

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 30th April, 1998

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

### PRAYERS

### NOTICES OF MOTIONS

#### INTERNATIONAL WAR CRIMES TRIBUNAL BILL

**Mr. Orengo:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-  
THAT, this House does grant leave to introduce a Bill entitled International War Crimes Tribunals for an Act of Parliament to provide for Kenya to assist the International War Crimes Tribunals perform the functions and for matters connected therewith and related thereto.

#### SURVEYS AND STUDIES IN ASAL ZONES

**Mr. M.M. Galgallo:** Mr. Speaker, Sir, I beg to give notice of the following Motions:-  
THAT, noting that the Government has an inalienable duty to create an enabling environment for economic and social development, concerned that mineral rich ASAL zone is marginalised and underdeveloped, this House calls upon the Government to carry out immediate surveys and studies in the ASAL zones to enable the people exploit their untapped resources and set aside funds which the locals could borrow for investing in the mining industries to safeguard them against continued exploitation and further marginalisation.

#### FUNDS FOR NAIROBI-ADDIS ABABA ROAD

THAT, since Road A2, Nairobi-Addis Ababa is an international highway and noting that the Government has failed to tarmac this road for the last 20 years despite frequent promises, this House calls upon the Government to immediately allocate adequate funds to repair the road and ensure safety of movement of goods and services to Samburu, Marsabit, Moyale, Wajir and Mandera Districts and the neighbouring country.

### ORAL ANSWERS TO QUESTIONS

#### *Question No. 164*

#### REHABILITATION OF BURA IRRIGATION SCHEME

**Mr. Speaker:** Is Mr. Galgallo not here? How many hon. Members are known as Galgallo?

**Hon. Members:** We have four Members who are known by that name.

**Mr. M.M. Galgallo:** It is not me, Mr. Speaker, Sir.

**Mr. Speaker:** Then we will leave this Question until the end. Next Question, Mr. Raila Odinga.

#### *Question No. 021*

#### DESTRUCTION OF FOOT BRIDGES IN KIBERA

**Mr. Speaker:** Is Mr. Raila Odinga not here? The Question is stood over for a moment.

Next

Question, Mr. Norman Nyagah.

*Question No.037*

LOCAL AUTHORITIES DEPOSITS IN TRADE BANK

**Mr. N. Nyagah** asked the Minister for Local Authorities:-

- (a) which local authorities had opened accounts with the Trade Bank and how much money each of the said local authorities deposited before it was placed under receivership; and,  
 (b) what action he intends to take to retrieve the money since most of the local authorities are in a financial crisis.

**The Minister for Local Authorities** (Prof. Ongeru): Mr. Speaker, Sir, I beg to reply.

(a) According to the records available, only the Nairobi City Council had an account with the Trade Bank. The Nairobi City Council deposited Kshs8,318,026.85 on 2nd September, 1993, and Kshs2,360,000.00 on 6th September, 1993, respectively, totalling to Kshs10,678,026.85. On 15th February, 1996, the Deposits Protection Fund (DPF) paid Kshs3,100,000 to the Nairobi City Council. Therefore the Council is owed Kshs7,587,026.85.

(b) The Council is in touch with the DPF which has so far paid the Council Kshs3,100,000.00 being part of the money owed. This money is inclusive of interest accrued on the owed amount. The financial crisis in local authorities has no relation whatsoever with the monies deposited in this bank which has collapsed.

**Mr. N. Nyagah:** Mr. Speaker, Sir, the Nairobi City Council is indebted to the tune of Kshs3 billion. The DPF has already paid Kshs3 million to the Nairobi City Council in the last three years. Since it is a commercial venture, could the Minister anticipate how long it might take for the DPF to pay the remaining balance to the City Council so that we can get out the crisis in which we are to the extent that the Nairobi City Council is unable to render the services for which it was created?

**Prof. Ongeru:** Mr. Speaker, Sir, just as much as the City Council is owing Kshs3 billion, they are equally owed Kshs3 billion. If that money is paid by all and sundry, the Council should be in a very comfortable position. However, the hon. Member would appreciate that the Minister has no authority over the DPF because that was set up by an Act of Parliament and its functions are entirely unrelated to the functions of his Ministry.

**Mr. N. Nyagah:** Mr. Speaker, Sir, I was wondering whether the Minister for Local Authorities was in a position to talk with the Minister for Finance so that they can see how they can resolve the issue. Through the Chair, I would like to ask the Minister for Local Authorities to talk with the Minister for Finance and ensure that in future any assets - I believe the last asset was the Trade Bank Towers which was sold for Kshs400 million, which was less than its value - that may be left behind by the Trade Bank are sold at the commercial rates so that the depositors who are owed money by the Trade Bank can at least benefit. Thank you.

**Prof. Ongeru:** Well, I am sure the hon. Member would be in touch with the relevant Minister for that kind of comment. It would be a good thing if the DPF is able to release the assets and pay the depositors their monies like others who are also owed elsewhere. Thank you.

**Mr. Speaker:** Next Question, Mr. Karisa Maitha.

*Question No.059*

REALLOCATION OF RIBE PRIMARY SCHOOL LAND

**Mr. Maitha** asked the Minister for Lands and Settlement:-

- (a) whether he is aware that land allocated to the Ribe Primary School by the Methodist Missionaries was reallocated to individuals; and,  
 (b) whether he could take urgent steps to revoke the allocations.

**The Assistant Minister for Lands and Settlement** (Mr. Leting): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that land parcel No.347 in Kikomani/Makobeni adjudication section was reserved for Ribe Primary School.

(b) According to the current policy, the land was registered in the name of Kilifi County Council to hold it as trustee for the school. I am carrying out investigations to establish whether the plot has been encroached on or reallocated, with a view to taking necessary remedial action.

**Mr. Maitha:** Mr. Speaker, Sir, I am satisfied with the answer given by the Assistant Minister. Since the

county councils and local authorities have been allocating plots belonging to schools to individuals, can the Assistant Minister assure this House that all land belonging to schools will be issued with title deeds so that it is not grabbed?

**Mr. Leting:** Mr. Speaker, Sir, we have requested all the institutions to secure titles for their land. It is true that most of the grabbing took place when institutions attempted to have their boundaries adjusted. In fact, in the process, they ended up losing what they perceived to be their land. I would like to add that until title deeds are secured by primary and secondary schools, their land will still be open for grabbing. So, it is in the interest of all of us, including Members of Parliament, to impress upon the institutions to get in touch with the Commissioner of Lands so that they can secure their title deeds.

**Mr. Mwiraria:** Mr. Speaker, Sir, since many primary and secondary schools have already had their land grabbed and given out to people resulting in lack of sufficient land for expansion at all, could the Assistant Minister consider returning the grabbed land to the schools concerned?

**Mr. Leting:** Mr. Speaker, Sir, I think it is difficult to give a blanket guarantee that the land will be returned. Once somebody has secured a title deed for a piece of land, the process of getting the land back is very complex. As a lawyer, I am sure you know this. It involves taking the case to the High Court. So, I would like to advise all the institutions and primary schools which are aggrieved to discuss the matter with the grabber. They can see whether the dispute can be settled out of court or else seek legal redress to recover the land that was grabbed. The idea of schools and institutions claiming that their land has been grabbed and yet they do not possess title deeds is very disturbing. I also feel that the affected schools are not to blame because some of them might not be aware of their boundaries. In fact, some of the schools have temporary boundaries. Surveyors just gave out a certain piece of land that they perceived was enough for a school and the rest was available for allocation to other institutions. It is not easy to recover the land where the person has got the title deed, except through court proceedings.

**Mr. Mwenda:** Thank you, Mr. Speaker, Sir. The Assistant Minister has said that there are two ways of recovering the land in question; one, through negotiating with the grabber, which is impossible; and two, through seeking redress in a court of law. Bearing in mind that most schools cannot afford the legal fee, can the Assistant Minister assure this House that if certain schools identify the grabbers and approach the Ministry of Lands and Settlement, the Government, through the Office of the Attorney-General, will take stern action against them?

**Mr. Leting:** Yes, Mr. Speaker, Sir. We will welcome any suggestions or complaints brought to us. We will do what is within our power to handle such situations.

*Question No.157*

REQUIREMENTS FOR ELECTRONIC MEDIA LICENSING

**Mr. Orengo** asked the Minister for Information and Broadcasting:-

- (a) what the basic conditions and requirements for electronic media licensing were, and,
- (b) how the Government was controlling domination and cross- ownership of the media to ensure that no single interest overwhelms the Press.

**The Minister for Information and Broadcasting** (Mr. J. Nyagah): Mr. Speaker, Sir, I beg to reply.

- (a) The basic conditions and requirements for electronic media licensing in Kenya are as follows:-

- (i) Any applicant or organisation seeking to start a radio or television station must apply for a licence from the Ministry of Information and Broadcasting.

- (ii) The applicant or organisation is required to state in the application the editorial policy of the intended radio or television licence in keeping with the standards.

- (iii) The licensing of radio and television is subject to availability of broadcasting frequencies.

- (iv) The electronic media licensing is a prerogative of the State.

- (v) That the broadcasting television and radio licences are not transferable.

- (b) Currently, the Government guards against domination and cross-ownership of the media through strict scrutiny of both the editorial policies of the intended radio and television stations and the composition of the boards of management.

**Mr. Orengo:** Mr. Speaker, Sir, it is now very clear that this Government has no regard for the Constitution of Kenya because the freedom of expression is guaranteed under Section 79 of the Constitution. The Minister has just said that licensing in the electronic media sector is a prerogative of the State. I have a problem with the word "prerogative" because in a democratic society it is not a good word to use. This shows an element of

dictatorship.

Now, could the Minister assure this House that in considering these applications, there is regard to the Constitution of this country that guarantees the freedom of expression? Two, if so, under what circumstances did the *East African Standard* Newspaper buy the Kenya Television Network (KTN) when you are now telling us that we cannot transfer licences?

**Mr. J. Nyagah:** Mr. Speaker, Sir, freedom of expression is guaranteed in the Constitution. I stated in my earlier reply that frequencies are a very limited commodity. So, we are working within this concept and the agreed definition of the word "freedom" in the Constitution, but within the constraints of the available frequencies that the State has been allocated by the International Telecommunication Union. The Ministry did approve the purchase of KTN by the *East African Standard* Newspaper.

**Mr. Achola:** On a point of order, Mr. Speaker, Sir. The Minister did not seem to understand hon. Orengo's question. The question was: Why is it the prerogative of the Government to issue these licences and not the frequencies bit of it? I am sure the Minister has missed that but---

**Mr. Speaker:** So, you are hijacking the Question!

**Mr. Imanyara:** Mr. Speaker, Sir, arising out of the Minister's answer, could he tell us how many applicants have sent applications for these licences; how many have met the criteria, how many have not met the criteria, and what is the criteria that the State exercises in granting these licences? Thirdly, how---

**Mr. Speaker:** Mr. Imanyara, you cannot ask so many questions.

**Mr. J. Nyagah:** Mr. Speaker, Sir, approximately 90 applications have been received by the Ministry of Information and Broadcasting. If you include the Kenya Broadcasting Corporation, which is established through an Act of Parliament, we have 17 approved applications.

**Mr. Raila:** The Minister enumerated the criteria for giving licences to the media. Is the Minister aware that in the United States and even the United Kingdom, you cannot be given a licence to operate or own a television station unless over 50 per cent of the shares are owned by the American or British citizens? What is the Government policy with regard to ownership of the media when issuing licences?

**Mr. J. Nyagah:** Mr. Speaker, Sir, for some time now, the task force that was set up to review the Press laws has been working and we expect its report within the course of this coming month. One of the things that it would address specifically, is what the distinguished Member of Parliament has raised.

**Mr. Imanyara:** On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to link the task force with the licensing when it is a matter of public knowledge that applications have been made and licences approved while the task force has been meeting and even before the report is ready? Is that in order?

**Mr. Speaker:** Mr. Imanyara, I suppose the Minister was relevant in answering hon. Raila Odinga as regards the ownership by citizens of radio stations. I think that is what he is referring to.

**Mr. J. Nyagah:** Mr. Speaker, Sir, you are 100 per cent correct. All that I was trying to do is to give a little background because the practice in Kenya, since we do not have laws that are very specific and are being developed, is that we have had to borrow from experience from countries that have been doing this kind of work in the past, specifically countries like the United States, United Kingdom, Nigeria, South Africa, and so on. In those countries it is true that it is a requirement that the controlling shareholding in almost all cases must be local. It is for that reason that as a general rule, we have had local people or majority local ownerships controlling the local radio and television stations. As I have said, it is expected that as soon as the laws are passed in this Parliament, specific laws will tell us what to do so that in future there is no confusion.

**Mr. Wamae:** On a point of order, Mr. Speaker, Sir. Could the Minister let us know why he has denied to issue a licence to The Nation Newspapers which we know is a public company owned by Kenyans and yet it has given a licence to the British Broadcasting Corporation (BBC)? What criteria did they use?

