is a good one. Not all of our wards have VTCs. For example, in my ward it was supposed to begin the other day and Mr. Speaker, as I stand here, the Chairperson of ECD and Vocational Training Centers Committee Hon. Seth Okumu during public participation, he was very categorical that the work on my ward was going to start. To date, the contractor has not begun the work. So, I hope he will take it seriously so that as we discuss and debate on the Bill on its goodness to the youths.

Mr. Speaker, one major issue that we have in our wards when we were campaigning, many of the youths were promised employments. The reality is that when you were campaigning and you tell them about the Vocational Training Centers, many of us fear that they may not be voted for. So, you just have to promise them that once I get in, I am just going to ensure that we employ them in the County may be as a Revenue Officer or any other job. Nevertheless, today I am encouraging the MCAs that when we get back to our wards that let us encourage our youths that they do not have to go to the University. Even though I have heard Honourable Boitone saying that many of us here take our children to the University. Then, when we stand here, we say how Vocational Training Centers are so good, how they are going to be equipped with skills yet many of the students believe that you must go to the University.

Mr. Speaker, we have a tough job because the Bill is before us even when we pass it, but we still need to do a lot of public participation among our youths in the wards. That is because, for them to be convinced that they do not have to study Diploma in other institutions, even to convince them to go to the local college. Mr. Speaker in our Seme Sub County, we have TTCs, TVETs and KMTC. Many of the students who attend TVETs are from the ward of Hon. Bill. You have heard him saying that over 500 students have been exported to Seme to go and train. The Member personally told me that many of the students in the TVETs of Seme especially in my ward come from Kobura Ward.

In addition to that, we need to do a lot of work, we need to do a lot of public participation to encourage many of our youths to join Vocational Training Colleges within the wards. I once again support the Bill, thank you.

**The Speaker** (Hon. Oraro): Honourable Deputy Speaker.

**The Deputy Speaker** (Hon. Okombo, MCA, Manyatta “B” Ward): Thank you Mr. Speaker. I also rise to support the report on the TVET Bill. Mr. Speaker, cognizant of the fact that education is the means through which the society equalizes irrespective of our social backgrounds. It also ensures that students achieve their full potential and actually get to the highest level of achievement possible Mr. Speaker.

Mr. Speaker, the current Kenyan education system has a lot of challenges, cost of education being one of them. There is also confusion in qualification for one to be transferred from one institution to another. We also have class or pedagogical differences that do not guarantee all students to proceed to higher institutions of learning. Mr. Speaker I am supporting this because it is also going to give the less fortunate in our society who are affected by the class differences, to also equalize to their mates who make it to the Universities by maximizing and making good use of their talents or God given gifts in artisan or craft areas to give them a dignified way of living.

Mr. Speaker, the Kenya Kwanza Government in his manifesto promise to open up a crafts portal, that would then help in listing all the stakeholders or the players in the industry to map and market their produce which would further build them financially. Mr. Speaker, we would not want to be left out if the Kenya Kwanza Promises on their Manifesto is anything to go by; but, we do not see them being fulfilled. So many of them have not been honoured but, should they act on them, we do not want our people to be left behind but rather encourage and promote our TVETs hence make them better places and comfortable for those who may want to learn. Thus, better their lives instead of just staying at home surrendering to desolation because they do not achieve the highest level that others who were favoured by their social status have gone through.

Mr. Speaker, with those few remarks, I want to say that I fully support the report. I also want to urge my colleagues that we encourage our electorates especially the youths from our areas such as Nyalenda “A” and Manyatta “B” Wards who are school dropouts and did not have a chance to proceed with to tertiary education to join the TVETs so that their lives may be different from what we are witnessing now. That is because most of them have resorted to drug abuse and criminal activities as their only way of hope in life. So, instead of just hanging around waiting for Honourable Boitone to come back from the Assembly and give them something small, they can instead get busy and have an honourable living standard by getting something from their own sweat. With those few remarks, I support.

**The Speaker** (Hon. Oraro): Honourable Zachariah Okoyo.

**Hon. Okoyo** (MCA, Central Kisumu Ward): Thank you Mr. Speaker for giving me this chance. I do not know whether it is the last opportunity but I am happy to have it because I am up on my feet because I want to support this motion. As a member of the ECD and Vocational Training

Centers Committee, I want to inform the Members that we really went through this document clause by clause and weighed all the avenues.

Mr. Speaker, it is true just like other Members have seen it wise that most of the people would want their children to go to universities. However, without mincing my words that not all students can go to the university. We have tried to make our VTCs look more appealing to the students who would go to the university but decide to join the VTCs to have the technical knowhow.

