COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – FOURTH SESSION

Wednesday, 11th June, 2025

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): Honourable members, I want to direct that the Quorum Bell be rung for five minutes. Honourable Kizito, you may go out and whip Members. Any other Member is not required to leave the Chamber until the Quorum Bell has come to a complete stop, except Honourable Kizito.

(The Quorum Bell was rung)

The Speaker (Hon. Oraro): Honourable members, I am being informed that we already have the required Quorum. Mr. Clerk, take us through Order Paper for today.

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

COMMUNICATION FROM THE CHAIR

APPRECIATION TO MEMBERS WHO PAID A COURTESY CALL ON THE CABINET MINISTER FOR ENERGY AND PETROLEUM, HONOURABLE JAMES OPIYO WANDAYI

The Speaker (Hon. Oraro): Honourable members, I have got two communications to make. Number one, I want to appreciate the Members who travelled to join Cabinet Secretary for Energy and Petroleum Kenya, Honourable James Opiyo Wandayi.

I have received a message from him, acknowledging all of you, saying that of all the teams that he had met, you are organized, and that you will be making communications to me regarding the next course of actions and all the activities going on as per his area of jurisdiction.

Honourable members, I equally want to inform you that after this session, I will be meeting the Governor on the arrangement for the action that I had communicated earlier in the last *kamukunji*. So, after meeting him, I will be able to communicate the same tomorrow. So, you check our communication WhatsApp group. I may make a post that we have a *kamukunji* so that I give you feedback.

VISITING DELEGATION FROM BRAEBURN INTERNATIONAL SCHOOL

Honourable members, I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Braeburn International School, who are here to observe the proceedings of this House, as part of their academic tour. Honourable Members, accompanying the students are their teachers. Kindly rise as I mention your names:

1. Ms. Loventa Ochari
2. Ms. Phyllis Wasike
3. Mr. Eric Omondi
4. Mr. Samuel Odhiambo

Honourable members, such visits play a vital role in nurturing a deep understanding of the role of County Assemblies in governance and democracy. By engaging directly with the legislative process, these young learners gain practical insight into the values of public position accountability and leadership. In our usual tradition of receiving and welcoming visitors to the Assembly, I extend a warm welcome to them. On behalf of the Assembly and my own, I welcome and wish them a fruitful visit. Please feel most welcome, and I trust that your experience here will be both enriching and inspiring.

Honourable members, as per our tradition, I will accord a few of you the opportunity to share a word or two of encouragement to our guests. Braeburn must be falling within Market-Milimani Ward. Now, that I am not able to see the MCA for Market-Milimani, but I am able to see Honourable Emily Oginga. I will give her the first opportunity followed by the Leader of Majority who will finalize.

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

Hon Oginga (Nominated Member): Thank you, Mr. Speaker. Foremost, I would like to welcome Braeburn School to the Assembly. I would like to appreciate their teachers for initiating this visit, because I know through their visit, they are going to learn a lot concerning devolution at the County Government. I know most of the times we usually learn about this government, but we do not really get the chance to come and pay a visit.

Mr. Speaker, I would like to encourage them to work hard, because this is the legislative arm of the County Government of Kisumu. I know these are the future leaders who one day, if they work hard, will be in this House and also play a pivotal role as part of the nation building of this country. Otherwise, on behalf of the MCA, Market-Milimani Ward I welcome all and hope that we will be seeing some of you back here in the future. Thank you. Karibuni.

The Speaker (Hon. Oraro): Honourable Leader of Majority.

Majority Leader (Hon. Ooko, Ahero): Thank you very much, Honourable Speaker. I would like to take this opportunity to welcome the students from Braeburn International School. Unlike in the National Government, where you have three arms, in the County Government, in this arrangement which is according to the Constitution of Kenya 2010, we have two arms: The Executive and the Legislature. The work of the Assembly is to oversight the Executive, headed by the Governor. As you learn, now you are informed that you will be the future leaders.

The Members you see in this House are now the future leaders. Therefore, you have an opportunity to watch and see how future leaders debate, just like the debates we have in school. Once again, I take this opportunity to welcome you. Thank you.

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

STATEMENTS

STATEMENT BY HONOURABLE CAREN AJWANG', MCA, KALOLENI/SHAURIMOYO REGARDING WORKPLACE ACCIDENTS THAT OCCURRED AT LUMUMBA CONSTRUCTION SITE ON TUESDAY, 10TH JUNE, 2025.

The Speaker (Hon. Oraro): Honourable Ajwang'

Hon. Carren Ajwang' (MCA, Kaloleni/Shaurimoyo): Thank you, Honourable Speaker, for according me this opportunity. I rise pursuant to the provisions of Standing Order No. 41(2) (b) to request a Statement from the Chairperson, Departmental Committee on Labour and Social Welfare regarding a Workplace Accident that occurred at the Lumumba Construction Site on Tuesday 10th, June 2025, at 11.30 a.m. or thereabout, wherein a construction worker, one Mr. John Okoto reportedly sustained serious injuries after falling from the 10th floor of the same site and was pronounced dead at Jaramogi Teaching and Referral Hospital by 10.00 p.m. on the same date.

Mr. Speaker, the incident raises grave concern regarding adherence to Occupational Safety and Health Standards as stipulated under the Occupational Safety and Health Act, 2007 and applicable labour and employment legislation.

It also calls into question the level of enforcement and oversight by relevant government departments charged with ensuring safety and welfare of workers at construction sites within Kisumu County. Honourable Speaker, given the seriousness of the matter, there is a need for this House to be appraised on the steps taken to ensure accountability for the incident, compensation for the family of the worker, and the broader safety regime under which construction projects in the county are undertaken. Accordingly, I request that the Chairperson, Departmental Committee on Labour and Social Welfare provides a comprehensive statement addressing the following:

1. A factual account of the circumstances leading to the incident at the Lumumba construction site on 10th June 2025.
2. Whether the contractor and/ developer in charge of the site had complied with all the statutory obligations relating to Occupational Safety and Health, including but not limited to; registration of the workplace, risk assessment, provision of personal protective equipment, and safety supervision.
3. The nature of support provided to the immediate family of the worker and whether compensation procedures under the Work Injury Benefits Act, 2007 have been initiated.
4. What enforcement and inspection mechanisms have been employed by the Department of Public Service and relevant county agencies to monitor Occupational Safety Compliance across active construction sites within Kisumu County.
5. Any corrective or punitive measures including administrative sanctions or legal proceedings that have been instituted or are contemplated against the parties responsible for the breach, if any. Thank you.

The Speaker (Hon. Oraro): Honourable members, is the Chairperson, Departmental Committee on Labour and Social Welfare present in the House or in his absentia, any Member of that House Committee. Where are you seated Honourable Chairperson?

Hon. Okoyo (MCA, Central Kisumu): Thank you Mr. Speaker. I have heard the Statement from Honourable Carren Ajwang' of Shaurimoyo-Kaloleni Ward and we really regret and are saddened with the information about the loss of life of a worker, at a construction site. Mr. Speaker, as a House Committee, we are going to work round the clock to unveil the true picture of what happened at the site. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Honourable Chairperson, how many days do you need?

Hon. Okoyo (MCA, Central Kisumu): Mr. Speaker, may I ask for two weeks, which is14 days.

The Speaker (Hon. Oraro): Honourable Member, this is an emergency…

Hon. Okoyo (MCA, Central Kisumu): Thank you Mr. Speaker. It is my belief that, as a House Committee we can do it in a week's time, which is seven day to be precise. Thank you.

The Speaker (Hon. Oraro): Honourable members, you have heard the request by the Departmental Committee of Labour and I believe that I agree with them. I direct that the Statement be committed to the Departmental Committee of Labour and Social Welfare and they must give us a report here within one week from today, that is, on the 18th June, 2025.

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

MOTION

THE PROPOSED SUB-LEASE OF LAND TO MED-ADITUS FOR THE ESTABLISHMENT OF A MANUFACTURING PLANT IN KISUMU COUNTY FOR CONVERSION TO A SPECIAL ECONOMIC ZONE.

BY

HON. RATIB BOITONE, MCA, NYALKENFA "A"

The Speaker (Hon. Oraro): Honourable Members, before Boitone takes the Floor, I want to bring to your attention that, the Order Paper, page 608, that is number 045, on Notices and Limitations of Debates. The House resolved on Tuesday 25th February 2025 as follows:

THAT, on Limitation of Debate on Reports, pursuant to provisions of Standing Order No. 99 (5) (1) of the Kisumu County Assembly Standing Orders, this Assembly orders that each speech in a debate or a report of a House Committee, a Sessional Paper or any other report submitted to the Assembly be limited as follows:

A maximum of three hours with not more than 20 minutes for the Mover in moving and 10 minutes in replying and a maximum of five minutes for each other member speaking except the Leader of the Majority Party who shall be limited to a maximum of 15 minutes and that priority be accorded to the leader of Majority Party in that order.

I hope that the Mover of this Motion, as well as the Members are appropriately guided. The Floor is yours, Honourable Boitone.

Hon. Boitone (Nyalenda "A"): Thank you, Mr. Speaker. On behalf of the Departmental Committee on Lands, Physical Planning, Housing and Urban Development, I am honoured to present to this Honorable House the report on the proposed sub-lease of land to Med Aditus Kenya for the establishment of a pharmaceutical manufacturing plant in Kisumu County, and to express the Committee's support for the conversion of the same parcel of land into a Special Economic Zone (SEZ).

The communication relating to this matter was received on 3rd December 2024 through the Office of the Clerk of the Assembly. The matter was subsequently tabled in this House. Pursuant to the Standing Orders, the Hon. Speaker directed the sectoral committee on Lands, Physical Planning, Housing and Urban Development to conduct an inquiry and report back within twenty-one days**. (**See Annex 1**)**

In undertaking its role, the Committee engaged the parent department to gather clarity on technical aspects and reviewed documentary evidence provided to it for procedural compliance.

Honourable Speaker, the proposal originated from a Memorandum of Understanding (MoU) signed in 2021 between the County Government of Kisumu and Med Aditus Kenya, a subsidiary of a U.S.-based pharmaceutical initiative. The MOU aimed at establishing a pharmaceutical manufacturing plant to improve healthcare access and promote economic development within the County.

The County Government identified a ten-acre parcel of land in Miwani, situated adjacent to the Great Lakes University of Kisumu, as the most suitable site for the project.

To facilitate the partnership, the County Government, through the department of Lands, Physical Planning, Housing and Urban Development put a proposal of twenty-five million in the proposed budget estimates FY 2023/2024 for acquisition of Land. This proposal was approved by this committee and subsequently by the County Assembly. An amount of

Subsequently, the County Government initiated direct procurement of the land from the Tropical Institute of Community Health and Development (TICH), acting in trust for GLUK at an amount of twenty-two million.