**Mr. J. Nyagah:** Mr. Speaker, Sir, to get things right, I have not denied The Nation Newspapers a licence. In fact, I have the highest regard for The Nation Newspapers which along with the other 973 applications, is being reviewed. It is only this week that I have been looking at these applications and I can assure this House that the application by The Nation Newspapers, which I have great regard for, is being looked at as positively as all the other applications that are pending.

**Hon. Members:** Stop cheating! Wacha uongo!

**Mr. Speaker:** Order! Order, Members! I suppose that defeats the whole idea of questions. If we cannot listen, you will drive me to go to the next Question. So, it is really up to you to give a Member audience. If it is so boring, I will go to the next Question.

**Mr. Obwocha:** On a point of order, Mr. Speaker, Sir. Is the Minister in order to mislead this House that they are considering the application of The Nation Newspapers when he, in fact, has taken The Nation

Newspapers to court over a licence that they acquired from Mr. Shollei?

**Mr. J. Nyagah:** Mr. Speaker, Sir, I was trying to answer logically. There are two facts to my answer. The first one was to do with an application that I have got from The Nation Newspapers directly. I am aware of that and I am processing it. It is among the 793 applications.

Two, there is a second part which the distinguished Member of Parliament has now raised. With regard to the case, I have nothing to do with it; I believe we are not allowed to discuss it in this House.

**Mr. Orenge:** Mr. Speaker, Sir, the second part of my question is probably the most important and it concerns that of Press domination by a single interest. It is becoming clear, particularly in radio and television licensing, that in your checking and scrutinising of the editorial policy, you are giving licences to those that you deem are supportive of the Government of the day. Could you confirm or deny that is the only basis upon which KBC and KTN are the only organisations with the radio and television licences?

*(Mr. J. Nyagah went to the Dispatch Box)*

**Mr. Speaker:** Order! Mr. J. Nyagah, we do not do things that way. You do not just stand up and go to the microphone. I am the controlling shareholder here. So, can you proceed!

**Mr. Orenge:** Mr. Deputy Speaker, Sir, what I am saying is that now in the television sector, there is domination by a single interest. The editorial policy of KBC and KTN are basically the same and alternative views are not being heard because the radio and television sector is dominated by these two organisations. What is he doing to ensure that the alternative views of Kenyans are being heard by licensing other people who do not necessarily agree with the Government of the day?

**Mr. J. Nyagah:** Mr. Speaker, Sir, his concerns and interests would definitely be taken into account in future allocation of licences.

*Question No.002*

REHABILITATION OF KAHUTI WATER PROJECT

**Mr. Michuki** asked the Minister for Water Resources:-

(a) when the rehabilitation of Kahuti Water Project Phases I, II and III would be implemented; and,

(b) why the project had taken so long to be brought into effect, despite the fact that the Government is aware of the acute shortage of water prevailing in the area.

**The Minister for Water Resources** (Mr. arap Ng'eny): Mr. Speaker, Sir, I beg to reply.

(a) Preparations for the rehabilitations of works on Kahuti Water Project Phases I, II and III have already started with identification and documentation of short-term and immediate-term works that need to be implemented. In addition, initial designs have been undertaken and the final design report is being prepared.

(b) The project has taken time to be implemented because it requires Kshs60 million from my Ministry, which it does not have at the moment. However, the Government is negotiating with a development partner on the financing arrangements for implementation of the project.

**Mr. Michuki:** Mr. Speaker, Sir, Could the Minister for Water Resources inform the House as to how long it will take to negotiate for these funds and who this partner is?

**Mr. arap Ng'eny:** Mr. Speaker, Sir, the negotiations with the intended development partner are at an advanced stage, and we hope that in the next financial year, we shall conclude an agreement to enable the Ministry to implement the project.

**Mr. Michuki:** Mr. Speaker, Sir, could we know who this development partner is? If a partner is being introduced to Kenya, he will certainly be a partner to the people of Kenya and I think it is only fair that Kenyans should know who this development partner is. There is no point of hiding the identity of this person.

**Mr. arap Ng'eny:** Mr. Speaker, Sir, the Ministry has no intention whatsoever, of hiding the identity of the potential partner. The potential partner is CDF. It is a French Company whose name I cannot pronounce.

*Question No. 005*

REHABILITATION OF WATER PROJECTS

**Mr. Onyango** asked the Minister for Water Resources what plans the Government has to rehabilitate water projects in Kagore and Obware Divisions to alleviate the sufferings the people in the area continue to face.

**The Assistant Minister for Water Resources (Mr. Chanzu):** Mr. Speaker, Sir, I beg to reply.

Kagore and Obware are names of water supply projects and not divisions as implied in the Question. In view of this, the Government, through my Ministry, intends to install Kogore and Obware Borehole Water Supply Projects in Karungu and Nyatike Divisions, respectively, with hand pumps under phase III of the Kenya/Netherlands Rural Domestic Water Supply and Sanitation Programme, when it starts during the 1998/99 financial year. Under this programme, a total of 60 water supply points, including boreholes, wells, tanks and rain water harvesting systems, are planned to be developed at an estimated cost of Kshs36 million in Nyatike Constituency by the year 2001 when Phase III comes to an end.

**Mr. Onyango:** Kenyans used to be told that by the year 2000 every person will have access to clean drinking water. Is that still a policy of the Ministry of Water Development?

**Mr. Chanzu:** Mr. Speaker, Sir, that has changed to the year 2010.

**Mr. Katuku:** Mr. Speaker, Sir, can the Minister tell us what has happened to the situation so that this policy has now been moved forward to the year 2010?

**Mr. Chanzu:** Mr. Speaker, Sir, as the Member knows, in long term planning every factor cannot be taken into account. What normally happens is that adjustments have to be made.

**Mr. Shaaban:** On a point of order, Mr. Speaker, Sir. Can the Assistant Minister for Water Resources assure this House that by the year 2010, every Kenyan in the country will have tap water?

**Mr. Speaker:** Mr. Shaaban, you are not a freshman. That is not a point of order.

**Mr. Onyango:** Mr. Speaker, Sir, can the Assistant Minister tell this House why, for the last 20 years, the people of Kogore and Obware Divisions have not been able to get water due to the fact that the machines were taken by the Minister for Water Resources? Where were the machines taken to?

**Mr. Chanzu:** Mr. Speaker, Sir, the Government has been making efforts to provide water. The pumps were stolen and some of them are under investigation at the police station. When the pumps will be handed over, installation will be done. In some of the areas, the pumps have not been able to work because of the mechanism involved. Under the same programme there will be a scheme of cleaning the boreholes and funding them so that the people of Nyatike Constituency can have water.

**Dr. Ochuodho:** On a point of order, Mr. Speaker, Sir. I wonder who is misleading the House. One hon. Member, the Questioner, says these two places are divisions, and the other says that they are projects. Between the two of them, who is misleading the House?

**Mr. Speaker:** I think you had better talk to both of them privately. What do you think, Mr. Onyango?

**Mr. Onyango:** Mr. Speaker, Sir, I think I will answer him on both questions. Can the Assistant Minister tell this House what action he has taken against the individual who took the machines from Kogore? This individual is an employee of the Ministry.

**Mr. Chanzu:** Mr. Speaker, Sir, I am not aware of the last question. If we can get the facts, then we will investigate and give information on that.

**Mr. Speaker:** Mr. Galgalo's Question, for the second time!

*(Question dropped)*

*Question No. 164*

#### REHABILITATION OF BURA IRRIGATION SCHEME

**Mr. Speaker:** Mr. Galgalo is still not here? His Question is dropped. Mr. Raila's Question for the second time!

**Mr. Raila:** Mr. Speaker, Sir, first, I would like to apologise for being late in asking the Question. Secondly, I have not received the written reply to this Question.

*Question No. 021*

#### DESTRUCTION OF FOOT BRIDGES IN KIBERA

**Mr. Raila** asked the Minister for Local Authorities:-

(a) if he is aware that all foot bridges in Kibera Estate in Langata Constituency have been washed away by the *El Nino* floods, thus causing great difficulties to the residents, including school children; and,

(b) if the answer to "a" above is in the affirmative, what urgent steps he is taking to ensure that the bridges are repaired.

**The Minister for Local Authorities** (Prof. Ongeri): Mr. Speaker, Sir, the written reply was deposited in the House last week, and I expected hon. Raila to be in possession of it. However, I beg to reply.

(a) Yes, I am aware that the *El Nino* floods caused damage to our road infrastructure in the whole country, including Kibera Estate footbridges.

(b) The Government is addressing this problem as an emergency programme currently under preparation to rehabilitate the damaged road network throughout the country. With respect to the damaged footbridges in Kibera, my Ministry engineers have already assessed and submitted the costs. Work on the damaged footbridges will start immediately.

**Mr. Raila:** Mr. Speaker, Sir, I am grateful to the Minister for his reply. I have been going around Kibera this morning and the footbridges at Undugu, Kambi-Muruu and Kototera have not been repaired. I would like to urge the Minister not to just make a statement for the purpose of satisfying the House. Action should be taken immediately to make sure that these bridges are rehabilitated because school children have difficulties going to school. It is a big inconvenience. Would the Minister tell the House how immediate is his "immediatly".

**Prof Ongeri:** Mr. Speaker, Sir, I am grateful to hon. Raila for that question. First, the footbridges in Kibera which have been referred to in the Question were not permanent. They were make-shift timber-log crossings which were erected by villagers or individuals. Therefore, these being temporary structures, they were swept away. I am also aware that the culvert river crossing in Kibera-Otiende, Silanga and Mashimoni villages were damaged. Mr. Raila is fully aware of these facts. The Kibera-Otiende crossing is an old one, which was partly damaged by the *El Nino* floods.

Plans are under way to rehabilitate that particular one as soon as we enter into the rehabilitation programme on an emergency basis. To answer his question as to when, let me say that there is an emergency programme being undertaken by the Government of Kenya and the World Bank. The World Bank mission is already here. As soon as the basic standards have been agreed upon, work will start immediately.

**Mr. Speaker:** Very well! Questions by Private Notice.

### QUESTIONS BY PRIVATE NOTICE

#### DESTRUCTION OF MWAGOGO SCHOOL DORMITORY

**Mr. Mwakiringo:** Mr. Speaker, Sir, I beg to ask the Minister for Education and Human Resource Development the following Question by Private Notice.

(a) What caused the destruction of the girls' dormitory at Mwagogo Secondary School in Tausa Division of Voi Constituency on 31st March, 1998?

(b) What was the estimated cost of the damage?

(c) What action does the Ministry intend to take towards the rebuilding and refurbishing of the dormitory to relieve the over burdened parents.

**The Assistant Minister for Education and Human Resource Development** (Mr. Awori): Mr. Speaker, Sir, I beg to reply.

(a) Although investigations are still going on, preliminary findings indicate that the fire could have been started from an unextinguished ironing box.

(b) The total cost of damage to the dormitory is about Kshs75,000.

(c) The Government has not helped in any way in the reconstruction of the dormitory. At this stage, I want to thank the hon. Member for having mobilised the community to complete the repairs.

**Mr. Mwakiringo:** Mr. Speaker, Sir, I commend the Assistant Minister for that answer, but my humble request is this: Could the Ministry, as a matter of urgency, through relief agencies, assist the over burdened parents by supplying mattresses and blankets before the school opens because the parents were financially affected by the *El Nino* phenomenon?

**Mr. Awori:** Mr. Speaker, Sir, I will consult our colleagues in the Office of the President to see if this can be done. Although I do not think it is possible to help before the schools open, since they will open on

Tuesday, next week, certainly, I will do the best that I can.

**Mr. Speaker:** Very well! Next Question.

#### REHABILITATION OF BRIDGES IN MACHAKOS TOWN

**Mr. Kikuyu:** Mr. Speaker, Sir, I beg to ask the Minister for Public Works and Housing the following Question by Private Notice.

(a) Is the Minister aware that the Kimutwa Bridge on the Katumani-Wote Road, and the Machakos Girls School Bridge on the Machakos-Kusyumuomo Road, are in very precarious conditions and very dangerous to the roads' users?

(b) What urgent action is the Minister taking to rehabilitate the said bridges in order to avert possible accidents?

**The Assistant Minister for Public Works and Housing (Mr. Khaniri):** Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) The Ministry has already identified a potential donor to finance construction of a new bridge at Kimutwa as part of the Katumani-Wote Road project. In the meantime, the Ministry is planning to issue funds for the necessary repairs within the next two weeks.

**Mr. Kikuyu:** Mr. Speaker, Sir, could the Assistant Minister tell this House whether the said funds in part "b" of his answer are for both bridges, or for the Kimutwa Bridge only? The Question talked of two bridges.