Mr. Speaker, I am really worried because I heard the Chairman of Urban Planning and Industrialization, a person whom I thought would really support this because in industrialization sometimes you do not need to go to the university but can attain this by having the technical knowledge to build this County. So when the Chair was opposing this Bill, I just thought that the Member is not ready to help us see how we can have our youths to come to VTCs and see how we can have our youths in Kisumu plan well for Kisumu and have then in our local industries.

Mr. Speaker, I want to give members of the education committee a pat on their back, I remember that we even argued that VTCs should not only be for the dropouts or look as if we want to bring those who have lost hope in life, this is why this document should see the light of the day and I believe that we will have more students who would wish to join the VTCs. Thank you Mr. Speaker.

**The Speaker** (Hon. Oraro): Hon. Henrietta.

**Hon. Henrietta** (Nominated Member): Thank you Mr. Speaker, I want to thank the committee for Education and especially the Chair. We went to prepare this report and there was a big argument whether or not to have a place for Young Breastfeeding Mothers and I was surprised that none of us, including the female MCAs did not support this.

Mr. Speaker, the VTCs are important and not only to those that have not gone to the universities. This is because when we are giving birth, we do not know their future, but as they grow up you find that they do not have same abilities.

Mr. Speaker, today in Kenya, our first priority that we talk of is putting food on the table. If you cannot provide for your family then you are not of importance regardless of going to the university or not. We are looking for people who can put food on the table and we realized that in this VTCs, is where those people are found. Today, if you ask a student or your relatives at home that if you take them to VTCs today for a year or two, will it be okay with them or they want to sit and look for jobs? They told us that we should take them to VTCs. That is how serious it is. As members we need to realize that VTCs are not only for dropouts but for all of us because tomorrow you might not afford to pay for your child but the government is paying for them through the VTCs to get skills. Therefore, why can't you allow them to get the skills and put food on the table?

Mr. Speaker, there is an issue of young mothers joining the VTCs, the debate was heated. Only two of us pushed for the need for a place for them to breastfeed in the school. This is because the

VTCs are built for both male and female and if a girl has given birth and is at home simply because she cannot find a place to breastfeed or leave the baby while going to school yet the father is going to the same VTCs. At the end of it, we came to a conclusion that we have to take care of the girls as their representative.

Mr. Speaker, it is high time we took a good look at education in Kenya, because even if we look at education there are no jobs but, it is my belief that, that there is a reason why this VTCs were formed we are just trying to polish them so that our people can join. We are not saying that going to the university and getting a degree is bad, we are saying that there are people in the university who would like to join so that they get their daily bread. Thank you.

**The Speaker** (Hon. Oraro): Hon. Habil Nyasuna.

**Hon. Nyasuna** (MCA, Masogo/Nyangoma Ward): Thank you Mr. Speaker. I beg to support. The VTCs have helped many people in my ward. There was a time the county would sponsor 25 students per year and I have seen how it has changed their lives. There is a lady who would seat at home doing nothing but we encouraged her to join and is now an instructor in the same VTC. Therefore Mr. Speaker, I beg to support.

**The Speaker** (Hon. Elisha J. Oraro): Hon. Sammy Onyango.

**Hon. Onyango** (MCA, Railways Ward): Thank you Mr. Speaker. Being part of the process may I call the mover to reply?

**The Speaker** (Hon. Oraro): Hon. Seth Okumu.

**Hon. Okumu** (MCA, East Seme Ward): Thank you Mr. Speaker. I want to thank the Hon. Members for deliberating on this important Bill. I want to agree with the Member for Kolwa Central that the report is touching on Vocational Training Bill 2023 as opposed to Technical Vocational and this is the first Bill that we are going to do in 2023.

Mr. Speaker, allow me to thank the Hon. Oiko for really supporting this report with many points. Similarly, I don't understand where my brother Hon. Boitone was when members were contributing. Before I dwell on the submission of Hon. Boitone, allow me to make it clear the claim by the Hon. Member,

Mr. Speaker, on the issue raised by Hon. Henrietta Bodo that, it is only her who proposed for a Breastfeeding Center in the Bill. Honourable, Members, if you look at the Bill on the Public Submissions from Nyando, they had proposed that we have Baby care Facilities at each VTCs and what Members were discussing was if we have it in the regulation or the Bill. Insinuating that only two against fifteen were supporting this issue might make members believe that we brought a minority report that approved amendment of the Bill but the members approved that amendment and there was a heated discussion as she has said.