It was the observation of the committee that this method of procurement was justified under the Public Procurement and Asset Disposal Act, 2015 due to the uniqueness of the site and absence of alternative parcels. The procurement process was supported with all required documentation.

Subsequently, a formal concession agreement was signed in February 2024 outlining the obligations of both parties. The agreement covered land provision, utility facilitation, compliance, and timelines, and included a 40-year concession period with a clear dispute resolution framework.

In addition to land matters, the Committee noted that the County Government had initiated a formal engagement with the Special Economic Zones Authority (SEZA), seeking to have the site designated as a Special Economic Zone. The Authority acknowledged receipt of the request and guided the County on the next steps, including submission of a feasibility study, environmental approvals, a master plan and approval from the County Assembly.

The Committee further reviewed the report on public participation and established that extensive consultations had taken place with the community. Stakeholders raised valuable questions and recommendations around employment, training opportunities, intellectual property safeguards, infrastructure, and timelines. The Committee was satisfied that public participation was conducted in line with Article 10 of the Constitution and Section 115 of the County Governments Act.

Honourable Speaker, it was evident to the Committee that this project is aligned with the County's economic development and industrialization strategy, national healthcare reforms including Universal Health Coverage, and the broader objectives of Vision 2030. The project promises to deliver numerous benefits, including job creation, enhanced access to quality medicine, industrial innovation, and positioning Kisumu as a key pharmaceutical hub in the region.

Based on the legal compliance, stakeholder engagement, and the transformative potential of the project, the Committee is satisfied that the proposed sub-lease meets all conditions required by law and public policy. The Committee therefore resolved to recommend that this Honorable House approves the sub-lease of the ten-acre parcel to Med Aditus Kenya and supports the designation of the area as a Special Economic Zone.

Hon. Speaker, I wish to sincerely thank the Members of the Committee for their commitment and objectivity throughout the process, and also acknowledge the invaluable support from the Offices of the Speaker and the Clerk of the Assembly, as well as the Committee secretariat

It is now my humble duty to table this report before the House and to urge this Honorable Assembly to adopt it.

ESTABLISHMENT AND MANDATE OF THE COMMITTEE

Mr. Speaker, Honourable members, the Sectoral Committee on Lands, Physical Planning, Housing and Urban Development is established under Standing Order No. 193 of the Kisumu County Assembly Standing Orders, whose mandate, pursuant to the Standing Orders No. 193 (5) is as follows;

i. Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments
ii. Study the programme and policy objectives of departments and the effectiveness of the implementation
iii. Study and review all County legislation referred to it
iv. Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives
v. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly

vi. To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 187 (Committee on Appointments)

vii. Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

COMPOSITION OF THE COMMITTEE

Mr. Speaker, Honourable members, the Committee on Lands, Physical Planning, Housing and Urban Development as currently constituted comprises of the following Members:

1. Hon. Boitone Ratib - Chairperson
2. Hon. Tom Nyaoke - Vice Chairperson
3. Hon. Seth Ochieng - Member
4. Hon. George Abaja - Member
5. Hon. Moses Ochele - Member
6. Hon. Zackaria Okoyo - Member
7. Hon. Joachim Oketch - Member
8. Hon. Nereah Okombo - Member
9. Hon. James Were - Member

Secretariat

1. Mr. Austine Ochieng - Clerk Assistant
2. Mr. Rodgers Wagude - Committee Clerk Assistant
3. Ms. Vallery Achieng - Hansard Reporter
4. Mrs. Faith Judith - Sergeant-at-Arms

LEGAL FRAMEWORK

Mr. Speaker, the consideration of the proposed sub-lease of public land to Med Aditus Kenya and the subsequent support for its conversion into a Special Economic Zone (SEZ) was guided by various constitutional, statutory, and policy frameworks. These instruments ensure that land allocation, public-private partnerships, and economic zone development are done in a transparent, accountable, and lawful manner.

The key legislative and policy instruments include:

Constitution of Kenya, 2010

1. Article 60 outlines the principles of land policy, including equitable access, sustainable and productive management, and transparent administration.
2. Article 66 provides for the regulation of land use and property in the public interest, which includes promoting investments that support economic development.

3. Article 69 outlines obligations regarding sustainable development and land resource management.
4. Article 174 and Part 2 of the Fourth Schedule empower County Governments to manage land, planning, and development within their jurisdictions.

County Government Act, 2012

1. Provides the legal foundation for governance at the county level, including public participation (Section 87–91) and coordination of development activities.
2. Section 104 and 108 mandate counties to prepare and implement County Integrated Development Plans (CIDPs), which must guide resource allocation and major investment decisions such as this one.

The Land Act, 2012

1. Governs the administration and management of public land, including allocation and lease of land.
2. Provides the framework for public-private partnerships on public land and the conversion of land use rights.
3. Sections 9 and 12–14 detail the functions of the County Government and the National Land Commission in managing public land.

The National Land Commission Act, 2012

1. Establishes the National Land Commission (NLC) and outlines its functions in overseeing the allocation and administration of public land.
2. Empowers the NLC to evaluate and approve land allocations by County Governments, including sub-leases and transfers of interest in land.

The Special Economic Zones Act, 2015

1. Provides the legal framework for the designation, development, and management of SEZs in Kenya.
2. Stipulates the procedures for identifying suitable land for SEZs, licensing developers and operators, and providing fiscal and non-fiscal incentives to promote investment.
3. Aligns with Kenya's broader Vision 2030 economic strategy and Kisumu County's development plans.

The Public Finance Management Act, 2012

1. Ensures accountability and prudent use of public resources in development projects.
2. Provides for oversight by the County Assembly in the approval of public investments.

Public Participation Framework

1. As required under Article 10 of the Constitution and Section 115 of the County Governments Act, public participation is a critical part of any land-related or investment decision by County Governments.
2. The Committee confirms that public consultations were duly conducted and the views of the community considered before arriving at a decision.

SUMMARY OF LEGAL PROCEDURE FOLLOWED

Mr. Speaker, Honourable members, based on the documentation reviewed and consultations held, the Committee confirmed that the following procedural steps were undertaken in accordance with the law:

1. Receipt of a formal application by the County Government from Med Aditus;
2. County Executive deliberations and endorsement of the proposal;
3. Execution of a Memorandum of Understanding (MoU) in 2021 to guide collaboration;
4. Due diligence on the proponent, including verification of capacity and credibility;
5. Identification of suitable land (LR No. Miwani/Miwani/12/2) and preparation of supporting documentation;
6. Conduct of public participation forums;
7. Submission of the matter to the County Assembly for review and approval;
8. Anticipated submission to the National Land Commission for registration and sub-lease processing;
9. Concession agreement.

MED ADITUS PHARMACEUTICAL MANUFACTURING

Mr. Speaker, Honourable members, Med Aditus Pharmaceuticals is a U.S based pharmaceutical company committed to transforming medicine access in sub-Saharan Africa through innovative manufacturing technologies and strategic partnerships.

Med Aditus is pioneering the use of Continuous Modular Pharmaceutical Manufacturing (CMPM) in Africa. This approach involves the uninterrupted movement of materials through various stages of the manufacturing process, allowing for a more streamlined, efficient, and flexible production process. Unlike traditional batch processing, CMPM operates as a continuous process, ensuring consistent quality, high efficiency, and faster time-to-market for life-saving medications.

Additionally, the company integrates block-chain technology into its operations to enhance transparency and traceability across the manufacturing and distribution processes. This integration aims to ensure the integrity of the supply chain and improve patient engagement by securely tracking medication adherence and outcomes

The plant aims to produce high-quality, affordable medicines, including treatments for pediatric populations, non-communicable diseases, and neglected tropical diseases. By leveraging advanced manufacturing technologies, the facility is expected to enhance local drug production capacity, reduce reliance on imports, and improve healthcare outcomes in the region

Med Aditus Pharmaceuticals' innovative approach and strategic partnerships position it as a key player in enhancing pharmaceutical manufacturing and healthcare access in sub-Saharan Africa.

REPORT ON PUBLIC PARTICIPATION

Mr. Speaker, Honourable members, the public participation report provided indicated that the event was carried out on 13th November, 2024. This report revealed that the proposal was welcome but with the following clarities sought. (See Annex 2)

Participants expressed concern about the clarity of timelines for the project's rollout. They emphasized the need for a phased implementation plan with defined milestones. Stakeholders called for transparency in project commencement, duration of construction, and when the facility would become operational, to ensure accountability and track progress.

Mr. Speaker, Honourable members, the community stressed the importance of ongoing consultations, not just during the initial public participation forums but throughout the project lifecycle. There was a call for the establishment of a local stakeholder advisory committee to ensure continuous feedback and local ownership of the project.

Mr. Speaker, on economic and social impact, residents were interested in understanding how the project would impact local economic growth, including business opportunities for local suppliers and service providers. Concerns were raised about potential displacement, environmental effects, and equitable distribution of the benefits among different community groups.

Mr. Speaker, Honourable members, on youth empowerment and education, the youth questioned how many employment opportunities would be created, and whether they would be prioritized for local hiring. There was a strong push for vocational training programs, internships, and collaborations with local institutions to equip young people with skills relevant to the pharmaceutical industry.

Mr. Speaker, on Intellectual Property and Accessible Medicine, participants raised the issue of patent rights and the affordability of drugs manufactured by Med Aditus. There was concern about whether the company would prioritize public health needs or commercial interests, and how local researchers or innovators would be protected in intellectual property arrangements.

Clarity was sought on the legal basis of the land lease and the government's role in facilitating or regulating the project. Citizens requested assurances that the lease process had followed due process and that any political interference or manipulation would be minimized

Mr. Speaker, Sir, the community wanted to understand how this project would position the region for future industrial growth and investment. There were suggestions for developing incubation hubs or research parks in partnership with Med Aditus to spur innovation in the health and pharmaceutical sector.

Mr. Speaker, there was a call for capacity-building initiatives aligned with labor market needs in the pharmaceutical and biotechnology fields. Participants proposed that academic curricula in local colleges and universities be adjusted to meet emerging industry standards and skill requirements.

Hon Speaker, concerns were raised about the infrastructure needed to support effective distribution of pharmaceutical products, including road, rail, and cold chain systems. The community emphasized the need for local logistical players to be integrated into the supply chain to create additional economic opportunities

On global position and regional competition, some participants highlighted the need for Kenya to position itself as a regional pharmaceutical hub, leveraging the Med Aditus facility to compete with countries like South Africa and Egypt. There were suggestions that the government should develop a broader strategy to attract more pharmaceutical investors and integrate local manufacturers into global value chains.