**Mr. Khaniri:** Mr. Speaker, Sir, the said funds are for Kimutwa Bridge on Katumani-Wote Road.

**Mr. Katuku:** Mr. Speaker, Sir, the Assistant Minister has told the House that they have identified a donor to cater for these roads. This is a song which has been sung for so long. Could he name the donor? We have been told that the Kuwait Government was to fund the work on the road between Machakos Town and Wote. This has been a promise for years. Could he tell the House who this donor is and when he will start the work?

**Mr. Khaniri:** Mr. Speaker, Sir, the donor is Kuwait Fund For Arab Economic Development (KFFAED). We are in the process of tendering the project and we anticipate to finish the process in November this year. Thereafter, the work will start.

**Mr. Mutahi:** Mr. Speaker, Sir, could the Assistant Minister tell us whether we start by identifying the donor first, even before we have known the amount to be involved in a project, or whether we first assess the damage on a road or project to be worked on and then look for a donor? Which comes first? He has said that they have identified a donor and later on, they will assess the project?

**Mr. Khaniri:** Mr. Speaker, Sir, we had already assessed the project. What we are doing now is tendering. We have to get the feed-back from the officers who will conduct the tendering process. We will have to inform the donor of the contractor who will win the tender to enable him to release the funds.

**Mr. Wambua:** Mr. Speaker, Sir, the Assistant Minister is aware that there are two parts in this Question. The bridge on Machakos Kusyumuomo Road, which is at Machakos Girls School, was built in 1922, when Queen Elizabeth's mother was visiting this school. Could he tell us what will happen to that bridge because he has talked only about the Kimutwa Bridge?

**Mr. Khaniri:** Mr. Speaker, Sir, the Machakos Girls Bridge on Machakos-Kusyumuomo Road is actually not defective. It is part of the road to the school which is eroded. The Ministry will re-carpet the eroded area early in the next financial year.

**Mr. Kikuyu:** Mr. Speaker, Sir, if the Machakos Girls School Bridge on Machakos-Kusyumuomo Road is left in that state, it will become worse. The rails on it have already been washed away by the last rains. Could the Assistant Minister tell us what immediate action he is taking to save the bridge? Unless he wants it to be swept away first, in which case he will have to build a new one, we want the Ministry to repair it.

**Mr. Khaniri:** Mr. Speaker, Sir, the immediate repair work on the two bridges is expected to cost Kshs220,000. I said earlier on that in two weeks' time, we will release funds so that work can commence on the two bridges.

**Mr. Speaker:** Next Question, Mr. Ndicho.

#### SHORTAGE OF ANTI-SNAKE VENOM IN GOVERNMENT HOSPITALS

**(Mr. Ndicho)** to ask the Minister for Health:-



(a) Is the Minister aware that there is acute shortage of anti-snake venom in most government hospitals?

(b) Is he further aware that most victims of snake bites, especially in Machakos, Kitui and most parts of Nyanza Province are being amputated in a bid to save their lives as a result of lack of drugs to treat these bites?

(c) What immediate measures is the Minister taking to provide anti-snake venom in all Government hospitals?

**Mr. Speaker:** Is Mr. Ndicho not here? His Question is dropped.

*(Question dropped)*

Next Order!

## BILLS

### *First Reading*

#### THE NATIONAL HOSPITAL INSURANCE FUND BILL

*(Order for First Reading read - Read the First Time - Ordered to be read the Second Time tomorrow)*

**The Minister for Health** (Mr. Kalweo): Mr. Speaker, Sir, under the provisions of Standing Order No.101(A)(1), I beg to move that The National Hospital Insurance Fund Bill be referred to the relevant Departmental Committee.

**Mr. Speaker:** Do you have anybody to second you on that Motion?

**The Assistant Minister for Finance** (Mr. Keah) seconded.

**Mr. Speaker:** Very well. So, the Bill stands so referred.

*(Bill referred)*

#### THE SUPPLEMENTARY APPROPRIATION BILL

### *First Reading*

*(Order for First Reading read - Read the First Time - Ordered to be read the Second Time today)*

### *Second Reading*

#### THE SUPPLEMENTARY APPROPRIATION BILL

**The Assistant Minister for Finance** (Mr. Keah): Mr. Speaker, Sir, I beg to move that The Supplementary Appropriation Bill be now read a Second Time.

Mr. Speaker, Sir, the Bill contains the provisions of the 1997/98 financial year Supplementary Estimates of both the Recurrent, and Development Expenditure. These Estimates were laid on the Table of the House on 15th April 1998 and, subsequently, discussed and approved on 22nd April, 1998, by this House. Hon. Members have had some time to discuss and review these Estimates, and I do ask that this Bill be passed. As I have pointed out in my speech while moving the Motion on the Estimates, the major increases appear under the following Votes:

On the Recurrent Expenditure, these are the Votes relating to the Office of the President; Vote R4, Ministry of Foreign Affairs; R5, Ministry of Home Affairs, National Heritage, Culture and Social Services; Vote R11, Ministry of Health; R14, Ministry of Transport and Communications; R19, Ministry of Information and Broadcasting; R21, Ministry of Natural Resources; R26, Judicial Department; R29, National Assembly; R31, Ministry of Education and Human Resource Development; R35, Ministry of Research and Technology, and R36, Ministry of Lands and Settlement.

Mr. Speaker, Sir, we also had changes in the Development Votes, involving Votes D03, Directorate of

Personnel Management; D05, Ministry of Home Affairs, National Heritage, Culture and Social Services; D21, Ministry of Natural Resources, and D26, Judicial Department.

Mr. Speaker, Sir, as I mentioned in my address to the House on 21st April, 1998, the increases appearing under the Recurrent Votes are mainly due to various reasons but, especially, the following reasons: One, payment of revised salaries and allowances for teachers under the Teachers Service Commission; two, payment of revised salaries of the civil servants; three, payment of revised salaries for the public universities' staff; four, expenses related to the 1997 General Elections; five, the purchase of maize for distribution to drought-stricken districts and flood victims of the *El Nino* weather phenomenon that hit the country during the latter part of last year; six, purchase and replacement of vehicles for the Police Department; seven, payment to the Kenya Ferry Services as compensation for the non-paying human traffic, and eight, payment of pending bills in the various Government Ministries and departments.

Mr. Speaker, Sir, the increase in the Development Votes is mainly for the purchase of equipment to facilitate the rationalisation process in Government Ministries, training of personnel for capacity building in the Civil Service and for the settlement of pending bills.

Mr. Speaker, Sir, I gave details of these expenditures in my speech when moving the Motion on the Supplementary Estimates and, therefore, I do not intend to repeat these details. However, I would like to point, at this juncture, that this is, indeed, a Statutory Bill, and I would like to urge hon. Members to pass it so that Government Ministries as well as departments can be availed the resources required to finance their operations for the remaining part of the financial year. In this Bill, I am requesting Parliament to authorise the issue of K£910,273,165 from the Consolidated Fund for the service of the financial year ending 30th June, 1998, after taking into consideration the total reductions of Kshs671,035,971 in some Votes. The net effect is that the Exchequer will issue only K£239,237,194 as reflected on page 167 of the Bill that has been printed and submitted to the House.

Mr. Speaker, Sir, I do not wish to dwell very much on this Bill, which hon. Members have had time to look at. The Bill itself is very short, indeed, with a very short preamble, and is contained in pages 156 to 67. The details of the increases will appear in pages 156 to 161, showing the figure of K£910,173,165 that I referred to, and the reductions in the Votes referred to appear on the Second Schedule, adding to K£761,035,971 which I also referred to.

Mr. Speaker, Sir, I would like to urge the House to pass this Bill so that Government Ministries and departments can have funds to carry out operations for the financial year ending 30th June, 1998.

With these remarks, I beg to move.

**The Minister for Education and Human Resource Development** (Mr. Musyoka): Mr. Speaker, Sir, I stand to second this Bill, and in doing so, I recognise several important facts, one of which is the fact that teachers throughout the country stand to benefit as soon as Parliament passes this Bill. Without it, we are simply calling for unrest among members of the teaching profession. This is a Bill that is crucial at this stage. It is a Statutory Bill, for without enacting it, the Minister for Finance will simply have his hands tied. I want to congratulate the Minister for taking cognisance of the fact that there was need to revise the salaries for the public universities' staff as well as, of course, bailing out the Teachers Service Commission with regard to payment of teachers' salaries.

One of the reasons the hon. Assistant Minister gave, when moving this Bill, was the purchase of maize for distribution to drought-stricken districts following the *El Nino* weather phenomenon. I wish to take this opportunity to confirm that in my own home district, for instance, it is becoming apparent that wananchi will yet again need to be assisted because when they planted their crops on their shambas, little did they know that the rainy season was going to get so prolonged, and the result has been a total crop failure. Certainly, this is the case in my constituency.

I am very happy, indeed, to note that the Minister for Finance has planned for this eventuality. I hope that as soon as this Bill is passed, this matter will be pursued with all the necessary speed. I am sure that those in the Office of the President, particularly the department that is charged with famine relief distribution, will be able to move in speedily in order to arrest the obviously deteriorating situation on the ground. Mr. Speaker, Sir, it is obvious to all hon. Members in this House that the security situation in the City is such that the Police Department needs to be assisted in acquiring new vehicles. I am happy that this has also come out explicitly in the submission by the Minister for Finance. We hope, therefore, that as soon as the Police Department gets new vehicles, they will be able to move in swiftly, to deal with cases of insecurity everywhere, not just in the City, throughout the country. More often than not, wananchi go to report incidents of crime at police stations and the police say that they do not have transport. I hope that this will be a matter of the past, and the police will be able to act swiftly. I want to thank the Police Department because on certain occasions, it has been able to deal very swiftly with cases of car-jacking. Several years ago, the City of Nairobi was referred to internationally as

"Nairobi" because of the robberies that were taking place. It is my hope that we will be able to reclaim the glory of this City by ensuring that there is peace for all residents and all the citizens who live in this "City in the Sun" and not the "City in the cross-fire." It is important to have peace in our land and, of course, it begins in the capital City. I think the trickle-down effect will certainly be felt everywhere. I notice that the Development Vote is not necessarily as impressive as it should be.

When the Minister for Finance explains that he would want to deal with capacity building within the Civil Service, I cannot agree with him more. I happen to be charged with the responsibility of Human Resource Development and as the Ministries get rationalised, it is important to enhance the skills of our civil servants, so that they can be able to discharge their responsibilities with diligence, precision and commitment. I, therefore, feel that we need to speedily pass this Bill in order to enable the Minister for Finance to do what is obviously needful, for without this, he cannot incur expenditure up to and including 30th June, 1998.

With those remarks, I beg to second.

*(Question proposed)*

**Mr. Mwiraria:** Mr. Speaker, Sir, I rise to support the Bill, but in doing so, I would like to make a few suggestions and to ask the Minister to do a few things to improve the country's financial position, bearing in mind the fact that at the moment, we are being asked to increase the provision from the Government of Kenya to the various Ministries.

Mr. Speaker, Sir, I note from the Minister's remarks that most of the funds being sought are meant for the payment of increased salaries for teachers, civil servants and university staff and to settle the bills for the already concluded General Elections and to assist those who are suffering because of the *El Nino* weather phenomenon.

The only item which I would really not consider as a direct consumption is the purchase of vehicles for the police. Whether we like it or not, teachers' salaries are going to be a very heavy burden to this country as we move ahead. The Minister for Finance, when introducing the Supplementary Estimates, told us that he was seriously considering retrenchment. Unfortunately, the actions of the Government in recent months and years do not bear out the fact that the Government really wants to reduce the wage bill in this country. I would, therefore, like to ask the Minister whether, as a first step, the Government would like to freeze all new appointments into the Civil Service. This way, attrition will begin to reduce personnel, and it will yield good results. I would also like to urge the Government, and more particularly the President, to put a halt to the creation of new administrative units; for example, new districts, divisions and locations, as a temporary measure until the present problems of having to spend a very high proportion of our Budget on salaries is brought under control.

Mr. Speaker, Sir, the other issue which has brought about this situation is corruption. How can we tackle this monster of corruption in our Civil Service? When we look at our historical development, I think it would be fair to say that corruption intensified within the Civil Service in the mid-1980s. That was the time when the culture of "eating" was actually introduced into the Government circles. My former colleague, hon. Leting, who was then the Head of the Public Service, will agree with me that, that was the time when the culture of "eating" was introduced into the Civil Service. People were appointed to the Civil Service and told to go and "eat" and if they did not "eat", they were not supposed to blame anybody. The other issue is that, about the same time, the civil servants lost security of tenure. That was the time when one would find the Government Chief Architect, somebody who had worked through the ranks to that position, getting removed because he did not--

**Mr. Shaaban:** On a point of order, Mr. Speaker, Sir. The hon. Member on the Floor was a Permanent Secretary during that time. Could he tell the House whether he got instructions to "eat"?