Mr. Speaker, to my brother the Hon. Boitone, attending VTCs is not left for people who have failed in life and that has to be very clear. It is for everyone to go and get life skills. We have an

education system where we would have our students after finishing form four they cannot even mend their own dresses and we believe that our VTCs can provide these life skills.

Mr. Speaker, some of us are interested in Carpentry yet we did medicine, and our training from the university does not deter us from getting other life skills that we need and that is what we are providing. Like it had been mentioned not everyone can go to the university and that is a fact we have to leave with because people have different abilities. There are people interested in getting Masters and PhDs while others are interested in making vehicles. Mr. Speaker, like I know yesterday your vehicle had broken down and it was not being made by somebody who went to the university but somebody who just have skills that is required to do so. Let us recognize this people in our institution so that when they go looking for jobs in companies that we foresee coming here then, they can be recognized since companies look at papers.

Honourable Members, therefore, we implore you that the VTCs are not left only for those who are considered failures or who think that they have nowhere to go but, are institutions to give everyone life skills that we need to improve the economy and like my brother Hon. Okoyo said as the Chair of industrialization, and we are talking about development. This is because by now you should know this that, for us to get industrialized, not all will go to university we need people who are trained in carpentry, plumbing, and good mechanics to help improve our economy. Thank you Mr. Speaker, I beg to reply.

**The Speaker** (Hon. Oraro): Thank you Hon. Seth Okumu, I wanted to ask you that you address the Chair because the Hon. Boitone is in the plenary and all that you have said is addressed to the Speaker. I hope you stand guided.

**Hon. Okumu** (MCA, East Seme Ward): Most obliged Mr. Speaker.

**The Speaker** (Hon. Oraro): Honourable Members, now that the motion for Adoption of the Report by the ECD Adult Education and Vocational Training Committee on consideration of the Kisumu County Vocational, Education and Training Bill 2023, Kisumu County Bill No. 1 of 2023 has been presented, seconded and debated. As per our Standing Orders I want to put a question?

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Honourable Members, the motion of the Adoption of the report by the ECD Adult Education and Vocational Training Committee on consideration of the Kisumu County Vocational, Education and Training Bill 2023, Kisumu County Bill No. 1 of 2023 has been adopted today Thursday 29<sup>th</sup> June, 2023 at 1635hrs. I want to direct that the comments of the report be considered in the next level of the Bill.

**The Speaker** (Hon. Oraro): Next Order!!

## MOTION

SECOND READING OF THE KISUMU COUNTY VOCATIONAL, EDUCATION AND TRAINING BILL 2023, KISUMU COUNTY BILL NO. 1 OF 2023, SECOND READING

BY

HON. SETH OKUMU, MCA, EAST SEME WARD.

(CHAIRPERSON, ECD ADULT EDUCATION AND VOCATIONAL TRAINING  
COMMITTEE)

**The Speaker** (Hon. Oraro): Yes Hon. Seth Okumu.

**Hon. Seth Okumu**, MCA, East Seme: Thank you Mr. Speaker. May I request that the Kisumu County vocational, education and training bill 2023 be read for the second time?

**The Speaker** (Hon. Elisha J. Oraro): Yes Clerk.

THE KISUMU COUNTY VOCATIONAL EDUCATION AND TRAINING BILL, 2023

A Bill for

AN ACT of Kisumu County Assembly to give effect to the Fourth Schedule of the Constitution of Kenya, 2010 and the Technical Vocational Education and Training Act, 2013 and provide for a Framework for the establishment of systems for the Administration, management and governance of Vocational Education and Training within Kisumu County and for Connected purposes

#### MEMORANDUM OF OBJECTS AND REASONS

Statement of the Objects and Reasons for the Bill

The principal object of this Bill is to provide for a framework for the Establishment of systems for the administration, management and Governance of Vocational Education and Training within Kisumu County And for connected purposes and to institute appropriate mechanisms to promote access, equity, quality and relevance in training to ensure adequate human capital for economic, social and political development in Kisumu County.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill delegates' legislative powers to the CEC Member responsible for Vocational Education and Training to formulate Regulations for the operationalization of the provisions of this Act but DOES NOT limit any fundamental rights and freedoms.

Statement on how the Bill concerns the county government

The Bill concerns the County Government of Kisumu pursuant to the provisions of the Fourth Schedule of the Constitution of Kenya and establishes of the necessary administrative and procedural structures for the management of Vocational Education and Training within the County.