SURVEY REPORT

Mr. Speaker, Honourable members, the Survey report provided revealed that the site was visited by a team from the department of Land, Housing, Physical Planning and Urban Development Survey Section on Wednesday 13th February, 2025.
The existing facilities identified on the 10-acre piece of land and its environs included, a borehole, a water pipe supplying water to Great Lakes University, Power lines, fibre optic internet cable, Safaricom booster tower, a swamp and a fish pond.

The report further indicated that the 10-acre piece of land is bordered by the following;

1. A murram road on the western side.

2. 240 and 11 kilovolts power line within the road reserve.
3. 30 Metres wide Kenya Power and Lighting company Wayleaves for a 132 kilovolts powerline.
4. 11 kilovolt powerlines on the eastern side.
5. Safaricom booster tower, fish pond and a swamp within the great lakes University and,
6. Fibre optic internet cable along Kisumu-Chemelil Road. (Annex 3)

REQUEST FOR GUIDANCE ON GAZETTMENT OF LR NO. 654/16 AND 654/17 AS A SPECIAL ECONOMIC ZONE

Mr. Speaker, Honourable members, on 6th February, 2023, H.E the Governor of Kisumu County, through a letter referenced CGK/GVN/ADM/VOL.2/2023, formally sought guidance from the Special Economic Zones Authority (SEZA) regarding the gazettement of a parcel of land situated along the Kibos River in Kisumu County. The request was made with the intention of designating the area as a Special Economic Zone (SEZ) under the Special Economic Zones Act, 2015 for the purpose of manufacturing pharmaceuticals and related products and services.

This initiative aligns with Kisumu County's broader economic goals of attracting private investment, promoting industrialization, creating employment, and improving access to essential pharmaceutical products in the region.

Further, H.E the Governor wrote to the Cabinet Secretary Health via a letter REF; CGK/GVN/ADM/02/VOL.2/353 dated 15th August, 2024, to request for support on the Med Aditus pharmaceutical manufacturing project in Kisumu County. (Annex 4)

SEZA'S RESPONSE AND REQUIREMENTS

Mr. Speaker and Honourable Members, in response, the SEZ Authority (SEZA) acknowledged the County's interest and provided guidance by requesting the submission of a complete SEZ gazettement application package for further review and consideration. According to SEZA, the application package must include the following documentation and information:

1. Cover Letter of Interest: A formal letter expressing intent to develop an SEZ on the proposed site.
2. Feasibility Study Report (as per SEZ Act and Regulations), which should comprehensively outline:
    i. Project rationale and the targeted sectors within the SEZ.
    ii. Economic impact assessment on the local and national economy.
    iii. Market and demand analysis for pharmaceutical products.
    iv. Investment climate and justification.

v. Sector/industrial development framework including land-use breakdown and proposed industries.

3. Business Case Study, comprising:

    i. Cost-benefit analysis and investment appraisal.
    ii. Project financial evaluation.

4. Site Conditions and Infrastructure:

    i. Current physical condition of the proposed land including photographs.
    ii. Description of on-site and off-site infrastructure.
    iii. Nearby relevant development projects that may impact or complement the SEZ.

5. Environmental and Social Considerations:

    i. Environmental impact study and compliance with NEMA regulations.

6. Project Planning and Implementation:

    i. Full project description and proposed activities.
    ii. A schematic master plan and detailed land use plan
    iii. Proposed project implementation timeline.

7. Legal and Statutory Documentation:

    i. Copy of the title deed for the proposed land.
    ii. NEMA approval/study report.
    iii. Certificate of Incorporation and Form CR12 of the investing entity (Med-Aditus).
    iv. County Assembly approval as a statutory requirement under the SEZ framework. (See Annex 5)

CONCESSION AGREEMENT BETWEEN CGK AND MED-ADITUS KENYA

Mr. Speaker, Honourable members, on 07th February 2024, the County Government of Kisumu (CGK) entered into a concession agreement with Med Aditus Pharmaceuticals Kenya Limited. The primary aim was to develop a pharmaceutical manufacturing plant on a 10-acre parcel (KIBOS 654/45 GRANT NO. 123371) in Kisumu County, to support the County's health and industrialization goals.

Mr. Speaker, the project aligns with:

1. Kisumu County's industrialization agenda.
2. The promotion of Universal Health Coverage (UHC), already piloted in Kisumu County.
3. The implementation of recent national legislation: Social Health Insurance Act, Digital Health Act, and the Primary Health Care Act (2023).

Mr. Speaker, the scope of the Concession, includes:

1. 10 Acres of land granted by CGK for the plant.
2. 40 years' initial concession period, renewable by mutual agreement.
3. A Transition Committee will oversee the extension/termination process.
4. Termination requires 10 years' written notice from either party.

Mr. Speaker, the County Government of Kisumu has the following obligations:

1. Provide land and facilitate its sub-leasing (36 years + 4-year extension).
2. Ensure land-use change and access to utilities (water, electricity).
3. Support regulatory approvals and liaison with national government bodies.
4. Facilitate partnerships with local institutions (e.g., Great Lakes University of Kisumu).
5. Assist in acquiring Special Economic Zone (SEZ) designation.
6. Ensure waste management and support marketing for manufactured medicines.

Hon Speaker, Med Aditus will have following obligations:

1. Design, finance, construct, operate, and maintain the facility at own cost.
2. Provide insurance coverage, design documentation, and participate in EIA and public participation.
3. Hire technical personnel and secure professional indemnities.
4. Comply with all laws and avoid unauthorized sub-contracting.

KEY CLAUSES OF THE AGREEMENT

Mr. Speaker, Honourable members, the following are key Clauses of the Agreement

Force Majeure

Covers events like war, natural disasters, epidemics, and strikes. If disruptions persist beyond 60 days, the agreement may be terminated with 12 months' notice.

Intellectual Property

Each party retains pre-existing IP.

i. New jointly developed IP is co-owned.
ii. Confidentiality and non-disclosure obligations last for 5 years after termination.

Termination of conditions

i. Early termination by Med Aditus if SEZ designation is not gazetted within 12 months
ii. Either party may terminate with 10 years' notice.

Dispute Resolution

i. Governed by Kenyan Law.

ii. Arbitration under the Kenya Arbitration Act.
iii. Interim relief allowed via courts before arbitration

RISK ASSESSMENT

Mr. Speaker, the following is a presentation on risk assessment

Kisumu County Government

i. Land ownership and change of user could be delayed or challenged.
ii. Political or administrative changes may affect continuity.
iii. Failure to obtain SEZ status could result in project collapse.

Med-Aditus, Kenya

i. Heavy financial burden and operational responsibility.
ii. Dependence on timely approvals and infrastructure support from CGK.
iii. Long wait period (10 years) required to recoup investment in case of early termination

Opportunities and Benefits

i. Establishment of a regional pharmaceutical hub.
ii. Enhancement of healthcare access and affordability.
iii. Job creation and industrial skills transfer in Kisumu.
iv. Alignment with national development and healthcare priorities.

Hon. Speaker,

The project requires acquisition of 10 acres of land currently held by Tropical Institute of Community Health and Development (TICH) in trust for GLUK. This procurement falls under the projects planned and budgeted for in the Financial Year 2023/2024. The amount that was in the budget was Kshs. 25,000,000.

The procurement method applied is Direct Procurement as stipulated in Sections 103 and 104 of the Public Procurement and Asset Disposal Act, 2015 (PPADA) and Regulation 90 of the 2020 Regulations. The justification for using direct procurement included:

i. The land is part of a contiguous parcel already committed to the project.
ii. No alternative land provider exists for the required adjacent portion.
iii. The transaction is based on a unique development context involving a private-public partnership.

The County Government sought and received professional advice and concurrence from its internal finance offices and requested formal guidance from the Public Procurement Regulatory Authority (PPRA).

Mr. Speaker, Honourable members, all requisite due diligence was conducted:

i. GLUK and TICH officially consented to the sale.
ii. Documentation supporting the transaction included meeting minutes, letters of consent, valuation reports, the title deed, and official land search results.

Mr. Speaker, Honourable members, the procurement followed the appropriate legal steps:

i. The user department raised a requisition approved in line with Section 53(8) of the PPADA.
ii. The bidder (GLUK via TICH) was invited under Direct Procurement in accordance with Section 103.
iii. Both opening and evaluation committees were formed and executed their roles under Sections 78, 48, and 80 of the Act

The evaluation was guided by:

i. Mandatory statutory and technical requirements.
ii. Financial evaluation ensuring quotations fell within the approved budget estimate.

Award recommendation was based on a County Government valuation report and confirmed availability of funds.

COMMITTEE OBSERVATIONS

Mr. Speaker, Honourable members, the committee made the following observations:

1. That all legal frameworks ranging from the Constitution of Kenya, the Land Act, to the Special Economic Zones Act were adhered to. The procurement of the 10-acre parcel followed due process as per the Public Procurement and Asset Disposal Act 2015, including justifiable application of direct procurement due to the unique nature and strategic location of the land.
2. That the County Government of Kisumu has fulfilled all preliminary statutory obligations. The land in question adjacent to the Great Lakes University of Kisumu has been verified, and legal documents have been provided and scrutinized.
3. That Community engagement was conducted comprehensively, with diverse views captured and incorporated. This demonstrates adherence to Article 10 of the Constitution and Section 115 of the County Governments Act.
4. That the project aligns with Kisumu County's industrialization and economic development agenda, Universal Health Coverage (UHC) efforts and Vision 2030's goal of promoting Special Economic Zones.

5. That the project promises to enhance access to affordable, high-quality medicine, create jobs and vocational training opportunities, spur local entrepreneurship and industrial innovation and position Kisumu as a pharmaceutical hub in East Africa.
6. That an amount of Kshs. 25,000,000 was allocated in the department of Lands, Physical Planning, Housing and Urban Development during the Financial Year 2024/2025 for acquisition of Land. The actual procurement was successfully completed at a cost of Kshs. 22 million

COMMITTEE RECOMMENDATION

Mr. Speaker, Honourable members, having reviewed the legal, technical, financial, and stakeholder dimensions of the proposed sub-lease of land to Med Aditus Kenya for the establishment of a pharmaceutical manufacturing facility in Kisumu County, the Sectoral Committee on Lands, Physical Planning, Housing, and Urban Development hereby makes the following recommendation:

That this House APPROVES the proposed sub-lease of ten (10) acres of land (LR No. Miwani/Miwani/12/2) to Med Aditus Kenya for the development of a pharmaceutical manufacturing plant and conversion of the area into a Special Economic Zone (SEZ), subject to the following conditions:

1. That the County Executive fast-tracks the submission of the full SEZ gazettement application to the Special Economic Zones Authority (SEZA), including the feasibility study, environmental approvals, and master plan, within the stipulated timelines in the concession agreement.
2. Submission of quarterly reports to the County Assembly, detailing the progress of the project implementation, community engagement efforts, SEZ application milestones, and compliance with the concession terms.

