

*Hon. Speaker,  
You may approve.  
18/6/24*



REPUBLIC OF KENYA

*Approved  
SNA  
18/6/24*

THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT (THIRD SESSION)

**PUBLIC PETITION**  
(No.11 of 2024)



**REGARDING THE WAIVER OF THE ELGEYO BORDER SETTLEMENT  
SCHEME NO. 45 SETTLEMENT FUND TRUSTEES LOAN**

I, the **UNDERSIGNED** on behalf of the residents of Moiben Constituency;  
**DRAW** the attention of the House to the following:-

- 1. THAT,** Agricultural Settlement Fund Trustees was established in 1963 under the Agriculture Act (Cap 318 of the Laws of Kenya) Section 168, which was repealed by the Agriculture Fisheries and Food Authority Act, 2013;
- 2. THAT,** the Fund is managed by the Ministry of Lands and Physical Planning. Its mandate is vested in the Settlement Fund Trustees Jointly by the Ministries of Lands, National Treasury, Interior and Agriculture;
- 3. THAT,** the Elgeyo Border Settlement Scheme is among the schemes established under the Fund in 1963 for agricultural development and purchase of land with an initial capital of Kshs 5000, aimed at facilitating settlement and development in the region;
- 4. THAT,** over the years, due to various socio-economic factors and changes in land ownership, the burden of the arrears of loan repayment has become unmanageable for the current generation of residents;
- 5. THAT,** many families inherited the debt without the corresponding assets or resources to repay it. Further, the original purpose of the settlement trust fund has been overshadowed by the financial strain it imposes on the community;

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**6. THAT,** the debt incurred by the Elgeyo Border Settlement Scheme has grown exponentially over time, surpassing the initial capital investment of Kshs 5000 hence becoming a significant barrier to the economic progress and well-being of the community by hindering their ability to invest in essential infrastructure, education, health care among others;

**7. THAT,** the residents have over the years received demand notices regarding the arrears of loan repayment with possibilities of repossession of the land if the outstanding amounts are not paid; and,

**8. THAT,** the issues in respect of which this Petition is raised are not pending before any Court of law or any constitutional or legal body.

**THEREFORE,** your humble petitioners pray that the National Assembly through the Public Petitions Committee -

- (i) Engages the Settlement Fund Trustees with a view of seeking waiver of the accumulated debt of Elgeyo Border Settlement Scheme by the community; and,
- (ii) Makes any other recommendation or action it deems fit in addressing the plight of the Petitioners.

And your **PETITIONERS** will ever pray.

**PRESENTED BY:**



**THE HON. (PROF) PHYLIS BARTOO, MP  
MEMBER FOR MOIBEN CONSTITUENCY**

**DATE:** 14<sup>TH</sup> JUNE 2024 .....