*(Laughter)*

**Mr. Mwiraria:** Mr. Speaker, Sir, I was given a Madaraka Day present before those instructions were issued. What do I mean by that? I was coming to the point and I will make it. The point I am making, and I am doing this on a very serious note, is that, a time came in the development of this nation when professionalism ceased to be important and to be the criteria of getting a job. I would like to give several examples. One of them was the Chief Architect who refused to carry out instructions he thought were not good for the country, and he stopped being Chief Architect. He was transferred to another Ministry on a junior post. Soon after that, he resigned and left the Public Service. We have another case of a Chief Valuer. Somebody who had grown up in the service, and who had worked in the Valuation Department until he became the Chief Valuer. He was asked to value a building to be sold to a civil servant and he refused to give out that building. A big house on two acres in Upper Hill at the value of Kshs60,000. He thought its value was close to Kshs1.5 million. He was moved. There

was another Permanent Secretary who was asked to give a job to an unqualified Asian architect, who later became the Government Architect. When he refused on the grounds that the man was not a registered architect, he was also moved. I could go on and on.

Mr. Speaker, Sir, I am giving real examples. I do not want to mention names because I think it would be unfair, but all I am saying is simply this: Once these things started happening, all civil servants felt that they did not have security of tenure. Most of us who were Permanent Secretaries at that time started going to the office with portable radios and we made sure that we listened to every news item at 1.00 p.m, 4.00 p.m. and 7.00 p.m. This is because if your name went missing during those news items, you were left guessing what had happened to you.

Mr. Speaker, Sir, a Minister says that was good information. But, surely on a serious note, even if you disagree with your house servant, you will tell him why you are disagreeing. You just do not go home one day and tell him that he is fired. For ten years, civil servants; people who had put in 20, 25 or 30 years of the best part of their lives to the service of this nation, just to go home one day to be told they were no longer a Permanent Secretary or holding other posts! They would even go for an official luncheon and, thereafter, when they went back to the offices, staff members would be laughing at them! Mr. Speaker, Sir, that is not proper.

**The Minister for Local Authorities** (Prof. Onger): On a point of order, Mr. Speaker, Sir. Is the hon. Mwiraria in order to mislead this House that news of sackings of public servants was heard in the radio from the 1980s, yet he is fully aware that this had been a normal practice right from 1963?

**Mr. Mwiraria:** Mr. Speaker, Sir, I lived through this and Professor Onger did not. So, I know what I am talking about. As a Kenyan, I am pouring out my heart, so that we can correct what I consider to be a genuine mistake that was made. I am sure we want---

**The Minister for Local Authorities** (Prof. Onger): On a point of order, Mr. Speaker, Sir. Hon. Mwiraria seems to have got his facts upside down. He is contending that he went through this and I did not. Is he sure? Of course, I did!

**Mr. Mwiraria:** Mr. Speaker, Sir, I can see that the hon. Minister is determined to keep on interrupting me. But if he went through the same experience, surely, he should be saying it here, and not standing up to interrupt me.

**Mr. Speaker:** By the way, just to end all this, what clause in the Bill concerns sacking on the radio?

**Mr. Mwiraria:** Mr. Speaker, Sir, here we are discussing Supplementary Estimates, which include---

**Mr. Speaker:** Sacking?

**Mr. Mwiraria:** Not sacking; the improvement of the Civil Service.

**Mr. Speaker:** So, I think you have made your point and if you dwell on it for too long, you will be irrelevant.

**Mr. Munyasia:** On a point of order, Mr. Speaker, Sir. Hon Mwiraria made a categorical statement that corruption intensified during the time of Mr. Leting and that there were instructions issued then, that if accounting officers did not use that time to "eat", shauri yao. He had been asked by a colleague from the other side to substantiate but he has not done so. Would it be in order to ask him to substantiate that corruption increased during the time of Mr. Leting, and that there were actually instructions issued to officers to "eat", since he was one of them.

**Mr. Speaker:** Who was Leting?

**Mr. Munyasia:** I think he was the Head of the Civil Service and Secretary to the Cabinet in the mid-1980s.

**Mr. Speaker:** Did you say that, Mr. Mwiraria?

**Mr. Mwiraria:** Mr. Speaker, Sir, what I did say was that the rot and corruption in the Civil Service intensified and increased during the mid-1980s. I further said that it was that time when the culture of "eating" got into the Civil Service. You could hear people talking about it; they were quite free. I did not say it was during the time of Mr. Leting. I said the hon. Leting, who was my colleague--- I wish he was here because he would know what I am talking about.

But be that as it may---

**Mr. Speaker:** Could we then do this; Since you are getting into a very precarious position, and you are wishing that Mr. Leting was here so that, maybe, the two of you can tell us what Mr. Munyasia wants to know; whether at that time, the two of you agreed: "We `eat' together---"

*(Laughter)*

Could you keep out of it!

**Mr. Mwiraria:** Mr. Speaker, Sir, I will keep out of it. I prefer to tread safely.

*(Laughter)*

Mr. Speaker, Sir, the point I wanted to make, and I make this point in all seriousness, is that we need, at the moment, to improve or guarantee the security of tenure to our civil servants. If a civil servant knows that he has security of tenure; that he will have his job for as long as he works well, he is less likely to want to "eat" or to be corrupt. This is the point I was getting to.

Mr. Speaker, Sir, the second point I wanted to make is that, part of our problem today is the fact that we, as a nation, have lost credibility with our development partners - the donors who have been assisting us--- This is because, in the past, we have gone and negotiated loans and agreements on terms which we have not been able to keep. My plea to the Minister is that, those of us on this side, who have often been accused of wishing that the country des not get aid, are now saying: "Since we are in this boat called Kenya together and we do not want it to sink, because if it does, it will not sink with KANU alone, but with all of us; Mr. Minister, please, for goodness' sake, see whether you can make good of those conditions---

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Speaker, Sir. I have been listening very carefully to hon. Mwiraria, and I do not think he has actually addressed the point raised by hon. Munyasia and what you have actually asked of him. Since this matter touches adversely on the personality of an hon. Member of this House, the hon. Leting who has just come in, with regard to the 1980s; because I have heard that name mentioned here; would it not be in order for the hon. Mwiraria to substantiate and also confirm to this House whether Chepkube was in the 1980s?

**Mr. Speaker:** May I say this: In fact, when the hon. Munyasia rose on a point of order, I think the hon. Member responded by saying that he did not say that Mr. Leting was responsible for whatever wrong was done, but had said that the problem intensified in the 1980s, and he wished Mr. Leting was here to confirm what he was saying. That is when I told him that he was getting into precarious grounds, because you may just be telling the House that the two of you agreed to "eat" at that time, and that was with a light touch. But the way I understood Mr. Mwiraria, when responding to Mr. Munyasia, was that he denied ever saying that Mr. Leting was responsible for any corruption; unless, of course, Mr. Mwiraria wishes to deny what I have just said.

Mr. Mwiraria, would you like to confirm or deny what I have just said? Is that not what you said?

**Mr. Mwiraria:** Mr. Speaker, Sir, you have put it very correctly. I did not accuse Mr. Leting of "eating." For goodness' sake, I want that understood. Let nobody, not even the Minister for Education and Human Resource Development, try to put words into my mouth. I can speak the English Language as clearly---

**An hon. Member:** And Kimeru too!

**Mr. Mwiraria:** Well, I can speak Kimeru, too, better than most of the hon. Members in this House, if it comes to that, but in this House we are only allowed to speak in Kiswahili and English.

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Speaker, Sir. I stand corrected on that explanation. But was there a time when corruption was as intense as it was in the early or late 1970s with regard to Chepkube because hon. Mwiraria certainly did mention of intensification of corruption in the 1980s. I just wanted to be honest with myself.

**Mr. Speaker:** Order! Order, the two of you! Order, hon. Members. May I say this to this House. There are certain things you ask of the Chair to assist and there are certain things that the Chair is completely incapable of helping. I have no scale to measure the intensity of corruption, neither have I ever seen corruption. So, can we leave this "animal" out of this House for now?

**Mr. Mwiraria:** Mr. Speaker, Sir, let me make one point. I do not think it was necessary for a learned gentleman like the Minister for Education and Human Resource Development to raise that point of order. There are several forms of corruption. Everybody knows what Chepkube was. It was coffee brought in illegally from Uganda and sold to Kenyans. I am addressing the question of civil servants. If there were any Chepkube, I was not aware of them. I hope now that the hon. Minister has heard that I was not talking about Chepkube, but about civil servants.

Before I was rudely interrupted, I was making my third point. Mr. Speaker, Sir, let me can just emphasize one point. Let the Minister guarantee security of tenure to the civil servants if you want good service from them.

Mr. Speaker, Sir, looking at the Bill, on page 167, the last column, there is a grand total deficiency of K£48 million. This is the amount of money that the Ministries will have as a shortfall in collections of Appropriations-in-Aid. I want to suggest, in all seriousness, to the Minister that, in future, Appropriations-in-Aid should be given first priority and a Permanent Secretary who does not collect his Appropriations-in-Aid should

have his Budget deducted by a sum equivalent to what he has not collected. In this way, we will be introducing a little bit of discipline within the Public Service and among the revenue collectors in the Government, because there is no point to put in Appropriations-in-Aid which are not collected. Of late, and this is what the Public Accounts Committee Report before us is showing that civil servants are spending too much time looking for development projects to implement, most of which are never completed, and ignoring their other duties. I am putting it to the Minister that collection of Appropriations-in-Aid is a vital part of any Permanent Secretary's job, and the Minister should insist that unless they collect their Appropriations-in-Aid, the amount of money they have not collected will be deducted from their Budget. We should not be rewarding those who do not collect their money by giving them Supplementary Estimates.

Mr. Speaker, Sir, we have talked at length, particularly when dealing with PAC Reports about the helplessness of this House.

**Mr. Speaker:** By the way, hon. Mwiraria, if you look at the Order Paper, the Motion following is exactly what you are now discussing. That is called "anticipation." You will not be allowed to anticipate debate.

**Mr. Mwiraria:** Mr. Speaker, Sir, I was only mentioning it as a by-the-way because in the present Debate, I am really entitled to tell the Minister what I think he ought to do to improve the financial situation in the country, to avoid deficit budgeting, which is what we are facing here. But if the Chair thinks that I should not anticipate at all, maybe, I will anticipate---

**Mr. Speaker:** I normally give a little latitude, but if you overdo it, it is my duty to tell you so.

**Mr. Mwiraria:** Mr. Speaker, Sir, I appreciate your indulgence. The last point I wanted to make is that, at a time of crisis, and at a time when the country needs every penny it can get; and at a time indiscipline appears to have crept in and Government officials are not really doing their work. The time has come for the Minister to consider bringing a Bill to this House, to enable the Attorney-General and the judicial system to punish people who do wrongs which force this economy to near collapse. People who have involved themselves in economic malpractices in this country and forced our economy to near-collapse should be punished. I want to inform the Minister for Finance that the time has come for him to bring a Bill which will help the Government bring to book those wrongdoers.

Mr. Speaker, Sir, I believe the main reason for privatisation is to eliminate those avenues which the Government uses to misappropriate money. The Minister for Finance should carry out the privatisation process with a lot of caution. If privatisation is done to bridge the economic gaps, then the sale of shares by the Government in some firms is genuine. But, for instance, when the Ministry sold all the shares in Firestone company Ltd. it received a dividend for the purchased shares for one year. How wise was such a decision? The Government would have rather continued earning the usual dividends than selling them, and got the final payment, which was equivalent to one year's dividends it earned.

Mr. Speaker, Sir, in the case of the Kenya Commercial Bank, one observes that a lot of revenue will accrue from the anticipated sale of shares. My only plea to the Minister for Finance is to ensure that those shares are sold to Kenyans. There is usually over-subscription of shares, whenever they are floated in our banks. The same phenomenon was noted when Kenya Airways floated its shares to the public recently. Since the primary duty of our Government, is to look after the welfare of Kenyans, I do not think it is improper for the Government to order that all shares of the Commercial bank be sold to Kenyans alone.

Mr. Speaker, Sir, the Minister for Finance should consider the agricultural sector when distributing funds accruing from the Supplementary Estimates currently under deliberation in the House. The Government sold several cotton ginneries, including the one in Meru. That ginnery was constructed through the sale of shares to the cotton farmers, who were allowed to pay Kshs500 or double that money. When the ginnery was sold to individuals, none of the shareholders, who were the farmers, got anything. Is it fair? Today, if the farmers demand that I operate any ginnery, they will be told "no" by the Government.

Mr. Speaker, Sir, besides collecting revenue, we need to look after our citizens. We need to make sure that the rights of our citizens are protected. Let the farmers who possess shares in the Mumias Sugar Factory be compensated for their shares. Those farmers have been contributing cess to that factory over the years. Why should they not get the first priority in buying the factory's shares? That move stands to improve our country's economy, as the accruing wealth will remain with us.

Mr. Speaker, Sir, I beg to support.

**The Minister for Health (Mr. Kalweo):** Mr. Speaker, Sir, since we are just about to complete our financial calendar for the 1997/98 financial year, I urge all Ministries to complete all projects pending under their jurisdiction by using the funds available.