In conclusion Mr. Speaker, I hereby request that this House adopt this report of the Departmental Committee on Lands, Physical Planning, Housing and Urban Development on the Proposed Sub-lease of Land to Med Aditus for Establishment of a Pharmaceutical Manufacturing Plant in Kisumu and Support for its conversion to A Special Economic Zone. Honourable Speaker, I hope the message is home. May I call upon Honourable Nereah Akoth to second. Thank you.

The Speaker (Hon Oraro): Honourable Nereah Okombo.

Hon. Okombo (Manyatta "B"): Thank you, Mr. Speaker. I rise to second this Motion to grant the sub-list to Med Aditus Pharmaceutical Company. Mr. Speaker, my Chairperson has used all the English words available to move the Motion. Mr. Speaker, I do not want to second this Motion like a Motion that is coming to the House for the first time. This Motion was initially

brought to this House, Members discussed, and at that time, there was lack of information which led to it being short down. That has since been cleared by this House Committee. Mr. Speaker, all ambiguities have now been cleared.

Mr. Speaker, there was a misunderstanding as to whether the portions of land that was being sub leased were two portions, that has also been cleared. As Honourable Boitone says, land is the only asset that you do take away. Mr. Speaker, we sub-lease, they are done, or they fail to implement the project, the land reverts back to the county. Are we as a County, or as Assembly, required to appropriate any funds to facilitate the establishment of this industry? No, Mr. Speaker.

Mr. Speaker, does it hold or does it promise any economic, social, or political benefit to Kisumu County? Yes. Mr. Speaker, a lot has been spoken by my Chairperson; I do not want to dilute them. However, it is my belief that it is only imperative that we grant this sub-lease because at the end of the day, they are not taking the land away and we are not spending anything as a County. Mr. Speaker, I support the sub-lease to Med Aditus for the construction of this pharmaceutical industry, which is going to put Kisumu into the broader market of pharmaceutical industry, grant our people jobs, Mr. Speaker, and also reduce chances of Kisumu lacking in medical supplies—not just Kisumu, but our neighbouring counties and Kenya at large. Mr. Speaker, I second. Thank you.

The Speaker (Hon. Oraro): Honourable members, now that the Motion adoption of the report of the Departmental Committee on Lands, Physical Planning, Housing, and Urban Development on the Proposed Sub-lease of Land to Med Aditus for Establishment of a Pharmaceutical Manufacturing Plant in Kisumu and support for its Conversion to a Special Economic Zone has been moved by the Honourable Ratib Boitone, Chairperson, Departmental Committee on Lands, Physical Planning, Housing, and Urban Development, and seconded, appropriately. As per our Standing Orders, I want to propose a question that the Motion on adoption of the report of the Departmental Committee on Lands, Physical Planning, Housing, and Urban Development Committee on the Proposed Sub-lease of land to Med Aditus for Establishing a Pharmaceutical Manufacturing Plant in Kisumu and support for its Conversion to a Special Economic Zone is open for debate.

The Speaker (Hon. Oraro): Yes, Honourable James Omollo.

Hon. Omollo (MCA, West Nyakach): Thank you, Mr. Speaker. I stand here to support this Motion. Mr. Speaker, as read by the Chairperson, Departmental Committee on Lands and Planning, I believe that, it is very clear that the gray areas, which we are concerned with, have been brought up. Again, it is my considered opinion that the annexures really paints a good picture that as a County Government of Kisumu, there is nothing we are going to lose. There is no liability involved as we are only leasing this land to the said company.

Mr. Speaker, once the setup is done, I believe that, we will just recoup in terms of job opportunities to our youth and any other thing that comes with an industry establishment within Kisumu County. Mr. Speaker, there is nowhere we have been told by the Chairperson or in the report that we are going to appropriate any money. Again, as mentioned by the Seconder, there is no land that is going to be lost because the land still belongs to the County Government of Kisumu, of which if anything happens, then we are still back to square one with our land. Therefore, there is no cause of alarm. I believe that, it is in good faith that, as per the vision of the Governor, as we open up Kisumu for industries and set up economic zones that can have these industries established in, it will give us a good picture as a county and it will be a hub for many more to come.

Mr. Speaker, equally, we have to think out of the box. Many youths are not employed in this county. And if an opportunity arises like this one, what we can do as the decision makers of this county is to allow it to happen. I do not see any harm if in case they fail to establish this industry as per the MOU by the county government, then they will just have to forfeit it and we take back our land and any other development that may have been done on it. There should be no fear. I really want to commend the Departmental Committee on lands, Physical Planning, Housing and Urban Development for going very deep, that they got us all the documentation that we needed to be furnished with. Mr. Speaker, it is now very clear that we are headed in the right direction, so far. Thank you, Mr. Speaker. I support.

The Speaker (Hon. Oraro): Honourable Samuel Dede.

Hon. Dede (MCA, North Kisumu): Thank you Mr. Speaker for the opportunity. The Motion was presented before the Assembly the other time and was shot down. I was part of the people who shot the Motion down.

Mr. Speaker, this is because this House Committee was compelled to go back to get more facts, I believe that they have done more research on it. However, Mr. Speaker, I still have a problem with the report. Mr. Speaker, this piece of land that is to be leased to a pharmaceutical company has been executed very fast. Yet, we have faced problems with other lands within the county. A case in point is like Nyahera Sub-County Hospital, which has taken quite a long time before the land is processed so that the community…

(Hon. Okombo rises on a Point of Order)

The Speaker (Hon. Oraro): Yes Honourable Okombo, what is your point of order?

Hon. Okombo (Manyatta "B): Mr. Speaker, I want to inform the member on the floor that, the Motion before the House is Sub-lease of land to Med Aditus. It is not about other lands in other sub-counties that the Department of Lands has failed to purchase or procure. Mr. Speaker, it is not only in Nyahera where land has not been procured. I believe that, the Department met the Honourable Members and shared the status of all those lands that are supposed to be procured.

Mr. Speaker, even in my Ward, I am pursuing the purchase for extension of Kuoyo Dispensary. So, it is not only in Nyahera where we have such challenges. I believe that the Honourable Member should focus on the Motion on the Floor. Thank you.

The Speaker (Hon. Oraro): Honourable Dede.

Hon. Dede (MCA, North Kisumu): Thank you Honourable Okombo for the information. Even though we are talking about an issue of sub-lease, the point of contention is the issue of land. The fact that we are going to lease land, my worry was the process of acquiring the land was very fast, yet in our areas, we lack lands where development can be done.

Mr. Speaker, in the recent past, if I may talk of Nyahera Sub-County Hospital, this House appropriated some funds for the fencing of the facility and it was not done because the owner of the land has never been compensated. Now, Members want to resolve to lease a piece of land to Med Aditus. If a Member says that there are a lot of benefits we are going to get from the Med Aditus, I am a very worried person. In times of production, this company will manufacture drugs. Which organization supplies drugs to our facilities, Mr. Speaker? It is still the KEMSA that will provide drugs to our facility.

Mr. Speaker, who is responsible for supplying the drugs to our facilities, it is still KEMSA which will supply the drugs. This means that the procurement process will follow the same procedure done earlier on, so that we get our drugs.

Mr. Speaker, regarding the expansion of the road network, just adjacent to the Med-Aditus where they want to establish a company, there is Kibos Sugar and Allied Factory. Yet, if you see the road network around that place, it is among the worst roads within the area. If this company is established, what benefit will Kisumu achieve?

Mr. Speaker, if you talk of the Land Parcel No. Kibos 654/45, being subdivided into 12/1; I believe that when this subdivision is done, there are a number of parcels that will emerge. This Departmental Committee should have made clarification. Mr. Speaker, upon subdivision of 654/45, it would have brought 12/2 and another Parcel Number which they are not talking about, even though they are interested at 12/2. This House Committee would have informed this House that upon subdivision of this particular Parcel Number, which came out in such a way, they are going to use the 12/2.

Mr. Speaker, on the procurement procedure mentioned on page 24, it is evident that they did Direct Procurement that the Mover of the Motion has highlighted. They have not illustrated to this House the Professional Opinion for the Direct Procurement. Leasing a piece of land for 36 years requires more time before such a decision is made. If a company is in a position of acquiring a piece of land on lease for 36 years, what hinders them from purchasing land?

Mr. Speaker, in my opinion, I am concerned that as an entity that appropriate funds, we should work on a formula that makes all regions benefit from this kind of an exercise. The process for this lease has surprisingly taken the shortest time possible because by 8th December, 2024, all relevant processes had been completed. Yet, there is a piece of land in my Ward, at Nyahera, whose process has taken over 5 years before been completed. Mr. Speaker, our people will not benefit from this engagement. I, therefore, oppose the report. Thank you.

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

Hon. Nyaoke (MCA, North Nyakach): Thank you Mr. Speaker. I want to say that when this matter came to this House, sometimes back it was shot down—not because this was not a viable project. The fundamental reason as to why this motion was shot down was because of some missing links and pieces of information that Members felt needed to have been included in the report. My able Chairperson has demonstrated as he was presenting this report, a detailed report with all the fundamental queries answered at that particular time. It is also important to note that the Motion which was moved here on 15th regarding rescinding of the Motion that was shot down on the 14th, was a very important turning point for this House. I agree that it was done not in bad faith, but everyone can confirm that it was done in good faith.

Mr. Speaker, the decision to rescind the report made this House Committee to rethink and re-dig the missing links that were realized during the initial period—in order to comb all the missing parts which Members wanted to understand. Mr. Speaker, we may go into the records that during the Third Assembly, we participated in bringing a factory in Kisumu County. My able Chairperson has also elaborated the advantages, which outweighed the minimal disadvantages that my colleague mentioned, although, not necessarily connected to this issue.

Mr. Speaker, when we were sought to know about certain details, for example, the Land Registration Numbers of the piece of land, and attendant procedural acquisition of this particular land, it is evident and the appendices to this report contain everything that we would have wanted to be included in the original report. Therefore, it goes without saying that, the only thing that we are able to save our County, is to support this Motion that we have this company established, and assist our people, because it is not only job vacancies, but also the revenue that is also going to come with the establishment of this company.