Statement that the Bill is not a money Bill, within the meaning of Article 114 of the Constitution  
This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

**The Speaker** (Hon. Oraro): Honourable Members, before I give the Hon. Okumu, as per the provisions of our Standing Order, the Bill has been read for the Second time and I believe in your order paper, you have the notices that have been proposed. Again in line with what the Chair of the committee has proposed, that is clause 3(1)(b), clause 9(3), clause 11(2), clause 14, clause 16(3)(d), clause 17(1)(2), clause 25(a), clause 29(2) and clause 35(2) as any other amendment that can be proposed there in. hole

**The Speaker** (Hon. Elisha J. Oraro): Yes Hon. Seth Okumu.

**Hon. Okumu** (MCA, East Seme Ward): Hon. Speaker, I request that we revert to the House to the Committee of the Whole.

*(The House reverting to the committee of the Whole House)*

*(Hon. Okombo chairs the Committee of the Whole House to tackle the Bill)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): We have reverted to the Committee of the Whole House but, I can see you need to stretch a little. Can I give you two minutes you stretch and come back?

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): We are in the Committee of the Whole House, we are in the Second Reading of the Kisumu County Vocational, Education and Training Bill 2023. This is the sequence to be followed during the Second Reading of a Bill, that is Standing Order No. 126 and I read.

In considering a Bill in the committee, the various parts thereof shall be considered in the following sequence-

- (a) Clauses as printed, excluding the clauses providing for the citation of the Bill, the commencement, if any, and the interpretation;*
- (b) New clauses;*
- (c) Schedules;*
- (d) New schedules;*
- (e) Interpretation;*
- (f) Preamble, if any;*
- (g) Long title; and*
- (h) The clause providing for the citation of the Bill and the commencement.*

Therefore, Honourable Members, I want to propose that we follow the sequence unless we have a Member proposing otherwise. We also have an option of going the guillotine way.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Yes Hon. Seth Okumu.

**Hon. Okumu** (MCA, East Seme Ward): Thank you so much Madam Chair. I propose that we go the guillotine way and I want to ask the Hon. Bill to second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward):  
Yes Hon. Bill.

**Hon. Bill** (MCA, Kobura Ward): Thank you madam Chair, I second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward):  
Honourable Members, a proposal has been made that we go the guillotine way in looking at a  
Second Reading of the Bill and I want to request that in looking at the Bill we move Part by Part.  
So, Honourable Members, in Part I which is the Preliminaries which has the Short title,  
Interpretation and the Guiding Principles. Hon. Chair, any proposed amendments to this Part?

**Hon. Okumu** (MCA, East Seme Ward): Thank you so much Madam Chair, under Part I we  
proposed under Interpretations to have definition of “Special Sitting”. In that definition, we  
proposed that

“Special Sitting to be described as a meeting that shall be convened upon a supposition that  
something of an urgent nature suddenly arisen which prevents a one months’ notice for its  
consideration being given in the ordinary way and shall not exceed four sittings in a year”

Madam Chair, I want to request the Honourable Member for Kaloleni/Shaurimoyo to second?

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward):  
Yes Hon Care Ajwang’

**Hon. Ajwang’** (MCA, Kaloleni/Shaurimoyo Ward): Thank you Madam Chair, I second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward):  
Honourable Members, an amendment to the Interpretations has been made on Special Sitings.  
Any further amendments from the floor?

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward):  
Honourable Members, If we don’t have any amendments to this clause. May I then put a  
question that the Interpretation with the amendments thereof be part of the Bill?

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward):  
Honourable Members, and the Interpretation with the amendments therein becomes part of the  
Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward):  
Chair, any other proposed amendments in Part I?

**Hon. Okumu** (MCA, East Seme Ward): Thank you so much Madam Chair, in Part I, we are going to clauses 3 (1) (b) and it will be amended to include the following;

“And in accordance with the Competency-Based Training Policy Framework” immediately after the word “discrimination”;

Clause 3(1) (b) be now read as follows:

*“training shall be availed to all qualified persons without discrimination and in accordance with the Competency-Based Training Policy Framework;”*

Madam Chair, I want to ask the honourable member for Kabonyo/Kanyagwal Ward to second?

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Yes Hon. Oiko.

**Hon. Oiko** (MCA, Kabonyo/Kanyagwal Ward): Thank you Madam Chair, I second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Is there any further amendments from the floor on clause 3 (1) (b)?

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, If we don’t have any amendments on clause 3 (1) (b)? May I then put a question that the Interpretation with the amendments thereof be part of the Bill?

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, that clause 3 (1) (b) as amendments becomes part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Chair, do we have any other proposed amendments in Part I from the floor?