Mr. Speaker, Sir, the Government has done well to collect revenue from petroleum companies. The

petroleum companies are charged an additional tax on their products, besides the usual Value Added Tax. But other companies are not taxed on their products. For example, the BAT Company only pays VAT while its products are spared from any other taxation. The Government should embark on the policy to tax on the source of any product. I suggest each industry which produces a certain product should pay tax its products.

**Mr. Kajwang:** On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to come to the House and suggest ways and means of collecting VAT, when such things can be debated in the Cabinet and then, he brings a Paper for discussion in this House?

**Speaker:** May I tell you, Mr. Kajwang, that Ministers are also Members of this House and you have no business to hinder them from exercising their full rights as Members.

Proceed, Mr. Kalweo.

**The Minister for Health** (Mr. Kalweo): Mr. Speaker, Sir, I represent Igembe people and I belong to this country, and that makes me eligible to contribute to national issues.

Mr. Speaker, Sir, the Minister for Public Works and Housing is doing a commendable job, after the destruction of our roads by the *El Nino* phenomenon- induced rains. Nevertheless, our roads between Maua and Meru are full of pot-holes. So, the Minister should consider recarpeting those roads alongside the ones in Nairobi which are under reconstruction. The Minister should consider improving road networks that traverse agricultural zones like maize, coffee and tea farms, especially at the collection points. Kenya is an agricultural country, and we would like a good road network to be built around those zones for easy delivery of the produce. The Meru community lives in a mountainous landscape that affects our road system. We cannot deliver our tea produce in good time to factories. But if the roads are upgraded, we will be happy.

Mr. Speaker, Sir, every Ministry should be accountable and responsible in their work. For example, the Forest Department, under the Ministry of Natural Resources, should tighten their belts and safeguard the forests. We want to know where the timber is produced after the felling of trees in forests in this country. A look at our forests shows that they have been destroyed completely. Therefore, we must pull up our socks and fight those people behind this mess.

Mr. Speaker, Sir, I would like the House to know that between the months of May and June, we usually have Malaria epidemic on the rise. We are buying drugs for that purpose and what we need is rural education for wananchi because, these are curative measures. For preventive measures, we need local education to be given to women groups, youth groups and everybody else, so as to understand what they can do to prevent malaria instead of going for curative measures.

**Mr. N. Nyagah:** On a point of order, Mr. Speaker, Sir. Last year, we bought malaria preventive medicines worth Kshs7 million, but only Kshs256,000 worth of drugs was utilised by the hospitals. Why is the Minister telling us that his Ministry is preparing to buy preventive medicine, whereas we have malaria medicine worth well over Kshs6 million lying in the Central Medical Stores?

**Mr. Speaker:** Order! Order! Mr. Nyagah, there is time for everything! There is Question Time, which has now passed. This is now debating time. Proceed, Mr. Kalweo!

**The Minister for Health** (Mr. Kalweo): Mr. Speaker, Sir, at the moment, we have the drugs, but we should be more alert on preventive measures. People should have basic knowledge of various diseases.

I beg to support.

**Mr. Speaker:** Mr. Kariuki!

*(Mr. Kariuki moved to the Dispatch Box)*

**Mr. Speaker:** Order, Mr. Kariuki! Go back and speak from where you were.

*(Mr. Kariuki moved to the Back Bench)*

Hon. Members are invited to peruse the provisions of Standing Order No.172 which talks about sitting arrangements in the House. I suppose you are not in the Shadow Cabinet of the Democratic Party, and so you should speak from there.

Proceed!

**Mr. Kariuki:** Thank you very much, Mr. Speaker, Sir. I would like to support the Motion. However, before I do that, let me say that, discussing these Supplementary Estimates item by item is a bit hard for some of us, particularly those who are new in this Parliament.

Mr. Speaker, Sir, the first item in the Supplementary Estimates concerns the Office of the President,

which I think is overloaded with responsibilities that should be hived off and taken back where they were. For example, the Immigration Department has nothing to do with the Office of the President and should be ceded to other Ministries

that are more relevant. The Office of the President is so important that putting the National Youth Service under it is a misapplication. The National Youth Service is associated with stalled projects like the buildings we see opposite the Utalii College, along Thika Road. Those houses are an eyesore to everybody. If that is the picture that is portrayed by that important Office, it is pathetic and unacceptable.

The Registration of Persons Department should be under the Ministry of Home Affairs, National Heritage, Culture and Social Services. The Office of the President ought to be given the dignity it deserves. Some responsibilities ought to be off-loaded, so that the President has more time to do more important things like co-ordination of the whole Government. I think, it is important that some of the responsibilities and departments that are in the Office of the President are taken away, so that there is more breathing space. This Government is overloading the President with too much work. It is high time that he is given time and space to do more important things that he ought to do.

Mr. Speaker, Sir, there are too many State Lodges. We are being requested to approve Estimates to the tune of K£4.4 million. I think it is high time we started retrenching our expenditure by reducing items that are unnecessary. The President usually visits some of these areas once a year, yet, the cost of maintaining these lodges is too high. There are so many helicopters that could fly him anywhere he wants within minutes and yet he uses a jet. I think it is high time we closed some of these lodges so that there is money for doing other useful things.

Mr. Speaker, Sir, I notice that more emphasis has been put on unproductive Ministries at the expense of Ministries that are important. The Ministry of Agriculture, for instance, is so important. It is the backbone of this economy. We should be pumping more money into productive Ministries, where our people can get food as a result of agricultural activities. It is important that we consider giving the Ministry of Agriculture more money so that we can be able to produce more food.

Mr. Speaker, Sir, the Ministry of Health should, in fact, not be asking for any funding because they are not collecting revenue under the cost-sharing programme. In the rural areas, officers who have been given the responsibility of collecting money through cost-sharing, are pocketing that money. It is on record that there are so many district hospitals where the revenue collected does not find its way to the headquarters and ultimately to the Consolidated Fund. Measures should be taken to ensure that whatever is collected is remitted to the headquarters and ultimately to the Consolidated Fund. I think there is laxity in the area of auditing and follow-up of public funds. It is important that funds collected from the public are channelled to their rightful projects and not misappropriated by officers. It is important to realise that some of the repercussions of some of the projects that were approved before, like the District Focus for Rural Development for example, corruption are spilling into the rural areas rather than concentrating in Nairobi. This is disastrous to this country. Programmes like the District Focus for Rural Development should be revisited to see whether we should centralise some of these things and ensure that there is more control in use of public funds. As it is, at the moment, there is encouragement of corruption by delegating too much responsibility, which is not monitored properly.

Mr. Speaker, Sir, there should be a unit within the Ministry of Finance to ensure that there is continuous internal audit of all the funds being used by the various Ministries. There is a weakness in the area of auditing and proper book-keeping. This was echoed very strongly by the Controller and Auditor-General. It is important to ensure that public funds are utilised for their intended purpose. If we do not do that, we are wasting a lot of time collecting revenue and then it ends up in officers' pockets.

Mr. Speaker, Sir, the Ministry of Natural Resources wants a sum of K£10 million. I think it is important to note that in this Ministry, there are very important departments, like the one that deals with fisheries, which have collapsed. We used to have many fishery promotion centres all over the country, but they are now dead. Besides concentrating our efforts on production of major foods like maize, it is important to consider that fish is one of the main sources of food in certain areas among certain communities. More effort should be put in the development of fisheries. This Ministry should ensure that a lot of effort is put in that direction.

Again, it is unfortunate that if you look around the country, you will find that there is indiscriminate destruction of forests. Forests are destroyed everyday because the Government has given licences to too many saw-millers, who carelessly cut down trees, including the indigenous ones. This is not acceptable to the people who have the interest of this country at heart. We would like our sons and daughters to enjoy the beauty of our forests. Forests are also water catchment areas and when we indiscriminately destroy them we are, in fact, digging our own grave. Therefore, to curb this problem, licensing of saw-millers should be controlled so that there will be fewer saw-millers in future than there are at the moment. Otherwise, we will end up having no forests and that will be a major disaster for this country.



Mr. Speaker Sir, the other day the Minister for Trade talked about the revival of the Kenya National Trading Corporation (KNTC), which was one of the sources of corruption in this country. The former Governor of the Central Bank of Kenya (CBK), who ran down that corporation by entering into all types of illicit deals, was its chief executive. When the Minister tells us that this Corporation should be revived, he misdirects his effort. In fact, the Minister for Trade should not talk about reviving the KNTC: He should talk about the liberalisation of the Corporation and on how to promote the indigenous business people, so that we can spread income to as many Kenyans as possible. The KNTC should not be used as an excuse to siphon money out of the Government. We resist that move, and I would like to ask the Minister to ensure that the corporation does not benefit from the Supplementary Estimates that we are debating.

On the same token, no vigorous effort has been put in export promotion. In fact, Kenya is very complacent when it comes to this matter. We still believe in the past glory when Kenya was over praised by other countries of the world. However, things have changed and we are now going down. The time has come for us to go to other countries and promote Kenya's exports like coffee, tea and horticultural crops. We should also promote our tourism industry. We should inform people in other parts of the world that the products we market meet international standards. The Ministry of Trade is dead because it is not doing enough marketing for our goods abroad. Instead of doing that, its officers only visit Kenyans' shops. We should elevate our levels to meet the international standards. That is why the Ministry of Trade ought to be revitalised. I hope the Minister is listening to this.

On the other hand, I would like to request the Minister for Education and Human Resource Development not to take Kiharu Constituency as a dumping ground for--- The fact that the former Member of Parliament, hon. Kenneth Matiba, was against the system does not mean that the area should be a dumping ground for all the rejected teachers from other districts. If the Ministry continues to dump teachers in my constituency, I will call for a strike in all the schools in the area. This is unacceptable and I guess that it is happening in other Opposition strongholds. The Ministry should be aware that we are all Kenyans irrespective of our party affiliations and, therefore, nobody should be discriminated against. The fact that we are in the Opposition does not mean that the Ministry should give us all the bad teachers who are not accepted in other districts. These teachers cause problems because they loot public resources by misappropriating school funds and assets. The standards of education in those areas---

**Mr. Gatabaki:** On a point of order, Mr. Speaker, Sir. The hon. Member for Kiharu, hon. Kariuki, has made a serious allegation that the Ministry of Education and Human Resource Development is dumping teachers in Kiharu Constituency. Can the hon. Member substantiate that claim so that the Minister concerned can reply to it?

**Mr. Kariuki:** Mr. Speaker, Sir, I do not have to substantiate the obvious. It is true that there are teachers who have been dumped in my constituency and, if necessary I will provide the statistics in this House. However, for the time being, that is a fact. I have cases of 10 high schools that have teachers who were rejected in other areas before they were dumped there. It is inappropriate for my colleague here, the hon. Member for Githunguri, hon. Gatabaki, to think that I am making unfounded insinuations. In fact, I have facts and figures to prove this.

**Mr. Speaker:** Mr. Kariuki, he has gone away. You can forget about the issue he raised.

**Mr. Kariuki:** Mr. Speaker, Sir, I am saying that the Ministry of Education and Human Resource Development should be fair in ensuring that there is fair distribution of good teachers in all area in the country. There is no point to extract good teachers from areas like Kiharu Constituency and then transfer them to other areas of the Rift Valley Province. I can prove this because I have figures which show that certain education officers and teachers were taken to other areas. That is why examination performance in some districts portrays a bad picture. Good teachers in certain areas are taken to other areas. This is meant to ensure that Opposition stronghold areas do not perform as well as they are supposed to.

In the same Ministry, it also worries us to see the public universities closing down almost every month. We ought to address the issues of universities in a manner that can resolve them once and for all. When some of us were at the university, we had university students associations, and some of us were Members of those associations. Those associations were very helpful in arresting situations which were sometimes very explosive. But nowadays we have banned student movements at the universities. It is not proper for the Ministry, or the various institutions of higher learning, to ban student movements. Some of us would not be politicians if we had not practised the art of politics at the university through those associations. These associations are good and helpful, and they should be encouraged at the public universities. There should be a fora which can help the university administrations to interact with the students at the elective level, so that they are able to discuss issues that concern the universities. This will ensure that the problems the students are facing are addressed before they

explode.

It is important also, for the lecturers and the administrators not to bully and harass the students. Some lecturers are even known to compromise with the female students. It is important that there is discipline within the universities, since they are breeding grounds for the leaders of tomorrow. The various institutions that exist at the universities, should have proper departments within the Ministry of Education and Human Resource Development to monitor what is going on a routine basis. It is unfortunate that political patronage has become part and parcel---

**The Minister for Planning and National Development** (Prof. Saitoti): On a point of order, Mr. Speaker, Sir. The hon. Member has told this House that university lecturers and professors compromise students in an unbecoming manner. We do not want to generalise and say that our own lecturers and professors at the universities are immoral. Can he tell us who they are? In fact, some of us performed our profession effectively as university lecturers and professors.