Mr. Speaker, I, therefore, stand to support and urge Honourable members to be part of the history in establishing a factory in our county, procedurally. This is also what our Governor has been talking about— to establish some factories. Moreover, after the establishment of this company, the same place is going to be established as an EPZ zone, to attract more investors and invest in the same facility. Mr. Speaker, I beg to support. Thank you.

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

Hon. Oraro (MCA, Kolwa Central): Thank you Mr. Speaker. I rise to add my voice to this special report, a report that has brought a lot of confusion. It has made us to understand that there are other opportunities that enable a House Committee bring a report that has been collapsed, back to life, using some technicality.

Mr. Speaker, we do not have a problem with the word, lease or sub-lease. However, we have a big problem with the manner and how the arrangement of Med-Aditus has been presented. We do not doubt that land was bought neither do we doubt that documents that were brought to the Assembly, to confirm that the agreements were done and that the land was transferred to Kisumu County Government.

Mr. Speaker, whatever the decision we are making today, is for thirty-six (36) years. This decision we are making today feels like sometimes, it is better if not pushed down our throat so much. H.E Governor Peter Anyang' Nyongó has about two years, two months to vacate office, which he is holding as our Governor and forever, he will not have another chance to be Governor under the law of Kenya.

Mr. Speaker, some of us may have the same number of years remaining, and might never hold these offices again. However, the decision we make today will still last into the future of this County. Some Members will either applause or may say that there is nothing we talked about regarding this matter. Anytime you want to give an investor land to use, as an Assembly we need to be alert and get details that we can understand. Funny enough, I have never seen nor do I know the kind of drugs they intend to manufacture.

Mr. Speaker, I do not know the kind of generation of drugs they will manufacture. I do not have much information. However, the only thing that struck my mind if I read among the annexes, I am seeing a situation where Great Lakes University is also one of the partners in the entire arrangement. No wonder that is where they did the public participation. A lot of things revolved around Great Lakes University, which is a private university. I was wondering, why all this information; why are those things so tight so that we buy this land and like Honourable Nyaoke said, we are going to name that place as Special Economic Zone. It is not there yet, but we are going to name it later. This implies that, things are being rushed, probably because the investor is trying to threaten the County that they are going to run away if their demands are not met. Let me believe that this is the position. However, as an MCA representing Kolwa Central Ward, anything about the investor coming to Kisumu County is not about that our land will go, it is about having the right thing and people who have capacity; people who can go and visit some of the establishments they have done in different countries.

Mr. Speaker, if this is going to be their first pharmaceutical company, and they are conducting piloting. I do not know. Maybe Honourable Boitone will respond to this during his reply or the Chairperson, Departmental Committee on Medical Services. In reality, the Governor failed us as Members because if this issue has been dragged, then it was good show, if we could have a

roundtable meeting in which investors tell us and probably demonstrate through videos what they are doing in other countries. That is, what they are doing in other countries and why they feel like Kisumu could be a good place for them and such information as their capacity, amount they wish to invest and more.

Mr. Speaker, this report might pass today and it will be ready tomorrow and the Executive will be happy. However, if you ask me as an MCA going to my Ward maybe in the evening, what we approved as an Assembly, I will be lost of words. I will not even say anything about the report. I will not even have tangible information to share and inform my people what this company has done in other areas and our feeling as residents of Kisumu that we shall get benefits.

Mr. Speaker, finally, as I conclude, this was not the right time to bring this report. The issue of Med-Aditus has not been fully opened and I do not buy. Because of this, Mr. Speaker, I will not even try to imagine me saying yes to this report or supporting it. I would rather let it pass through and this is because the majority have their way and the minority have their say. We do not have much information as leaders of this county. We do not know what is behind the deal between Great Lakes University and the Governor of this great county. Mr. Speaker, we do not know anything that is going on. I do not support this report.

The Speaker (Hon. Oraro): Honourable Kelvin, nobody is forcing anything down your throat. The reason you are given time to debate is to persuade Members to come to your side. If you are opposing the report, persuade the other Members to do so. If you are supporting, persuade the other Members to equally support. That is the reason for debate. I hope the Members who are going to speak will stand guided.

The Speaker (Hon. Oraro): Yes, Honourable Fredrick Odari.

Hon Odari (MCA, Chemelil/ Tamu): Thank you, Mr. Speaker.

The Speaker (Hon Oraro): Order!! Honourable Kelvin. Honourable Odari, please proceed.

Hon Odari (MCA, Chemelil/ Tamu): Thank you Mr. Speaker. I wish to mention something under Expression of Interest (EOI). We are being informed that the Department of Lands, Physical Planning and Urban Development, as the procurement entity for the Tender Number CGK/LPPPH&UD/EOI/2023/2024/001 for the procurement of land, LR No. Kibos 654/45. Mr. Speaker, I want to bring into your attention that the land they are talking about, belongs to Kabonyo/Kanyagwal. I will table this document so that you can verify before you retire.

(Hon. Kelvin Oraro interjects with a Point of Order)

The Speaker (Hon. Oraro): Honourable Oraro, what is your point of order?

Hon. Oraro (Kolwa Central): Mr. Speaker, I wish to be on the same page if we have the same document Honourable Odari is reading.

The Speaker (Hon. Oraro): Honourable Odari, you heard a point of order raised by Honourable Kelvin…

Hon Odari (MCA, Chemelil/ Tamu): Mr. Speaker, I am just making reference to what is in the document.

The Speaker (Hon. Oraro): Honourable Odari, It is my opinion that, it is prudent that you lay evidence.

Hon Odari (MCA, Chemelil/ Tamu): Mr. Speaker, it is okay, I will lay evidence because I have it.

The Speaker (Hon. Oraro): Okay. Proceed with evidence. Serjeant-at-arms, can you submit the evidence from the Honourable Member.

Hon Odari (MCA, Chemelil/ Tamu): Mr. Speaker, I have the evidence and it is from the Website of Kisumu County. It talks of Kabonyo/Kanyagwal; mentions activity as Ugenya Evacuation Centre, size of acre, two acres, Reference No. CGK/LP/PH&UD/E01/2023/2024/001. It is the same thing I am talking about.

Mr. Speaker, I am in page 22 of 54. Whatever is being discussed here, everything we are being told, especially in the annexes, there is no document attached. I also want to bring to your attention, in the same copy I have provided, that you look at CGK/LPPH&UD/E01/2023-2024. On this, we have been referred to annex 20 that the piece of land is 15 acres. That same land belongs to North Kisumu, Nyahera.

(Hon. Dede interjects with a Point of Order)

The Speaker (Hon. Oraro): What is it Honourable Dede?

Hon Dede (MCA, North Kisumu): Thank you, Mr. Speaker. The speaker on the Floor has just talked of a portion of land in Nyahera. Can he give us more information about the piece of land he is making reference to?

Hon Odari (MCA, Chemelil/ Tamu): Mr. Speaker, I have provided the evidence that was required.

(Leader of majority rises on a Point of Order)

The Speaker (Hon. Oraro): What is it Honourable Leader of Majority?

Leader of Majority (Hon. Ooko): Thank you Mr. Speaker, Honourable Odari has indicated that the Parcel of Land that he is making reference to is not in Kisumu County but in Nyahera. Mr. Speaker is Nyahera outside the boundaries of Kisumu County?

The Speaker (Hon. Oraro): Leader of majority, the member has provided to me some documents. Let me allow him to proceed. I will guide appropriately.

Hon Odari (MCA, Chemelil/ Tamu): Thank you, Mr. Speaker. This Parcel of Land that we are talking about in Kibos, LR No. 654/45/LR123371. Mr. Speaker, I am aware that Great Lakes University has never transferred any parcel of land to Kisumu County Government. About the year 2020, there was a ruling which was made; the case was Case No. 18 of 2018. It was stated that, Parcel LR No. 24810 in Kisumu County; No. 654/45 at Kibos, Kisumu; LR No. Kisumu Municipality 12/201. However, I had the Chairperson talk of 12/2. Another parcel of land in that area is Municipality Block 122143, and another is 209/11452 in Nairobi; and another Parcel of land 11280/16 at Kibos in Kisumu. Mr. Speaker, those are the parcels of land belong to Tropical Institute of Community Health, not Great Lake University.

Mr. Speaker, I want to bring to your attention the reason I am saying that the Great Lakes University has not transferred any piece of land to county government. In the court ruling, the judge held that; *I have come to the conclusion that the university has not prosecuted its case to the required standard.* The case failed and it was accordingly dismissed. This means that the Great Lakes University do not own any land in that area. Thank you, Mr. Speaker.

(Hon. Nyaoke rises on a Point of Information)

The Speaker (Hon. Oraro): Honourable Nyaoke, whom do you want to inform?

Hon Nyaoke (MCA, North Nyakach): Mr. Speaker, I wanted to inform my good friend, Honourable Odari. Although the member has already resumed his seat, I do not know whether the procedure would allow me to inform him. It would be advantageous to him.

The Speaker (Hon. Oraro): Proceed.

Hon Nyaoke (MCA, North Nyakach): Thank you, Mr. Speaker. It is my belief that, one confusing thing about what Honourable Odari who has stated that…

Hon Odari (MCA, Chemelil/ Tamu): Honourable Nyaoke, kindly inform the House, not me. Thank you.

Hon Nyaoke (MCA, North Nyakach): Thank you.

The Speaker (Hon Oraro): Order!! Honourable Members. Honourable Odari, you should have known how to debate. You should address the Speaker. Honourable Nyaoke requested to inform you and you were silent. That is why I gave him the authority to proceed. So, if you have any objection, just address the Speaker, not Honourable Nyaoke.

Hon Odari (MCA, Chemelil/ Tamu): Mr. Speaker, Honourable Nyaoke should inform the House. I believe that, by doing so, that information will assist the House.

The Speaker (Hon. Oraro): Okay, Honourable Nyaoke proceed.

Hon Nyaoke (MCA, North Nyakach): Thank you Mr. Speaker. We have also gone to the details of those cases that my colleague, Honourable Odari, is referring to. Maybe one of the points that he missed is the relationship between Tropical Institute of Community Health and the Great Lakes University.

Mr. Speaker, I believe that, this is where the member did not understand very well. TICH holds the land for GLUK in trust. There is no way GLUK can make any transaction without TICH involvement. Sometimes back when GLUK went to court to get the determination, the case was ruled against them and maintained TICH to continue taking care of those lands under GLUK. I believe that, this aspect of it that he missed to understand, although he has some idea, but that is how the situation is. Thank you.

The Speaker (Hon. Oraro): Honourable Odari raised some concerns, and he did lay before the House here some evidence on a call for Expression of Interest for Purchase of Land in the year 2023/2024. He alluded to some numbers. I have studied the expression of interest, which is generated from the website, and also consulted. The fact is that at the call for expression of interest, his reference is right. However, on the subsequent proceedings, on the subsequent proceedings in the procurement that followed this call for expression of interest, the land in question took the same reference. Therefore, I want to rule this one out of order.