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, if we don’t have any further amendments, then may I put a question that Part I as a whole with the amendments therein be part of the Bill?

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, Part I as amended now becomes part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honorable Chair, Part II

**Hon. Okumu** (MCA, East Seme Ward): Thank you so much Madam Chair, please allow me to make proposals for the entire Part II. Madam Chair, that will be clauses;

THAT CLAUSE 9 (3) be amended by introducing a new paragraph (b) as follows: “without prejudice to the generality of sub-section (2) (a) above a special meeting shall be a meeting convened upon the supposition that something of an urgent nature has suddenly arisen which prevents a one-month notice for its consideration being given in the ordinary way and shall not exceed four sittings in a year”.

Upon introduction of the new paragraph (b), the Sub-Clause (2) be renumbered as (2) (a) and (b).

Madam Chair, we are proposing an amendment to Clause 9 (2) be now read as follows:

*9 (2) (a). Despite sub-section (1), the Committee may convene special meetings where necessary.*

*(b). without prejudice to the generality of sub-section 2 (a) above, a special meeting shall be a meeting convened upon the supposition that something of an urgent nature has suddenly arisen which prevents a one-month notice for its consideration being given in the ordinary way.*

THAT, CLAUSE 11 (2) be amended by deleting Clause 11 (2) (e) and introducing a new Sub-Clause 11 (3) and I shall read as follows:

*11 (3) The Chairperson contemplated in (2) (a) above shall be elected from among persons appointed in accordance with Clause 12.*

THAT, CLAUSE 14 be amended by renumbering the clause and introducing a new sub-clause 14 (2).

New Clause 14 (2) be now read as follows:

*14 (2). The Board of Governors may establish daycare facilities within the VTCs whenever necessary to promote access to relevant training to breastfeeding women.*

THAT, CLAUSE 16 (3) (d) be amended by deleting the word incompetence in 16 (3) (d) and replacing therefrom with the word “*incompetency*”. Clause 16 (3) (d) shall therefore read as follows:

*16 (3) The County Executive Committee Member may, at any time, remove a member of the Board on the following grounds –*

*(d) Incompetency; or*

THAT, CLAUSE 17 (1) be amended by deleting the word “*fourteen days*” and replacing therefor “*seven day*”.

Clause 17 (1) shall be now read as follows:

*17 (1) The Secretary of the Board shall notify the Director of a vacancy that occurs in the membership of the Board within seven days of the membership falling vacant.*

THAT, CLAUSE 17 (2) be amended by deleting the word “*twenty-one days*” and replacing therefore with the word “*seven days*”.

Clause 17 (2) shall be now read as follows:

*17 (2) Where the Director has been notified of a vacancy under this Section, the Director shall within seven days present to the CEC Member the notification, who shall thereafter appoint another person to fill that vacancy within seven days.*

THAT, CLAUSE 25 (a) be amended by introducing the phrase “*at least one year before closure*” immediately after the word “.*center*” it shall read as follows:

*25 (a) inform the County Executive Committee Member of the intention to close down the vocational education and training center at least one year before closure; and*

Madam Chair, those are the proposed amendments that we have in Part II. Madam Chair, I want to request that Honourable Member for Miwani Ward to second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Yes Hon. Warindu.

**Hon. Warindu** (MCA, Miwani Ward): Thank you Madam Chair, I second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Thank you Honourable Members, are there any further amendments in Part II?

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable members, if there are no further amendments from the floor. Therefore, I want to put a question that which is clauses 9, 11, 14, 16, 17 and clause 25 with amendments therein be part of the Bill?

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, Part II as amended now becomes part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Chair, is there any proposed amendment to Part III?

**Hon. Okumu** (MCA, East Seme Ward): Thank you so much Madam Chair. We were still in consultation with a senior Honourable Member over a matter but we have concluded the matter. Madam Chair, in Part III we have proposed an amendment clauses;

THAT, CLAUSE 29 (2) be amended by deleting the phrase “*CEC Member*” and replacing therefor with “*the Fund Administrator*”

Madam Chair, Clause 29 (2) be now read as follows:

*29 (2) There shall be paid out of the Fund any expenditure approved by the Fund Administrator and incurred in connection with the administration of the Fund.*

Madam Chair that is the only amendment that we have in Part III. Madam Chair, I want to request that Honourable Member for Central Seme to second?

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Yes Hon. Ajumbo.

**Hon. Ajumbo** (MCA, Central Seme Ward): Thank you Madam Chair, I arise to second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Thank you Honourable Members. Are there any further proposed amendments from the floor in Part III?

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Yes Hon. Opar.