**Mr. Speaker:** Hon. Kariuki, would you like to shed some light on that issue?

**Mr. Kariuki:** Mr. Speaker, Sir, we do respect Prof. Saitoti for the work he did at the university. He was one of the good people we had when we were at the university. He behaved himself in a proper manner when he was lecturing at the university. That is why he is in this august House. However, his colleagues at the universities are not living up to those standards. They should behave themselves in a manner that portrays the image of the office of a lecturer or a don of a university. If this House wants the information, we can offer it because we have talked to some of the affected students at the universities. It is important to realise that unless we, leaders, address these issues, those young ladies, who have been victimised, will suffer at the end. Some of them have been given low grades instead of getting grades "A" and "B". They are given grade "C" because they are not compromised by the lecturers. The matter is very serious and it should not be taken for granted.

It is important for the various administrators within the universities to check and arrest that situation before it explodes. I feel sorry to realise that we do not have our colleagues from the feminine world, except one, in this House now. I guess that they have not interacted with university female students. It is important that such issues are checked in advance so that they are not exaggerated.

Mr. Speaker, Sir, still on the Ministry of Education and Human Resource Development, we have a lot of accusations made against the Higher Education Loans Board (HELB). They give loans with a lot of discrimination. There are certain students who are not getting access to loans, purely because of their tribe. I think this is not acceptable. The HELB should be favourable to everybody in giving loans out. If anything, they ought to step up their loan collection. I was told by a Board member that HELB has the potential to collect revenue to the tune of about Kshs100 million per month, but they collect Kshs20 million while the other Kshs 80 million is not collected. The machinery of collecting the other outstanding loans is inefficient. There is no proper follow-up. He also told me that the person, who is heading that institution, is incompetent.

Mr. Speaker, Sir, it is important to have the right people at the right institutions. This consideration must be of paramount importance when we are recruiting people into positions like that of the Secretary of the HELB. This person must be able to collect so much money that is lying out there, from graduates who graduated many years ago, and are making money in the private and public sectors. They are not paying to the Government the loans that they took. They are willing to pay back. However, if there is no machinery to collect the money, we will be talking of raising revenue which is there, but nobody is bothered to ensure that it is collected.

Mr. Speaker, Sir, talking about rural development, there are so many authorities. There is the Tana and Athi Rivers Development Authority, North and South Ewaso Nyiro Development Authority and others. These authorities have become methods of siphoning money out. We do not see any positive contribution being made by those authorities. The authorities should be action-oriented than programme-oriented. They should be tabling their reports here so that we can know what they are doing. The money they are given should be accounted for. We actually do not know what they do. In fact, if you look at the potential of Tana and Athi Rivers Development Authority or even North and South Ewaso Nyiro Development Authority, it is not properly tapped. They do not come up with projects that can be funded. Our rivers should not just be a conduit of sending rain water from the highlands to the ocean. The water should be tapped at various stages and dams built for irrigation to augment food production. We are going to suffer because in another decade, there will be no food. We will be relying on hand-outs like other countries in the world and yet, we have high potential in the agricultural sector, which is under-utilised. The time has come for these authorities to put in place programmes that can dam these rivers to be more productive. We have seen it happening at Masinga Dam which is now used for horticulture farming in Machakos and Murang'a. It is important to have other areas benefitting from such dams to increase our food production.

Mr. Speaker, Sir, with regard to the Ministry of Lands and Settlement, it does not deserve to have any budgetary allocation approved by this House. It is one of the most inefficient Ministries in the country. It has

excess revenue which is not collected. I have talked with land owners in the City, and as a graduate of the private sector, I know that the Ministry is not collecting land rates and rents. The Ministry of Local Authorities is efficient because it sends out demand notes for various rates at the end of the year, but the Ministry of Lands and Settlement does not collect any land rents, which is very serious. We are talking about Kshs100 billion. All the huge skyscrapers that we have here do not pay rates. This is because there are no demand notes sent to them on annual basis. The Ministry ought to realise the importance of collecting revenue. They are not collecting any revenue because of laxity and that is why they should not be funded at all. If anything, the money it collects can run all the Ministries.

Mr. Speaker, Sir, the Directorate of Personnel Management (DPM) and the Public Service Commission (PSC) do not perform any duties and they seem to be dead. Previously, the PSC used to be helpful in recruiting and promoting hard working officers and ensuring that the best brains were put in the best places, but now, we have killed it. I think it is important for the PSC to be revived to be more helpful in the area of manpower deployment.

On the Presidential Soil Conservation Commission, we have failed, as a nation, to afforest this country. I think the people heading that Commission were degraded when Mr. Mulu Mutisya was made the Chairman of the Commission. We require to have more action-oriented people, and not "recycled material" or people who have no purpose to head such noble Commissions.

**An hon. Member:** He was recycled garbage!

**Mr. Kariuki:** I hear he was recycled garbage, not recycled material!

*(Laughter)*

We require people who can make some positive contributions in the running of this Commission. This will enable the country to run more efficiently.

Mr. Speaker, Sir, the Judicial Department requires a face-lift. It is associated with corruption and all types of mis-deeds. It is important for the Department to be made independent from the whims of politics and political patronage, to ensure that justice is dispensed in the fairest way. It should be reinforced by being given enough manpower to dispense justice quickly. At the moment, cases are held-up in courts for three to five years. This is not acceptable! Cases must be dispensed at the shortest time possible. At the moment, the situation is disastrous and action must be taken to ensure that the Department is not only independent, but it is also reinforced with adequate finances to dispense justice quickly.

With regard to the Ministry of Trade, there are the Export Processing Zones (EPZ), which are doing a very good and noble job. But I think, as a country, we ought to look at the success of countries of the South East Asia, and African countries like Mauritius and ask ourselves, "what is our destiny as a country?" It is important for this country to look at the possibilities of opening duty-free ports like Mombasa, Malindi and Lamu. By doing so, we will encourage our neighbouring countries to trade with Kenya. The potential is very high but it is not utilised. On EPZ, we should market whatever is processed in those zones. We leave the industrialists to do all the donkey work of going out there to look for markets for their products. The onus is on the Ministry to ensure that there are markets for their products. In this way, the manufacturers will spend more time manufacturing rather than looking for markets. We need to have trade agreements with other countries. The USA is a big market, but we have not gone out there to market ourselves. Countries of South East Asia have benefited from their relationship with the USA. Japan, Malaysia, Taiwan and other countries in this world have benefited through trade agreements with big nations like the USA. It is important for us to do the same so that we can be able to open our market in other high potential areas. It is important for us as a country to look at the problems that are facing us, *vis-a-vis* revenue collection. It is not good to give the Ministries supplementary estimates. It is important to ask ourselves: "Are these funds going to be utilised properly? What do we put in place to ensure that these funds are properly utilised?" I think it is important for the various Ministries to ensure that whatever they are given through these Supplementary Estimates is put into projects that the money was meant for.

With those few remarks, I beg to support.

*[Mr. Speaker left the Chair]*

*[Mr. Deputy Speaker took the Chair]*

**The Minister for Planning and National Development** (Prof. Saitoti): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Supplementary Appropriation Bill which is a

follow-up to the Supplementary Estimates which we discussed here. I only want to touch on a few areas where I feel that it is important [**The Minister for Planning and National Development**] to make some observations. The first one that I want to touch on is the Ministry of Education and Human Resource Development.

The Ministry of Education and Human Resource Development is extremely important. Arising out of the huge awards to the teachers towards the end of last year, when over Kshs4 billion had to be made available from the Exchequer in order to boost the earnings of the teachers, it was necessary that we discuss the Bill. I do support the move and the spirit in which the awards were made to the teachers in our schools and the universities.

For some of us who have been teachers at various levels, we know that to teach properly, or to be in a position to impart knowledge, it is absolutely important that the teachers should not have any diversions. They should be dedicated and spend any available time, when they are not teaching, researching and preparing the necessary lessons, so that whatever is imparted to the students is reliable and broadens the knowledge of the students.

I believe that, that cannot be achieved if the teachers are not properly remunerated because they would then indulge in petty businesses. Those petty businesses will rob them very important time that should be going to the preparation of lectures or lessons. A scenario like that can lead to a situation where we end up producing half-baked graduates, and that can do an irreparable damage to the development of manpower. Having said that, and taking into account that the Ministry of Education and Human Resource Development accounts for a very substantial portion of the total Recurrent Expenditure of over 30 per cent; and within the Ministry itself, accounting for almost 80 per cent, there is, therefore, need to re-examine our own system of education, not only the contents, but also the finances. We did spell out this explicitly in our own KANU manifesto, that the Government is going to review our own educational system. We have had the 8-4-4 system for a number of years---

**Mr. Ndwiga:** It has failed!

**The Minister for Planning and National Development** (Prof. Saitoti): Mr. Deputy Speaker, Sir, I can hear one hon. Member, though I do not wish to respond, saying that it has failed. I do not believe the 8-4-4 System of Education has failed. It was founded on an important education philosophy, and the aim was that we should be able to produce, at the very end of the tunnel, a person, who is all-rounded and who understands this country. There is no need of producing an engineer who does not understand the economic situation in this country. If he plans the bridges and roads, he ought to know the capability of the economy to sustain that. It is equally important that the same engineer or physicist or mathematician should also know the history of this country. From a purely educational point of view, I have always subscribed to the philosophy that any country must aim to provide the opportunity for the students to learn as broadly as possible, to produce a person that is not only a technician---

**Mr. Ndwiga:** On a point of order, Mr. Deputy Speaker, Sir. Is hon. Prof. Saitoti in order to continue saying that the current education system has produced an engineer who knows the history of our country? We all know the truth. Is the Chair satisfied that the hon. Member is not distorting facts, because we know the kind of engineer we have got now cannot even spell the word "engineer"?

**Mr. Deputy Speaker:** Order! Order! Hon. Ndwiga, you have made your point and Prof. Saitoti has the freedom to express his opinion. If he thinks that the current system is good, he has the freedom to say that the system is good.

Proceed, Prof. Saitoti.

**The Minister for Planning and National Development** (Prof. Saitoti): Thank you very much, Mr. Deputy Speaker, Sir. I am sure the hon. Ndwiga will have the opportunity to expound on his philosophy. I feel very strongly about education because I am basically a teacher by profession. The ideal education system must be the one which produces a person who understands the country and its problems. This was the aim of the 8-4-4 system. Any education system in any country, after a number of years, has always got to be subjected to a review because knowledge is a dynamic process. We must be open to what is happening elsewhere. After a period of time, we must re-examine our educational system. It is in that light that the Government is going to establish a process to review our own education. It is not because we believe it has failed, but because it has been a success. We do wish to ensure that our own educational system is in keeping with other systems in the world.

Mr. Deputy Speaker, Sir, the same system should be reviewed from the point of view of the contents because the contents are important so as to be able to produce manpower for the 21st Century. We need manpower that will look at the kind of society and economy we are going to have because we believe we are going to have an industrialised nation. We must also re-look carefully in a programmatic way, at how we are going to finance our own education.

**Dr. Ochuodho:** On a point of order, Mr. Deputy Speaker, Sir. The hon. Minister has insinuated a fact. Is the hon. Minister implying that the currently on-going curricular review is going to cover the 8-4-4 review or it is just a curricula review?

**The Minister for Planning and National Development** (Prof. Saitoti): Mr. Deputy Speaker, Sir, I do not think I am in a classroom to fill up the gaps in case a Member does not know exactly what is happening. But the crux of the matter is that we are going to review or re-examine the whole area of financing our education; one, to ensure that---

**Mr. Ochuodho:** On a point of order, Mr. Deputy Speaker, Sir. Can the hon. Member confirm that the review that is going on is an educational review---

**Mr. Deputy Speaker:** Order! Order! You cannot engage in an argument with an hon. Member on that basis. If you have a point of order, you raise it without arguing. Proceed.

**The Minister for Planning and National Development** (Prof. Saitoti): Thank you very much, Mr. Deputy Speaker, Sir. Before I finish with the area of education, let me say that apart from looking at the content we are going to have to be looking into the whole process of financing education. In a situation where over 38 per cent of the Budget is "eaten" by one sector, and where within the same parent Ministry, almost 80 per cent is being used for paying the teachers, we are in a problem. We cannot continue that way. We will produce graduates but then we will end up having no resources to create employment opportunities. So, we have no doubt that the next overall review of education will have to strike a balance between the amount of money contributed by the Government for education, and some of the money that must also go towards creation of employment. It is only through this that we will have a prosperous nation. I should emphasise that in our review process, the cardinal point is that education is the right of every child and that will always be guaranteed. The Government will continue to make sure that it gives learning opportunities to all our children. That is a fundamental thing.