Secondly, the question into the issue between TICH and Great Lakes University. There was a case between Great Lakes University of Kisumu as the plaintiff, and the registered trustees of Tropical Institute of Community Health and Development in Africa, TICH as the defendant. The judgment is as per Case No. 18 of 2018 in the High Court of Kenya at Kisumu.

I want to request you Honourable Odari, that please look at the judge's determination on Civil Case No. 18 of 2018 between Great Lakes University of Kisumu as the plaintiff, and the registered trustees of the Tropical Institute of Community Health and Development in Africa, TICH, as the defendant. You will be guided as appropriate. The finding was that there was no breach completely on the request by TICH, and I have seen that the Mover of the Motion has presented a lease title with a sequence on which the lease title was arrived at and with letters from Prof. Hazel, the Vice-Chancellor of Great Lakes University, with a lot of recommendation from the Ministry of Lands, Opiyo and Associate, Surveyors, and the County Government of Kisumu. I want to request Honourable Members that please, when we read this document, do not read it in isolation. If you read it in isolation, you are only going to completely misguide or misinform Members.

Lastly, I want us to confine ourselves to what the Mover has requested. He has presented a lease title, which I have, up to this time, not had any Member maybe claiming that the lease title is not authentic. Then, based on the lease title, the land is supposed to be given as a sub-lease to *Med*

Aditus. If there is any issue of procurement and there may be anomalies in numbering, I want to request that it can be dealt with as a separate issue. As we speak, there is already a lease title in the name of the County Government of Kisumu.

Therefore, Honourable Odari, if you can have the preceding documents after the expression of interest and what subsequently happened, and the judgments, then I believe that we can allow that matter to be dealt with separately as a matter of procedure in procurement. So, I direct.

(Hon. Oraro rises on a Point of Information)

The Speaker (Hon. Oraro): Honourable Oraro, whom do you want to inform?

Hon. Oraro (MCA, Kolwa Central): Mr. Speaker, I want to inform the House.

The Speaker (Hon. Oraro): Please proceed.

Hon. Oraro (Kolwa Central): Thank you Mr. Speaker. I expected you to be blind to this debate, but in one way, it seems that you have a lot of interest. For that reason, Mr. Speaker, consider…

The Speaker (Hon. Oraro): But, Honourable Oraro, I thought you were informing the House.

Hon. Oraro (MCA, Kolwa Central): Mr. Speaker, I am informing the House and also you, the Chairperson. And this is because from the debate, whatever you are trying to do is to thwart any contrary opinion and any information raised by Members, and to some extent, it is like trying to stop debate going on for us to approve a matter which is not clear. Mr. Speaker, arising from the judgment that we have just read, and a lot of things that maybe some of us were not even informed well about, and that is why we are bringing those issues, it means that there are a lot of things that are not clear in this arrangement. So, Mr. Speaker, kindly try to be far from the debate unless you want to declare your interest.

The Speaker (Hon. Oraro): Honourable Kelvin, I thought you were informing the House, but I think you are going back to what I have made a determination on. I have not forced any Member to vote in any way. Honourable Odari raised a very pertinent issue that required that I give guidance. It would not be right if I leave the matter raised by Honourable Odari without giving guidance. I have given guidance that, I have confirmed it is true that the reference number the member was referring to, is as he has alleged, that it was for a Parcel Number known as Ogenya Evacuation Centre in Kabonyo-Kanyagwal.

Similarly, I have given guidance that in the subsequent, there is the expression of interest and the subsequent documents that the number changed from Kabonyo to the one that is in reference. I have informed the member that, let him find it important to dig deep into that and that there is no

alarm at all in terms of that numbering, up to when the payment was done. That does not mean that I am forcing any Member to vote in any way. I have only indicated, and in fact I have also read in the report that the Honourable Boitone presented and he did say the same; that there were some procurement gaps in terms of acquiring the land. I looked at his conclusion on that matter. I did determine or guide that if there is any gap, it can be dealt with separately as a gap in the procurement procedures. I am basing it on the fact that the matter in question is regarding a land which already the county government has a lease title. That does not mean that I am persuading Members to vote in any way or otherwise.

The Speaker (Hon. Oraro): Yes, Leader of Majority.

Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you, Honourable Speaker. I rise to support this report. I want to thank this House Committee for ensuring that due process was followed when acquiring the said land.

Honourable Speaker, I want to allay fears of Members opposing this report. If you keenly go through the report, upon approval of this subject, this House Committee sstates that we approve with conditions and they are very important riders. First, it says that there will be legal review and written opinions on the following;

a) Concession agreement,
b) Memorandum of Understanding
c) Sub-lease Agreement that will be prepared and tabled before this House.

Mr. Speaker, I do not believe that there is a problem in Members approving this report; because by the end of the day, all this we are doing with the conditions that I have mentioned.

Secondly, we have said that it must have legal protection for the county. That is on the Sub-lease Rent, the agreed revenue sharing, the environmental compliance, ensuring that operations in the company does not interfere with the lives of the locals and even the planning approvals.
Honourable Members, I want to implore you that we approve this report the way it is. As the Proposer said, this is a very important investment in this County, and we have always talked of high rate of unemployment. This company will provide employment to the locals. It will also enable the students in GLUK to undertake their attachment at the company and also to do research. And lastly, to make sure that we have the availability of land in the Kisumu County and beyond. Honourable Members, I ask you to support this report. Thank you, Mr. Speaker.

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

Hon. Ochele (MCA, East Kano/Wawidhi): Thank you Mr. Speaker. Mr. Speaker. This is a very important motion. It is a motion touching on development in the County Government of Kisumu,

and also resting closer to providing job opportunities to our people. Mr. Speaker, I do not want also to forget that GLUK and Med Aditus are heading towards partnering, in kind of sharing this pharmaceutical company as an attachment or internship basis. That is a very important aspect of the report. However, Mr. Speaker, as important as it may be, we must be careful on certain procedural matters.

Mr. Speaker, we should not take what Honourable Odari has just raised lightly. Mr. Speaker, in procurement, Tender Notices are not shared. When a Tender Notice reads Kabonyo/Kanyagwal, it cannot be shared with Kibos. It can never happen and it is good you have also alluded to the fact that Honourable Odari is right and the document before you, is correct. However, you said that subsequent notices may be correct. Do we have those subsequent procedures? We do not have them. What Honourable Odari has just raised is the first initial step to informing us that the tender notice in question does not belong to Kibos. So, we should give ourselves time to get the subsequent notices so that we verify if it was indicating Kibos. However, following series of procurement actions, it has now been converted to Kibos. We cannot just assume that Kabonyo-Kanyagwal to be meaning the same thing as Kibos.

Honourable members, the ground there is very hostile on us. If it is not hostile on you, it is very hostile on me that I do not want to add any mud onto my name. When this thing will boomerang, the social media will be very live to your participation in recommending this very rotten document. You will go and carry it in your ward. The bloggers in your ward will always remind you that this night, this day, this evening, you stood up to support this rotten thing that is now haunting Kisumu County. So, we should not be pushed. We should be given time to verify facts as they come before this Assembly. If you are in a hurry to go home, some of us like myself, I am not. I am struggling to come back. I do not want to go home for something that I do not understand.

Honourable members, I beseech you to take any notice by notice independently. The Notice by Honourable Odari is a very crucial lead on the intention to pass this land to Med Aditus. It is a very crucial lead. If we have good intention of having this company without any legal complication, allow us time to verify all the facts raised by Honourable Odari. To my satisfaction, these facts are true. If they are not true, then we should give ourselves time to go through them by inviting the people who are concerned. Mr. Speaker is not concerned with the Land Department, and the land has been mentioned. Allow the Department of Land to reject these cases which Honourable Odari has just cited.

Otherwise, Honourable members, we will be the ones, apart from the roads, this will be the worst scandal we will be doing in this Third Assembly. I beseech that we reject and give us time. Thank you.

The Speaker (Hon. Oraro): Honourable members, I did not want to interject because you would maybe perceive that I am gagging you. However, your debate is revolving on a matter that I have already made a determination on. Anyway, it was your time and you have used it well.

The Speaker (Hon. Oraro): Honourable Warindu.

Hon. Warindu (MCA, Miwani): Thank you so much, Mr. Speaker, for granting me the opportunity to support the report. Mr. Speaker, if you are objective enough, the reasons the initial report was shut down, was given by the Chairperson of this House Committee. If I can remember, there were only four. There were evidential ambiguities and inconsistencies in land reference number, which has now been given. We had a bigger Parcel of Kibos LR No. 654/45. This bigger parcel was subdivided to give LR number Miwani 1202. I want to believe that these two documents were responding to the concerns that were raised in that reason.

Mr. Speaker, the second reason was ambiguities in the corporate identity of the *Med Aditus* Pharmaceutical Company with its directors' address and certificate of incorporation. Mr. Speaker, if you go through the old report, the Certificate of Incorporation has been attached in the annexes that were given. The registration number has also been given. The directors of this company have also been listed in the report. They are:

1. Dhiren Thakker, one of the investors from USA
2. Dr. Vincent Akoko Orinda, from Kenya
3. Joseph Magero, who is the secretary, a Kenyan.

Mr. Speaker, when the public participation for this and the public participation were strategically called at GLUK University. I want to believe you know why they preferred the GLUK University as the place on which this facility be situated. This investor, from the information that we were provided, was in public service for almost 20 years. He retired so that he could establish a pharmaceutical company. Indeed, they were looking for land. And through the efforts of our renowned scholars, Dr. Khama Rogo, Vincent Orinda, who is a Director here, and Dr. George Rye, were fully convinced that this pharmaceutical company can be established in Kisumu County in Miwani Ward. When I was giving my speech on that day, the majority of those who were invited for that public participation were very eager, and they asked so many questions that pertained to this industry and of their concerns were responded to.

Mr. Speaker, sometimes when you look at the way we take things, maybe this is one of the reasons why Africa has lagged behind in terms of development since 1963. We cannot grow as a country; we cannot grow as a country without industrialization. This is an opportunity that is coming, and because we have the African mentality, we just think that our land is going to be taken away from us. We have seen cases where investors were thrown out from the places where

they wanted to establish schools, industries, and many other things. Those places have never grown up to now.

Mr. Speaker, in rejecting this report, we are going to be very unfair to our people and to the future generation. This is a company which is trying to solve, to give us solutions on the issues that were affecting us even before the independence. We had the poverty, an issue still affecting us up to now. How can we get rid of it? There is a solution coming and we are rejecting the opportunity.