**Hon. Opar** (Nominated Member): Thank you Madam Chair, in clause 28 (3). Is it the Object or the Objective and Purpose of the Fund?

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Yes Chair.

**Hon. Okumu** (MCA, East Seme Ward): Thank you Madam Chair. It is usually in legal terms it should be the Objects and Purpose of the Fund. That is the legal way of putting it in a Bill. Thank you.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Thank you Honourable Members. That is an inquiry and not a proposed amendment. Any further amendments in Part III.

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): If there are no any further proposed amendments in Part III on the floor, then, I want to put a question that clause 35 in Part III as amended be part of the Bill?

*(Question put and agreed with)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, Part III as amended be part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Chair, any amendments in Part IV?

**Hon. Okumu** (MCA, East Seme Ward): Thank you Madam Chair, in Part IV, we do not have any proposed amendments. Thank you.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Thank you Honourable Chair. The committee was satisfied with Part IV as was is. Do we have any proposed amendments from the floor?

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, there being no any further amendments, I want to propose that Part IV be part of the Bill as is?

*(Question put and agreed with)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, Part IV as amended be part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Chair, any amendments in Part V?

**Hon. Okumu** (MCA, East Seme Ward): Thank you Madam Chair, in Part V, we are proposing amendments to Clauses 35. In that amendment we are introducing a new clause after paragraph (b) the procedure for the Management of Revenues and Income generated from Technical Vocational Training Centers.

Madam Chair, we equally introducing immediately after paragraph (f) to read;

Clause 35 (2) be now read as follows:

35. (2) *Without prejudice to the general effect of Sub-section (1), the County Executive Committee Member may make regulations for: -*

- a) *Procedure and criteria for centre-based auditing in the public VTCs;*
- b) *Operational standards of Public and Private VTCs within the County;*
- c) *Procedure for the management of revenue and income generated from the Technical Vocational Training Centres;*
- d) *The continuous review, evaluation and monitoring of policies and curriculum of the County Vocational Education and Training Committee; and ensure Vocational Education and Training’s quality, assurance, standards and relevance;*
- e) *Procedures for authorization of Private VTCs;*
- f) *Procedure for the fulfillment of the two-thirds gender rule in the composition of the County Vocational Education and Training Committee;*

- g) *Participation in benefit sharing or incentive allocation mechanism and;*  
h) *Procedure for the transition of Students from closed Private VTCs.*

Thank you Madam Chair, and I want to request the Honourable Member for Kobura Ward to second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Yes Hon. Bill.

**Hon. Bill** (MCA, Kobura Ward): Thank you Madam Chair, I arise second.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Thank you Honourable Chair. Any further proposed amendments on Part V which is on the Regulations?

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, if there are no further amendments proposed, then I want to put a question that Part V which house clause 35 under Delegated Legislations be part of the Bill?

*(Question put and agreed with)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, Part V as amended now becomes part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Chair we are done up to Part V and now we will go to the schedule. Are there any amendments on the schedule?

**Hon. Okumu** (MCA, East Seme Ward): Thank you Madam Chair. As a committee and from the Public Participation report we did not have any amendment to make on the schedule. Thank you.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, the committee did not have any amendment.

On to the Schedules on the Establishment of the report Sample; are there any amendments on the floor? If there are no amendments, then I want to put a question that schedule 1 forms part of the Bill.

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Therefore, Schedule 1 forms part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): We proceed to Preamble; are there any amendments on the Preamble?

**Hon. Okumu** (MCA, East Seme): Hon. Chair, we did not have any amendment of the Preamble. Thank you.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, the committee did not have any amendment on the Preamble but we could be having further proposed amendments from the floor.

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): If there are no amendments on that part of the Bill, I therefore want to put a question that the Preamble forms part of the Bill.

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Preamble now forms part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Chair, are there any amendments on the Long title of the Bill?

**Hon. Okumu** (MCA, East Seme): Hon. Chair, we did not have any amendments on the Long title of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, the committee did not find it necessary to amend the Long title of the Bill meaning that they were satisfied with the Long title of the Bill but there could be a proposed amendment from the floor of the House?

*(Silence)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): If there are no amendments, I therefore want to put a question that the long title forms part of the Bill.

*(Question put and agreed to)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): And the Long title now forms part of the Bill.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Chair, are there any other amendments on the Bill?

**Hon. Okumu** (MCA, East Seme): Madam Chair, we do not have any further amendments.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): I therefore propose to the floor if there are any further amendments on the Bill.