Mr. Deputy Speaker, Sir, another area that I feel I need to touch on is energy. This is a time when we are beginning to think in terms of industrialising Kenya. For over 34 years, the engine that has pulled the economy of this country has been agriculture. It is agriculture that provides food for the Kenyan people. It also provides most of the job opportunities. If you carry out a survey of the jobs in Kenya, most of them are agriculturally based. It is the same agriculture that earns most of the foreign exchange. Nevertheless, we have to face up to the reality. Being over-dependent on agriculture has meant that whenever the weather has worsened, we have become affected and whenever we have not produced sufficient food, we have been forced to import some. With the bad weather, coffee, tea, and horticultural products have come down. Our livestock has also decreased. Generally, jobs have been affected and the earning of foreign exchange has been affected. Therefore, there is an obligatory need that we must diversify our economy. We are now thinking of Kenya being a newly industrialised nation by the year 2020. We have no intentions, whatsoever, of abandoning agriculture, but we must emphasise the fact that both agriculture and industry must become the twin agents which are going to boost the Kenyan economy. That way, we shall be able to create jobs.

Mr. Deputy Speaker, Sir, we need to create jobs. Agriculture cannot provide all that. We have to expand our industries. Two things are important for the industries to take off. Reliable energy has to be there. It is equally important, as I have assumed, that we must also have educated people. That is why we have started with education. This is because unless you have skilled manpower, then you cannot be able to have people to manage the industries. However, energy is also important and that is why I want to commend the Ministry of Energy, first of all, for having moved a Bill on Energy last year, which has now become an Act. We do now have a scenario where there is liberalisation, or ideal regulations for that matter, of the energy sector. Therefore, the private sector can play a major role in the generation of power, and I hope that the private sector and the investors, both local and overseas can now take the opportunity of the laid-out framework now within the energy sector to come and invest more in these areas. It is lucrative. They will be able to generate energy. They will make money and at the same time, they will provide energy which is going to assist our own industries to expand.

Mr. Deputy Speaker, Sir, at the same time, on energy and I am happy that there is some money that has been provided there, the Ministry of Energy must continue to spearhead the provision of energy in rural areas - the electrification of rural areas. That is where the jobs are going to be created. We cannot talk about the small-scale industries unless we do have energy. We need electricity. This is important but I think that it is fairly well known that in the current Budget, there is a proviso where I believe that rural electricity is supposed to be a beneficiary of some few areas. We hope that this can move a mile and I assure my colleague in the Ministry of Energy that we are going to support him as he spearheads the efforts for rural electrification, because that is one way of creating the jobs. That is one way of getting rid of the menace of poverty and, therefore, this is an important sector.

Mr. Deputy Speaker, Sir, having said that, I think it is also important to pay compliments and tributes

where they are due. There is a law that has been enacted by the Government in terms of ensuring that rural electricity has been provided to many parts of our own country. Not every place has been provided with electricity, since Rome was not built in one day. However, it is important to pay tribute to what has been done over these years and we will continue with that effort. That is important.

Mr. Deputy Speaker, Sir, let me move on to another area which I think is actually important here. I did allude earlier to agriculture as one sector that has built this country, but there are a few areas, which I think, we need to look at in a much more favourable manner. These are the days when we are getting very worried about the economy. However, I think, it is also good to see where we have also done well. While we did have a drought in 1997, and while the *El Nino* phenomenon has also wreaked havoc, it is worthwhile to note, that three very important crops have done well. These are tea, coffee and horticulture. The volume has come down, but the most important thing is that these three crops are very fundamental because they have earned substantial foreign exchange for this country. The prices of coffee and tea have been fantastic and, therefore, the earnings, in spite of the volume, have been much higher than in the previous year.

Mr. Deputy Speaker, Sir, the same thing also applies to horticulture. My only hope here is that our own farmers will continue to take advantage of the fundamental adjustments and liberalisation that has taken place in the two areas of coffee and tea. Farmers are now at liberty to sell their produce directly other than in auction places, and to receive their receipts in hard currency and use it as they want. They do not have to go through the middleman. Once again, our intention is that the remaining work that has got to be done is the restructuring of agriculture in the coffee and tea sectors. That one will also be followed articulately. There shall be no let out.

Mr. Deputy Speaker, Sir, we want to continue to empower our own farmers. However, I want to say that one of the reasons why our own results are looking good, and it is important to say this--- Our results are not bad. We still have got at least three months to cover our own interests, and it is because of the positive performance of the agricultural sector, especially in the area of those three crops. However, I think, much more important in this area, is that we are going to look at the problems of the livestock industry. We should take into account the two types of land in Kenya and these are the arid and the semi-arid lands. The high potential land is only about a third of our total landmass. We have yet to take advantage of these ASAL areas, as we call them. Much of the ASAL land mass is inhabited by pastoralists but I believe that the most important thing, and the challenge that we are going to face, is creation of markets for the livestock farmer.

Mr. Deputy Speaker, Sir, I know there was a question here the other day about KMC; that it was rehabilitated not too long time ago. We do hope that KMC should be one business now for privatisation and we, in the Government, support it fully. This is because we want to ensure that North Eastern, Eastern and other parts of Kenya are, at least, in a position to be able to sell their cattle. This country is in a position to export livestock products. This is an area where I believe we have to lay a lot of emphasis on, and all that I can say here is that we shall support fully, our own colleague in the Ministry of Agriculture as he pursues the policy to ensure that this country can become a major beef exporting country. Again, jobs will be created. More important, as we are now talking about creating of jobs and alleviation of poverty, those jobs are going to come from the ASAL areas. Kenyans must be willing to work. Let us compare ourselves with a country like Israel. If you look at the land here, you will find that much of it looks barren. It is almost like a desert, but we are producing so many things like horticulture and flowers. What is all that? It is not a question of donors, and we must discard totally, the mentality of relying on donors. We want the donors to help us but we must also be willing to work. We must be willing to soil our hands. We must move into the ASAL areas, and that is where the jobs are going to come from. We wish to ask our own agricultural institutes, and the scientists to be much more innovative and come out with the appropriate seed or new crops which can do better in the ASAL areas. More food will be grown there. More job opportunities will be created, and we can even have a sustainable economy, instead of crying that we want the donors to come in. I believe that we can do a lot in that area and I urge the Ministry of Agriculture to move ahead since we support it fully.

Mr. Deputy Speaker, Sir, speaking about that, I cannot avoid, but say that today, in the world, we have globalisation whereby the markets are now getting global. Little markets are not going to attract much. The smaller markets are not going to be able to survive. Europe is now becoming one, and yet, each country there is an industrial nation and has a sustainable economy. Why are the Europeans becoming one? Why are America, Mexico and Canada forming their regional economic organization? Why are the Asians forming the Association of South-East Asian Nations (ASEAN)? We, in Africa, have no alternative but to go for economic integration. What is relevant for us here in Kenya today is the support that we have given to the regional co-operation and to the East African Co-operation. The East African Co-operation requires much more careful observation than we are giving it. This is where most of our exports go to today. Uganda is our first destination for the Kenyan exports. Tanzania is the second destination and the United Kingdom (UK), the third. I feel that it is much more important

to analyze the mixture of our exports. The UK is the third export destination because it imports much of our tea, but we export manufactured goods to our neighbouring countries. Kenya is, therefore, going to support the East African Co-operation. We want to support our two neighbours and to send to others, a clear and loud message that we do not just want them to be merely a dumping market; we also want to assist them to sell their goods. We want a very strong East African Co-operation.

Mr. Deputy Speaker, Sir, I think we might also look farther, beyond East Africa, for the sake of our status. We must see what is happening to the former Zaire and Rwanda. They are very big markets. We look forward to the day when there will be political stability in Somalia. That will be the future market for this country. That is where jobs will be created and where the alleviation of poverty will be sorted out. I want to bring to the attention of this House, two issues which are important to the economy and the well-being of Kenyans. The national census, which is under my Ministry, is due to be carried out in August, 1999. I think we are all aware of how crucial it is for the country to carry out a correct and reliable census. I, therefore, want to urge the hon. Members to sensitise the wananchi to be ready for the census, to ensure that every person is counted. That way, we will know what kind of population to plan for. On another note, Members should also advocate for population planning.

Mr. Deputy Speaker, I beg to support.

**Mr. N. Nyagah:** Thank you very much, Mr. Deputy Speaker, Sir. May I say what a great day it is for me personally that it is the first time I have had an opportunity to speak on a Bill or a Motion. Therefore, I will first of all do what I am justified to do. I would like to thank the People of Kamukunji for having had faith in electing me. I would also like to assure them that I shall do anything in the world to try and look after their welfare. I would also like to, rather belatedly, congratulate you as the Deputy Speaker and Mr. Speaker for your election to that very high seat. I am saying so, through Mr. Deputy Speaker, because this is the first opportunity that I am getting to speak either on a Motion or on a Bill; it comes from the bottom of my heart. This being a one-day affair, I will spend a very short time so that I can give more time to Members from both sides of the House, so that we can hear their views. Having said so, I will only look at four Ministries.

Mr. Deputy Speaker, Sir, I would like to talk about the Ministry of Health. A lot has been said about the problems facing the Ministry of Health and, therefore, there is nothing new that I will add. I would urge the Minister for Health that in future, he should take care of the formation of hospital boards, so that we can have credible people to look after, and manage, those hospitals. I have in mind Embu Provincial Hospital in Gachoka Constituency, for which I am the former hon. Member of Parliament. A very credible teacher was removed from the chairmanship of the management board of that hospital. He managed that hospital extremely well and for two consecutive years, Embu Provincial Hospital attained position one in terms of cleanliness in the whole Republic. What can we do about the political interference in the management of the hospital by the former Minister for Co-operative Development? He appointed an illiterate pastor to be the chairman of the hospital board, and cannot follow up the deliberations of professional doctors on the way forward in the development of the hospital. What has happened as a result of political interference? The standards of the hospital have gone down, yet, this is the referral hospital for patients from hon. Musyoka's constituency and Kirinyaga District, who come to seek medical attention. In Eastern Province, it is the equivalent of Kenyatta National Hospital.

I am also very grateful to this Government that after many years of making requests, Embu Provincial Hospital has become, in terms of funding, a provincial hospital. In the same vein, I would also ask the Government to upgrade Eldoret District Hospital to a provincial hospital status in terms of funding. By so doing, we shall have done justice to people of Uasin Gishu District.

Mr. Deputy Speaker, Sir, the other thing I would like to touch on are the deplorable conditions of hospitals in this country. There are no drugs, yet, in the Supplementary Appropriation Bill, the headquarters of the Ministry of Health is being allocated Kshs340 million. What is it for? Is it for buying red carpets for Afya House offices? The other day, there was a very big debate about Mathari Mental Hospital. I talk with confidence about hospitals because for over 20 years, all that I have done is to supply drugs to patients in hospitals. One of the reasons why Mathari Mental Hospital and others in the country do not get enough drugs for patients is because of negligence of hospitals by this Government. For example, in the Supplementary Estimates, Mathari Mental Hospital has been allocated only Kshs500,000. What will this amount do? Are foreigners going to run our hospitals on a Harambee basis as is happening at the moment? No! We have an example of the equivalent of Mathari Mental Hospital in Uganda. The surroundings of the Ugandan hospital are just like the grounds of our State House. They are beautiful, yet that hospital has only 100 patients. Ten years ago, before the rehabilitation of that particular mental hospital in Uganda, it was overcrowded. We should rehabilitate Mathari Hospital and reduce the number of patients.

When the Minister for Health was contributing earlier on, he said that the Ministry is in the process of

procuring medicines for prevention of malaria. I stood up on a point of order to tell him that last year, the Government spent over Kshs7 million in buying medicines for prevention of malaria, and only Kshs250,000 of the amount has been utilised by hospitals. That medicine was not requested for by district hospitals, but somebody somewhere, I believe, wanted to take the loot, and over-ordered those drugs. What will happen at the end of the day? The duration for shelving those drugs will lapse, and eventually, they will be thrown into the Indian Ocean.

The Ministry of Health should not buy any more medicines for the prevention of malaria.

Look at the cholera menace in this country. I moved from a rural constituency and I thought that I was coming to an urban constituency. I came to Nairobi which has a population of 3 million on any one day like today. In a very short time, the population of Nairobi will be less than 2 million because of the cholera menace.

Sixty-five per cent of Nairobi residents live in slum areas. What have we done to develop those slums? Cholera is rampant. We know how many people have died from cholera and so on. The point I am trying to make is that, we must get our priorities right. The people who live in those slum areas are equally important to us all. We are all equal before the eyes of God. There are no drainage systems in slum areas. They buy their sukuma wiki from vendors, and they do not even care to wash them. Nairobi will become a centre of deaths, which will be occasioned by the negligence of the Ministry of Health.

Lastly, on the Ministry of Health, may I congratulate Prof. Meme and Dr. Muita for transforming Kenyatta National Hospital into what it is today. It is a beautiful hospital. It is a clean hospital. Let us give credit where it is due. Therefore, whoever promoted Prof. Meme to the position of Director of Medical Services did a credible service for this country, and he should be congratulated. My only reservation on this promotion is that, he has gone to a Ministry that is extremely corrupt and, therefore, he may not perform well.