Mr. Speaker, there was the issue of diseases, which started affecting us since independence up to now. We are still suffering from the same diseases. There is an investor coming with a solution to help us yet we are still rejecting it. We had also had the issue of ignorance and I want to believe that this company will establish a medical school in the same place. Africans, what went wrong with us? Why can't we for once open our eyes and give these people a chance so that our lives can be changed? Mr. Speaker, this land has been there for over 50 years, doing nothing up to now. There is an investor who has come and is begging us to just give them the land and see the wonders that they are going to do with it. We are still rejecting this, Mr. Speaker. What went wrong with us, Africans? Let us open our eyes and give the investors a chance to establish this company in Kisumu County. Thank you Mr. Speaker, I support.

(*Applause*)

The Speaker (Hon. Oraro): Yes, Honourable K'Omudho.

Hon. K'Omudho (MCA, Muhoroni/Koru): Many thanks, Honourable Speaker. I am privileged this afternoon to rise and contribute to the very noble report that is being presented for the second time in this House. Honourable Speaker, in this House we are many. We are 48 members, and we have been classified into different groupings in the name of House Committees. Mr. Speaker, together with fellow Honourable Members, it is only fair that we get properly listen to the report. The report was a long one, a very lengthy one, and congratulations to this House Committee together with the Chairperson. That is a wonderful job. I kept on listening. I wanted to listen to some of the details that I would have wanted to hear, and I heard about them.

Mr. Speaker, I want to say that my main reason for supporting this is based entirely on the thorough work which has been done by the Departmental Committee on Lands, Physical Planning, Housing and Urban Development. We have to trust these House Committees. We have to know that they have got the mandate to deliver such that when the report is presented in this House, it is a thorough report, and this is the second time this particular committee is coming up with this.

Honourable Speaker, like my colleague, who is directly affected by that, Honourable Geoffrey Warindu. Of course the member is a beneficiary together with the community around that area. The member has cried, and he has really cried, and is he willing to see some development taking place. For some of us who have been privileged in having some factories like Muhoroni Sugar, now turning into West Valley, Homaline Company, Agrochemicals, and many more.

Mr. Speaker, I want to inform this House that the economy there is completely up and cannot be compared to these barren areas where people keep on making noise about the land that is totally useless to them with not any meaningful development. Is it not true that if this company takes off we are going to realize some meaningful employment in the area? Is it not true that if this particular development takes place, we may realize some good economic growth in this particular area? In that aspect, I stand to see what we shall gain. I have heard some of my colleagues, and specifically my colleague, Honourable Odari, coming up with very good details, but I would have requested that those are fine details that should be taken by the relevant House Committee. I believe that the report should not be present in this House with wrong plot numbers and everything that we have listened to here. That would mean that indeed we do not want to know.

Mr. Speaker, what we desire to hear now is that what we are contributing for are the beneficial factors that are likely to come out of this particular development. We have been complaining, the other day, we had the leasing of the sugar factories. Honourable Speaker, I want to inform you one thing. That representing Muhoroni Koru Ward and the coming in of the West Valley, we have actually started seeing the fruits immediately. I have been killed here several times because of the pathetic road conditions in Muhoroni. Mr. Speaker, a while back, I had the opportunity to talk to the chairman of the West Valley, and believe you me, if you go to Muhoroni Town Centre, it is now a wonderful place. It is actually murram, but a smooth murram, unlike the potholes that people kept on making a lot of noise for me about.

Mr. Speaker, we are saying that people really opposed. These people are coming to grab the nuclear farms. What are these investors coming to do? Surely a lease is not something which is taken permanently. When you give chance to the new things, you are likely to benefit and see the development in case of the gross poverty that has been spread across this area. Miwani is going to wake up. If this thing comes up, Miwani is going to realize development, and the poverty level shall be reduced drastically if this project takes place. I feel we should give the project the full support so that it takes off so that we may also benefit as Kisumu County Government. Once more, I support. Many thanks, Hon Speaker.

The Speaker (Hon. Oraro): Yes, Honourable James Were.

Hon. Were (MCA, Nyalenda "B"): Thank you, Mr. Speaker. I rise to add my voice. This is the second time we are debating this motion, and the only sole reason why this report was knocked down the other time was majorly because of the ambiguity on the title numbers and attendant inconsistencies. When this report was brought back to this House Committee, the ambiguity issue was cleared. My attention is drawn to page 38 of the report. They are the documents that were presented to this House Committee. Mr. Speaker, one of them, if you look at number one, there was a letter dated 15th, 2024, from the Governor to the Cabinet, the Secretary (CS) for Health, requesting the national support for Med Aditus project.

Mr. Speaker, if you go ahead, there was a document that was shown and was provided about the registration or the authenticity of Med Aditus. A Certificate of Incorporation was shown and was provided, showing that it is a Registered Pharmaceutical Company in Kenya. Mr. Speaker, the third was a letter dated 24th, February, 2025, from the Chief Officer of Medical Services, submitting the Med Aditus Project Documentation. The most important one was a documentation showing that there was Public Participation to that effect. The public was involved and public participation report was attached. Having considered all these, I think it is, right for us now to give this noble project a go ahead and support that it requires. Why do we do this? We are looking at the economic benefits. What will Kisumu County gain out of it? Our people are going to get employed and we shall also generate revenue. Mr. Speaker, it is my considered opinion that, Kisumu County has a lot more to benefit from this programme. I therefore beg to support, Mr. Speaker. Thank you.

The Speaker (Hon. Oraro): Honourable Zach Okoyo.

Hon. Okoyo (MCA, Central Kisumu): Thank you Mr. Speaker, for allowing me to give my voice on this report. Mr. Speaker, I am one of the privileged members of this House Committee, which has brought back this report. Allow me to take Members back to the day we rescinded this Motion. Mr. Speaker, we did that because we wanted to unearth a lot of information about this report. I clearly recall the moment I stood in this House and requested that we rescind the earlier decision that shelved the report. My intention was to give us ample time to investigate further and bring more substantial evidence before this Hon House. Today, Mr. Speaker that time has come. We are now in a position to present the findings we have gathered.

Mr. Speaker, I personally had numerous questions regarding this report. I sought to understand the nature of the relationship between Great Lakes University of Kisumu (GLUK) and the Tropical Institute of Community Health (TICH). Indeed, this issue has been raised several times in this House, with many Members expressing uncertainty about the roles and identities of GLUK and TICH.

Mr. Speaker, it is important to clarify that the two institutions are closely linked. TICH, in fact, holds administrative authority over all the properties in question. This matter was taken to court, and the ruling granted TICH the mandate to manage the properties. However, since GLUK is the institution entering into an agreement with the county government to provide land, TICH had to give its consent for this to happen. That legal and administrative ambiguity, Mr. Speaker, has since been resolved.

Mr. Speaker, we are now at the point of dealing directly with GLUK. The scope of our investigation, Mr. Speaker, went beyond just the ambiguities that were initially flagged—such as those raised by my colleague Honourable Warindu. We also scrutinize the authenticity of Med Aditus and verified the credibility of the individuals involved. Though we could not summon all the directors due to time constraints, we managed to gather all relevant documentation. We even conducted a search at the Registrar of Companies, which confirmed the accuracy of the information presented.

Mr. Speaker, I support the report. However, as leaders entrusted with oversight responsibilities, I wish to propose that we attach certain conditions to its adoption. Specifically, I suggest that this House sets a timeline within which the organization—Med Aditus—must submit a progress report on their undertakings. Although the lease period is extensive—36 years—I believe it is prudent that we introduce a mechanism to monitor progress periodically.

Let us include a clause—be it a caveat or a formal condition—that mandates Med Aditus to report back to this House at specific intervals. This will ensure transparency and accountability, and help us track the actual developments on the ground.

Mr. Speaker, I acknowledge that Kisumu is eager to attract more investors to create employment and other opportunities for our people. However, it is our duty to proceed cautiously. Without proper oversight, we risk passing a report that may later be challenged in a court of law, placing the burden back on this House and calling into question our commitment to proper governance. That is my submission, Mr. Speaker. I thank you.

The Speaker (Hon. Oraro): Yes, Honourable Samuel Onyango.

Hon. Onyango (MCA, Railways): Thank you Mr. Speaker. I wish to share a few comments regarding the report before us. Mr. Speaker, I supported the Motion to rescind the earlier decision because I believed that this House Committee would use the additional time to compile a comprehensive and conclusive report. However, it is unfortunate that what has been presented today appears to be no different from the report that was previously tabled.

To my surprise, Mr. Speaker, even some members of this House Committee seem uncertain about the contents of their own report. I heard one committee Member suggest that conditions can be added after we pass the report. Mr. Speaker, are we truly being serious? Are we here to rubber-stamp illegalities and do corrections later? That is not how oversight should be conducted.

Mr. Speaker, we cannot afford to rush into making decisions—especially those with long-term implications—just to satisfy certain interests, particularly at the expense of Kisumu County. The whole purpose of rescinding the previous decision was to grant this House Committee adequate time to investigate thoroughly and present all relevant findings about the organization in question.

For instance, Mr. Speaker, we are talking about committing county land for a period of 36 years. But, for what value? Even now, the committee Members are unclear about who the actual directors of the organization are. They claim to have conducted a search through Google. Watt World, yet we had agreed that they were to return with a detailed, comprehensive report. That report was to include verified identities of the directors, all relevant documentation, and sufficient evidence upon which this House could confidently make an informed decision.

Mr. Speaker, without that level of due diligence, I find it difficult to support this report in its current form but Mr. Speaker.

(Hon. Nyaoke rises on a Point of Order)

The Speaker (Hon. Oraro): What is your point of order Honourable Nyaoke?

Hon. Nyaoke (MCA, North Nyakach): Mr. Speaker, on the Statement of fact. Mr. Speaker, I have heard my fellow member express concern about not having seen the names or the list of directors. However, Mr. Speaker, all that information is clearly provided in the appendices of the report. The names, company registration details, and media-related documentation are all properly attached.

Mr. Speaker, it is possible that my colleague may not have had the opportunity to thoroughly review the full contents of the document. I would respectfully suggest that he take a moment to go through it in detail. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Honourable Onyango.

Hon. Onyango (MCA, Railways): Thank you Mr. Speaker. With all due respect, I believe my good friend, the Honourable Member, may be slightly mistaken or perhaps mixing contexts and

maybe confused—as though he were addressing a congregation rather than this Honourable House. To clarify, Mr. Speaker, what I was saying is as follows...

The Speaker (Hon. Oraro): Honourable Onyango, that is not right. The Honourable Member just referred you to the annexures that the Directors of the said companies are in the annexures. Therefore, I believe that it is not right to call him that.