**Hon. Okumu** (MCA, East Seme Ward): Madam Chair, now that we are done with the amendments, I would like to move that the Kisumu County Vocational and Education Training Bill, 2023 as amended be reported to the County Assembly.

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, I want to give the Clerk a few minutes to print the amendments then we can report back to the House after reverting to the plenary.

*(The Clerk –at-the table makes amendments to the Bill as appropriate)*

**Chairperson, Committee of the Whole House** (Hon. Okombo, MCA, Manyatta “B” Ward): Honourable Members, the Chair has moved that the Bill as amended be reported to the County Assembly and that means that we are now reverting to the plenary.

*(House reverts to plenary)*

*(The Hon. Speaker resumes chairing the plenary session)*

**The Speaker** (Hon. Oraro): Yes Liaison Chairperson.

**The Deputy Speaker** (Hon. Okombo, MCA, Manyatta “B” Ward): Thank you Mr. Speaker. I rise to give a report from the Committee of the Whole House on the Kisumu County Vocational and Education Training Bill, 2023 that is Kisumu County Bill No. 1 of 2023. Hon. Speaker the committee adopted the guillotine way where it considered the Bill part by part.

Mr. Speaker, during the process, the following amendments were proposed and adopted to form part of the Bill.

In part I: The interpretation; has been amended by adding the ward ‘Special Sitting’ to read as follows; “Special Sitting” shall be a meeting convened upon supposition that something of an urgent nature may suddenly arisen which presents a one month notice for its consideration being given in the ordinary way’.

CLAUSE 3 (1) (b) has been amended by adding the phrase “and in accordance with the Competency-Based Training Policy Framework” immediately after the word “discrimination”; Clause 3(1) (b) be now read as follows:

*“training shall be availed to all qualified persons without discrimination and in accordance with the Competency-Based Training Policy Framework;”*

In part II: CLAUSE 9 (3) has been amended by introducing a new paragraph (b) as follows: “without prejudice to the generality of sub-section (2) (a) above a special meeting shall be a meeting convened upon the supposition that something of an urgent nature has suddenly arisen

which prevents a one-month notice for its consideration being given in the ordinary way and shall not exceed four sittings in a year”.

Upon introduction of the new paragraph (b), the Sub-Clause (2) be renumbered as (2) (a) and (b). Clause 9 (2) be now read as follows:

*9 (2) (a). Despite sub-section (1), the Committee may convene special meetings where necessary.*

*(b). without prejudice to the generality of sub-section 2 (a) above, a special meeting shall be a meeting convened upon the supposition that something of an urgent nature has suddenly arisen which prevents a one-month notice for its consideration being given in the ordinary way.*

CLAUSE 11 (2) has been amended by deleting Clause 11 (2) (e) and introducing a new Sub-Clause 11 (3) as follows:

*11 (3) The Chairperson contemplated in (2) (a) above shall be elected from among persons appointed in accordance with Clause 12.*

CLAUSE 14 has been amended by renumbering the clause and introducing a new sub-clause 14 (2).

New Clause 14 (2) be now read as follows:

*14 (2). The Board of Governors may establish daycare facilities within the VTCs whenever necessary to promote access to relevant training to breastfeeding women.*

CLAUSE 16 (3) (d) has been amended by deleting the word incompetence in 16 (3) (d) and replacing therefrom with the word “incompetency”. Clause 16 (3) (d) shall therefore read as follows:

*16 (3) The County Executive Committee Member may, at any time, remove a member of the Board on the following grounds –  
(d) Incompetency; or*

CLAUSE 17 (1) has been amended by deleting the word “fourteen days” and replacing therefor “seven day”.

Clause 17 (1) shall be now read as follows:

*17 (1) The Secretary of the Board shall notify the Director of a vacancy that occurs in the membership of the Board within seven days of the membership falling vacant.*

CLAUSE 17 (2) has been amended by deleting the word “twenty-one days” and replacing therefor with the word “seven days”.

Clause 17 (2) shall be now read as follows:

*17 (2) Where the Director has been notified of a vacancy under this Section, the Director shall within seven days present to the CEC Member the notification, who shall thereafter appoint another person to fill that vacancy within seven days.*

CLAUSE 25 (a) has been amended by introducing the phrase “*at least one year before closure*” immediately after the word “*..center*” as follows:

*25 (a) inform the County Executive Committee Member of the intention to close down the vocational education and training center at least one year before closure; and*

CLAUSE 29 (2) has been amended by deleting the phrase “*CEC Member*” and replacing therefor with “*the Fund Administrator*”

Clause 29 (2) be now read as follows:

*29 (2) There shall be paid out of the Fund any expenditure approved by the Fund Administrator and incurred in connection with the administration of the Fund.*

CLAUSE 35 (2) has been amended by introducing a new paragraph immediately after paragraph (b) as follows: “*procedure for the management of revenue and income generated from the Technical Vocational Training Centers.*”

Mr. Speaker, and further amended is by introducing a new paragraph immediately after paragraph (f) as follows:

“*Procedure for the transition of Students from closed Private VTCs.* “

Clause 35 (2) be now read as follows:

*35. (2) Without prejudice to the general effect of Sub-section (1), the County Executive Committee Member may make regulations for: -*

*a) Procedure and criteria for centre-based auditing in the public VTCs;*

*b) Operational standards of Public and Private VTCs within the County;*

*c) Procedure for the management of revenue and income generated from the Technical Vocational Training Centres;*

*d) The continuous review, evaluation and monitoring of policies and curriculum of the County Vocational Education and Training Committee; and ensure Vocational Education and Training’s quality, assurance, standards and relevance:*

*e) Procedures for authorization of Private VTCs;*

*f) Procedure for the fulfillment of the two-thirds gender rule in the composition of the County Vocational Education and Training Committee;*

*g) Participation in benefit sharing or incentive allocation mechanism and;*

*Procedure for the transition of Students from closed Private VTCs.*

Mr. Speaker and Honourable Members, in conclusion it is my pleasure and privilege to present this report hoping that the County Assembly do agree with this report. I therefore want to ask Hon. Seth Okumu to second.

**The Speaker** (Hon. Oraro): Yes Hon. Seth Okumu.

**Hon. Okumu** (MCA, East Seme): Thank you Hon. Speaker. I rise to second and I believe that Honourable Members agreed with the proposals that the Bill. There were no further amendments from the Members during the Committee of the Whole House.

**The Speaker** (Hon. Oraro): Thank you. Honourable Members, now that we have received the report from the Committee of the Whole House on the Kisumu County Vocational, Educational and Training Bill, 2023, Kisumu County Bill No. 1 of 2023, I therefore want to put a question on the adoption of the same.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Honourable Members, the report from the Committee of the Whole House on the Kisumu County Vocational, Educational and Training Bill, 2023, Kisumu County Bill No. 1 of 2023 has been adopted.

Honourable Members, I want to communicate that, that brings us to the end of the 2<sup>nd</sup> Reading of the Kisumu County Vocational, Educational and Training Bill, 2023, Kisumu County Bill No. 1. Honourable Members, but as per our Standing Orders, I have to put a question on the motion that the House adopts the motion on the Kisumu County Vocational, Educational and Training Bill, 2023, Kisumu County Bill No. 1, 2<sup>nd</sup> Reading with the amendments therein.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Honourable Members, the motion on the Kisumu County Vocational, Educational and Training Bill, 2023, Kisumu County Bill No. 1, 2<sup>nd</sup> Reading has been adopted with the amendments therein today Thursday, 29<sup>th</sup> June, 2023 at 17:36 hours.

Honourable Members, I want to direct that the House Business Committee to consider that Bill for third reading.

**The Speaker** (Hon. Oraro): Next Order!!

**The Speaker** (Hon. Oraro): Honourable Members, I want to bring to your attention that the remaining part between the 2<sup>nd</sup> Reading of the Bill that we have concluded and the 3<sup>rd</sup> Reading gives you an opportunity to further look at it and when it will be read for the third time. This will equally give Honourable Members an opportunity to make further amendments if any.

Otherwise, I had made communication regarding the training that the sports ground is open for those who wish to commence training. I had also made communication regarding tomorrow's activity that we have gazette the Friday, 30<sup>th</sup> of June, 2023 purely for adoption of the Report by the Select Committee of Budget and Appropriations in consideration of the Budget Estimates FY 2023/2024 and the Appropriations Bill, 2023. Thank you.

**The Speaker** (Hon. Oraro): Next order!!

## ADJOURNMENT

**The Speaker** (Hon. Oraro): Honourable Members, there being no any other business to transact, the House stands adjourned to Tuesday, 4<sup>th</sup> July, 2023 at 2.30 p.m.

*(House rose at 05.43 p.m.)*

**Addendum**

**The Hansard Team**

*Zablon Otiende – Senior Hansard Reporter (Ag. Editor)*

*Edward Odanga – Hansard Reporter*

*Fanuel Okode – Hansard Reporter*

*Patrick Okoyo – Hansard Reporter*

*Jacklyne Otieno – Hansard Reporter*

*Jesca Otieno – Hansard Reporter*