Hon. Onyango (MCA, Railways): Thank you, Mr. Speaker. My point was that this House gave this House Committee a clear mandate—to identify and engage directly with the directors of the organization in question. The expectation was for this House Committee to meet them in person, not simply conduct a registry search. What we have instead, is just a name search. That raises concerns because we cannot verify whether the individuals they found are indeed the actual directors. Why weren't face-to-face meetings not arranged? This is a matter of serious importance.

Mr. Speaker, it is highly irresponsible to allocate land for 36 years to individuals we have not even met. To add to this concern, I personally visited the organization's website. It is incomplete—marked only as "coming soon." This suggests that the organization is still in its infancy, possibly using Kisumu County as a testing ground or pilot location.

Mr. Speaker, from what we can tell, this organization has no proven track record of operating anywhere else. That alone should be cause for caution.

(Hon. Okombo rises on a Point of Order)

The Speaker (Hon. Oraro): Honourable Okombo.

Hon. Okombo (Manyatta "B"): Thank you, Mr. Speaker. I wish to inform this Honourable House that Med Aditus Kenya is a quasi-partner of Med Aditus United States. Mr. Speaker, I also want to clarify that whether the organization sent a representative or the director appeared in person should not be the central issue. In this case, I can confirm—as a member—that a duly appointed representative was present and engaged with the relevant stakeholders.

Therefore, Mr. Speaker, the argument that the directors did not appear in person does not hold much weight.

Mr. Speaker, I would also like to pose a question to the House: what exactly do we stand to lose by granting this firm the sub-lease? Conversely, what are the potential losses if we choose not to approve it? Thank you, Mr. Speaker.

Hon. Onyango (MCA, Railways): Thank you, Mr. Speaker. I wish to respectfully inform the Deputy Speaker that we simply cannot commit 36 years of public land to individuals whose identities remain unclear. This land belongs to the people of Kisumu, and we have a duty to protect it. Moreover, Mr. Speaker, we cannot afford to lose Ksh 15 million, nor can we ignore such critical gaps in due diligence—unless we are deliberately choosing to overlook our responsibilities.

Mr. Speaker, I am aware that there is significant pressure being exerted to have this report passed. Even members of this House Committee—some of whom are our friends and colleagues—have openly admitted that they are under pressure and lack complete details.

Therefore, Mr. Speaker, I will not go further except to state my firm position: I oppose this report. I cannot, in good conscience, support a move that risks handing over Kisumu County's assets to individuals of unknown identity or credibility. I oppose. I oppose. I strongly oppose.

The Speaker (Hon. Oraro): Yes, Honourable Peter Obaso.

Hon. Obaso (Nominated Member): Thank you, Mr. Speaker. I rise to add my voice to the discussion on this report before the matter is concluded. I took the initiative to research the organization in question—Med Aditus—and from what I found, it appears to have been established around 2019. However, Mr. Speaker, I could not find any record of major projects completed by the company, apart from a mention of partnerships in the pharmaceutical sector.

That said, Mr. Speaker, many members have spoken about the potential benefits this initiative could bring to the people of Kisumu County—such as job creation and improvement of the local economy. These are valid and important points. One of the concerns I had was regarding the registration status of the company. I'm pleased to note that this issue has been addressed in the report, and relevant documentation has been provided.

Mr. Speaker, while there are still some uncertainties, I personally believe that sometimes progress requires taking calculated risks. In this case, I feel that the potential benefits may outweigh our doubts. We do not stand to lose much by trying, but we may gain significantly if it succeeds. Therefore, Mr. Speaker, I stand to support this report. Thank you.

The Speaker (Hon. Oraro): Yes, Honourable Caren Ajwang'

Hon. Ajwang' (MCA, Kaloleni/Shaurimoyo): Thank you, Honourable Speaker, I wish to call the mover to reply.

The Speaker (Hon. Oraro): Yes, Honourable Ratib.

Hon. Boitone (MCA, Nyalenda "A"): Thank you so much, Honourable Speaker. I know I have almost 20 or 30 minutes to reply, but I am seeing Honourable Members are begging me to…

The Speaker (Hon. Oraro): Honourable Ratib, the maximum number of minutes that you have to reply is 10 minutes. I think I did give you the notice.

Hon. Boitone (Nyalenda "A"): Thank you, Honourable Speaker. I rise to first and foremost express my sincere appreciation to the Honourable Members who have chosen to support this report. I have noted a shared understanding among several members who have seen the broader value and potential impact contained within this report.

I specifically thank Honourable James Omollo for recognizing the larger vision outlined in this report. My gratitude also goes to Honourable Tom Nyaoke, the Majority Leader, Honourable Warindu, Honourable Vitalis, Honourable Okoyo, and Honourable Peter Obaso. Your support is greatly appreciated, and it is clear that the matters addressed here are of significant public concern.

Honourable Speaker, it has been mentioned that a delay in the acquisition of land in a particular ward should be reason enough to reject this report. I respectfully disagree. That concern should have been formally raised with the Departmental Committee on Lands, Physical Planning, Housing, and Urban Development, which is the appropriate channel to handle such issues.

Honourable Speaker, one member mentioned that he may find it difficult to explain this report to his grandmother when he returns to the village. I urge that member to tell her the truth: that we passed a report intended to improve healthcare access, possibly delivering medicine right to her doorstep.

Let us remember that Med Aditus is a U.S.-based organization, with directors operating both in the United States and here in Kenya. It is not unusual that in the early stages of engagement, representatives are sent instead of directors themselves. As a House Committee, we were provided with all the relevant and necessary information to make our assessment.

Mr. Speaker, there was a reference to Kabonyo/Kanyagwal in the documentation, which some members questioned. Honourable Speaker, let us be clear—the land in question is in Kibos. Any such discrepancies are minor clerical issues that can be rectified. It does not mean the land has moved. To use a familiar analogy: you don't slaughter a cow just because it has a tick—you remove the tick and continue to benefit from the cow. That principle applies here as well.

Mr. Speaker, regarding the Legal Case No. 2018 between TICH and GLUK, the matter was resolved through a court ruling, which confirmed that TICH holds the 50-acre parcel of land in

trust for GLUK. This ruling should not be misrepresented or misused to discredit the current report.

Honourable Speaker, I want to emphasize that public participation was conducted effectively. The very people who participated are our constituents—our electorate. Some members have expressed concern that passing this report might come back to haunt us politically in May 2027. But let us not forget: it is this same public that will remember that we supported a report aimed at uplifting their lives through improved healthcare and economic opportunities. If you choose not to support this report, they will also remember that. They will recall that on Wednesday, 11th June 2025, you declined to support a report with the potential to bring blessings—not only to Kisumu County—but to Kenya and the wider East and Central Africa region.

Honourable Speaker, we must rise above populist politics. We are not here to be village heroes or seek cheap sympathy by discrediting a progressive initiative. We must focus on the bigger picture, as I emphasized when moving this report.

The late Mzee Jomo Kenyatta, the First President of the Republic of Kenya, once said that ignorance is a disease—and indeed, it is. Misrepresenting facts on the floor of this House is an act of ignorance. However, that ignorance can be addressed through informed debate, as I am doing in this reply.

Honourable Speaker, should this report be adopted, it includes provisions for regular progress updates from the County Executive Committee Member in-charge of Medical Services. These updates will help monitor the stages and milestones of the project, and if necessary, the agreement can be reviewed or revoked should the need arise.

Finally, I want to make it clear: no one is under pressure to pass this report. Each Honourable Member is free to vote according to their conscience. However, suggestions that this House Committee has been pressured to approve this report are unfounded. As the Chairperson, Departmental Committee on Lands, I state unequivocally—we are not under any pressure. We carried out our mandate with due diligence, and we stand by the findings and recommendations in this report.

Mr. Speaker, Honourable members, I now respectfully call upon this House to approve the report—for the good of our county and for the greater benefit of our nation. Thank you, Mr Speaker. I reply.

The Speaker (Hon. Oraro): Honourable members, now that the motion adoption of the report of the Departmental Committee on Lands Physical Planning, Housing and Urban Development Committee on the Proposed Sub-lease of Land to Med Aditus for Establishing a Pharmaceutical

Manufacturing Plant in Kisumu and support for his Conversion to a Special Economic Zone have been moved, seconded, debated 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 motion adoption of the report of the Departmental Committee on Lands Physical Planning, Housing and Urban Development Committee on the Proposed Sub-lease of land to Med Aditus for Establishing a Pharmaceutical manufacturing Plant in Kisumu and Support for his conversion to a Special Economic Zone has been adopted today, Wednesday 11th of June 2025 at 17:20 hours.

Honourable members, consequently, I direct that the recommendations of the said report be communicated to the right department for purposes of action and the recommendations of the said report. Again, that requires follow-up and I further direct that the Select Committee on Implementation conducts follow-up. Thank you.

COMMUNICATION FROM THE CHAIR

PASSING ON OF TWO MCAS FROM TURKANA COUNTY ASSEMBLY

Honourable Members, I wish to bring to your attention two solemn matters that have just come to my notice. First, I have received the sad news of the passing of two Honourable Members of the Turkana County Assembly — one of whom is the Deputy Speaker, and the other, Honourable Philip Ekuam, a Member of the County Assembly. May their souls rest in eternal peace.

On behalf of this House, we extend our heartfelt condolences to the Turkana County Assembly. We stand with them in this difficult time.

PASSING ON OF MOTHER TO EDWIN KISIA, DIRECTOR SUPPLY CHAIN, COUNTY ASSEMBLY OF KISUMU

Secondly, Honourable Members, I have also received information on the passing of the mother to our Director of Procurement, Mr. Edwin Kisia. We extend our deepest sympathies to him and his family during this time of loss. May her soul rest in peace.

MEMBERS CONSULTATIVE MEETING

Finally, Honourable Members, there is an emerging matter that requires our urgent attention. I kindly request that you remain behind for a few minutes after the close of this session so we may address it accordingly. I thank you.

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

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable members, there being no any other business to transact in the Order Paper, the House stands adjourned until tomorrow, Thursday, 12th June, 2025 at 2.30 p.m.

(House rose at 05.23 p.m.)

Addendum

The Hansard Team

Zablon Otiende- Assistant Director, Hansard Services

Hansard Reporters

Fanuel Okode- Chief Hansard Reporter

Edward Odanga- Senior Hansard Reporter

Patrick Okoyo- Senior Hansard Reporter

Jacquelyn Otieno- Senior Hansard Reporter

Jesca Otieno- Senior Hansard Reporter

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Stella Ogada- Attache'

Melissa Hellen- Attache'

Sylvia Awino- Attache'