Mr. Deputy Speaker, Sir, let me look critically at the Office of the President. I will begin by thanking the Government of South Africa for refusing---

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Deputy Speaker, Sir. While I do not want to annoy my friend, the hon. Member for Kamukunji, is he really in order to contradict himself and mislead the House by saying, on one hand, that Prof. Meme, who has done such a good job at Kenyatta National Hospital, which falls under the Ministry of Health docket, has gone to a very corrupt Ministry? Could he substantiate?

**Mr. N. Nyagah:** Mr. Deputy Speaker, Sir, all that I have done is to shower Prof. Meme with a lot of credit, but I have said that his work in his new post will be curtailed. I am pre-warning him that there are problems in the Ministry where he has been posted as the Director of Medical Services. If the hon. Minister for Education and Human Resource Development cared to look at Public Accounts Committee Reports which have come before this House, he will see the kind of corruption I am talking about. I do not want to open a can of worms because we are going to pour out a lot of worms here.

Mr. Deputy Speaker, Sir, I am, first and foremost, supporting this Bill. I want to please hon. Keah by telling him that I will support the Bill before I sit down. This is because we must co-operate, just in the same spirit we discussed the economy at Mombasa and came up with recommendations on the way forward for the economy. I hope that this Government is also going to support us.

**An hon. Member:** They have no choice.

**Mr. N. Nyagah:** Oh, yes! What choice does this Government have? None!

**Mr. Deputy Speaker:** I do not think that, that is part of the Motion before us. Could you address the Motion before us?

**Mr. N. Nyagah:** It is part of the Motion, Mr. Deputy Speaker, Sir, because if you look at the deficit of K£48 million, you will realise that the economy is not on the right path. If it was, this deficit would not be there. Therefore, that is why I am referring to something that is sweet and fresh in our minds, following what we have just been through.

May I also take this opportunity to say thanks to the South African Government for refusing to sell riot-control vehicles to this Government. They wanted to spend a lot of money to purchase those vehicles, so that they could harass innocent Kenyans. Now, who are these innocent Kenyans? It has become a pre-occupation of the Kenya Police to look at these people as people of inferior quality. I have suffered tear-gassing many times---

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member for Kamukunji to, again, mislead this House? Does he, really, have the facts regarding the particular deal he is referring to? Has he not merely been misled, sufficiently, by newspaper reports which he then brought to the House?

**Mr. N. Nyagah:** Mr. Deputy Speaker, Sir, I have stated the fact that the Police Commissioner gave details of what they intended to bring into this country, and this created a hot debate: That the equipment the



Government wanted to purchase from South Africa was not required. It is an abuse of human rights to keep anti-riot squads fighting Kenyans. We must appear to be a civil society.

*[Mr. Deputy Speaker left the Chair]*

*[Mr. Speaker resumed the Chair]*

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Speaker, Sir. Will I be in order to ask the hon. Member for Kamukunji to provide documentary evidence to the effect that, the South African Government turned down the Kenyan Government's request for supply of this equipment?

**Mr. N. Nyagah:** Mr. Speaker, Sir, the hon. Member is now changing the tone. I talked of thanking the South African Government for not having supplied the anti-riot gear to us. That equipment would cost taxpayers a lot of money. I want him to tell me anything that is contrary to that! Why did the Kenya Government not buy the equipment?

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Speaker, Sir. The hon. Member for Kamukunji is, simply, misleading this House. He read things in the newspapers, believed them to be very true, and has now brought the same to this House without substantiation. His allegations do, unnecessarily, bring bad blood between two independent countries, which have a lot of regard for each other.

**Mr. Speaker:** Order! Mr. Nyagah, in simple terms, the hon. Minister is asking you to substantiate your allegation, under Standing Order No.76.

**Mr. N. Nyagah:** Mr. Speaker, Sir, I have only 30 minutes to contribute to the Motion. The hon. Minister wants to take too much of my time because he is not sure of what I intend to say. The Kenya Government was unable to raise the money because it was broke. I thank the South Africans for having respect for human rights.

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Yes, what is it?

**Mr. N. Nyagah:** I have withdrawn! What else is he standing for?

*(Laughter)*

**Mr. Speaker:** Order! Order! Mr. Norman Nyagah, after the Minister's insistence, has now withdrawn the allegation and, I am sure, the Minister is happy about that.

Proceed!

**Mr. N. Nyagah:** Mr. Speaker, Sir, what I cannot understand, you know, is the bad blood between the Minister for Education and Human Resource Development and me, yet our roots are from the same place. So, I would like the Minister to stay put and listen to a few things I have to say.

Mr. Speaker, Sir, there is one thing I want to look into with regard to the Ministry of Agriculture. We are aware that Kenya has high potential in agriculture, but what have we done in the past years? I would like to directly challenge hon. Saitoti who brought in the element of *El Nino* in explaining why we have to import grains into the country. I would like to remind him that for many years, since I got my moustache and became an adult, this country has always imported food, even without *El nino*. What we need to do, in my opinion, is to ensure that drier areas like where hon. Ita, the great Minister for Information and Broadcasting, and the hon. Minister for Education and Human Resource Development come from--- Water catchment areas should be taken care of by the Ministry so that the people are able to grow drought-resistant food crops. This is where experts should come in. But what happens today? You hear that the Government is going to import grains into the country, and there are traders who already, have their cargo ships in the high seas; they will, within a month, off-load their cargo at the Port of Mombasa. The time has come for those privileged to think of Kenya as "ours" and not as "mine". The importation of food into this country has been grossly abused by the privileged few. We are not mentioning any names as they know what I am talking about. I hope they are all clean. Most of them are new, and may not have gone through it, but I would want them not to join the cartel that has been involved. Look at the large sums of money we spend on the Drought Recovery Programme. Suppose we put this money into other needy areas?

I would like to remind the Minister for Agriculture that many of our research institutes have been given out to, once again, those politically-correct people. I do not intend to mention names to

the House today. Three years ago, while moving a Private Member's Motion, I said that if Front-benchers did not support it, they would be affected as beneficiaries of land parcels on which Government houses stood. I lived to my words; I did not mention names. But I still have the list in my pocket and I can pull it out. Why should anyone go to Kabete and allocate himself land belonging to Kenya Agricultural Research Institute (KARI)? These are very senior people! Why should anybody go to Limuru and allocate himself a lot of land? It is wrong. As I have said, I want to give Members, particularly those on the Government side, because hawa ndio wenye maneno, a chance to contribute and I will move on now to the next Ministry.

Mr. Speaker, Sir, I am not going to discuss anything to do with the National Assembly. What I want to discuss has to do with the Electoral Commission of Kenya (ECK). I would like hon. Keah to listen to what I have to say on this, and I hope that part of this money will do the job I am about to talk about. His Excellency the President gave powers to Justice Chesoni to come up with a commission to look at a land dispute arising from Mwea Ranching Scheme. People moved into this scheme in 1920, and 78 years later, this land has neither been demarcated nor given out. The ECK was ordered by the President to give him a report which, to date, we have heard nothing about. The ranch covers an area of about 50,000 acres. At the moment, we are getting many people there, and, you know the people I am talking about, who are encroaching into Mbeere ancestral land.

**Mr. Speaker:** For purposes of proper record, Mr. Nyagah, I believe you are talking about Justice Chesoni heading a commission to investigate the Mwea Ranch; not the ECK as such, but a commission under hon. Justice Chesoni, specifically for that purpose. I think that was the correct position.

**Mr. N. Nyagah:** Mr. Speaker, Sir, that was the case. Without Justice Chesoni giving that report to the President, and making it public, the people of Embu and Mbeere are being made to suffer. We cannot move in those people and, therefore, this is the request I am making. That report should be made public and handed to the President, so that, that matter will be dealt with quickly. I hope hon. Keah will take our sentiments very strongly.

Mr. Speaker, Sir, lastly, I wish to talk on a subject that is dear to the Assistant Minister for Finance. The Government Computer Service has very old computer mainframes. We have been given excuses many times that the reason why salaries are delayed is because of breakdowns. Recently, a tender was floated and if the Chair needs the reference to that tender, I can give it to him. It is Tender No. GCS/2/97-98. I would urge the officials in the Treasury to be careful in dealing with certain people, particularly when they use single sourcing. There are very many levels that have to be passed through the technical vote. I am sure that the Assistant Minister knows that we have had problems with this. I am going to sit down with him and give him the full information. I know that there is a likelihood of this coming up during the PAC deliberations, and I do wish to disclose it here.

With those few remarks, I beg to support.

**The Member for Baringo East (Mr. J.D. Lotodo):** Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to contribute to this important Bill.

First and foremost, since this is the first time I am contributing this year, I wish to congratulate you, Mr. Speaker, and Mr. Deputy Speaker, for being elected to your respective offices. I would also like to thank the people of Baringo East for re-electing me to this august House for the second time. I am sure I did not let them down during the last Parliament and this is why they elected me unopposed as their Member of Parliament during the last General Elections.

Mr. Speaker, Sir, concerning the Bill before the House, I would like to make a few comments. We have Ministries which are supposed to serve wananchi but under some circumstances, they do not perform their work properly. This may be because the country is very wide; there are those areas which we refer to as to Arid and Semi-Arid Lands (ASAL), and others which are high potential areas. The diseases which afflict people in this country are many. The Ministry of Health plays a vital role in this country because it takes care of the health of the people of this nation. On many occasions, we have heard about the outbreak of diseases which are killing thousands of people, and the Ministry seems not to be ready to counter such outbreaks. As I speak now, there is an outbreak of cholera in Makutano area of Tangelbe Division in Baringo East which has claimed 10 lives already. There are 30 others in critical condition and there is no medicine that has been taken there. I would like to urge the Ministry concerned to take action immediately.

Mr. Speaker, Sir, this country has to be managed in the best way possible. Those who have been given the opportunity to manage certain Ministries should ensure that services are availed to the citizens of this country.

Since Independence, we have never had even a single ambulance in my constituency. I am sure this is an act of sheer negligence or favouritism. It is very painful to lose people. Life is very precious and therefore, I would like to call upon the Minister for Health to take immediate action to save the lives of those people. Mr. Speaker, Sir, there is also the aspect of

preventive health care in this country. We would like this programme to be spread out into the rural areas. We know that whenever diseases occur in a particular area, funds are not always availed to combat such an outbreak. We should make sure that such vital Ministries like the Ministry of Health are given enough resources in order to take care of the health of our people.

Mr. Speaker, Sir, agriculture is the backbone of our economy but from the look of things, we are just taking things for granted. This country can produce enough food to serve the population, but when we look at the land under agriculture, it is not enough. The National Extension Programme used to assist farmers in the growing of crops and animal production, but that system has since collapsed. This is why we are losing many animals through diseases. Therefore, I urge this Ministry to ensure that we have veterinary personnel and extension officers in many centres in this country. We know that this country depends on agriculture entirely, and we cannot afford to import food while we can produce enough to feed our people.

Mr. Speaker, Sir, over 70 per cent of this country is arid and semi-arid land. The Ministry of Agriculture should carry out comprehensive studies on how we can irrigate those areas. The irrigation potential in this country is very high and we can be able to produce enough food to feed our people. The North Eastern Province is a very vast land and we can use irrigation to grow food there. Israel is a desert country but it is a very high potential area as far as agriculture is concerned, because of its modern irrigation techniques.

Mr. Speaker, Sir, the Ministry of Public Works and Housing has used the *El Nino* weather phenomenon to justify its failures. But before the *El-Nino* induced rains, the roads were not any better. Whereas the *El Nino* weather phenomenon can be blamed for the bad state of our roads, the Ministry is also partly to blame. Good roads are necessary because without them, foodstuffs and medical facilities cannot reach their intended destination. Given the allocations in the Supplementary Estimates, I think it is better to give this Ministry enough funds, so that most parts of this country can be made accessible.

There is a road in my constituency which was only partly constructed and more than half of it has remained untouched. I would like to urge the Minister to complete this road because it is the only good road in my constituency, and that is the Loruk-Nginyang-Marich Pass Road. If this road is constructed to completion, it will serve four districts, that is Baringo, Marakwet, West Pokot and Turkana. That road is only 154 kilometres. When it is divided by four, it will cover about 40 kilometres in each district. As we have been told that Kshs1 million is sufficient to tarmac one kilometre of a road, this is just Kshs150 million, and if you spread it over five years, you will be able to finish it and our people will get services.

Mr. Speaker, Sir, there is a very notorious place on a permanent river called the River Kerio, which has been sweeping away our people as they go buying foodstuffs on either side of the river. We require a bridge at a place called Kamisino, between West Pokot and Baringo Districts. During the *El Nino* weather phenomenon, we lost 25 people to floods. We feel that it is very important that a bridge is constructed in this particular place, because we cannot afford to lose 25 people in a year, and there was no outbreak of a disease.

**Mr. Mkalla:** On a point of order, Mr. Speaker, Sir. Since the contents of this Bill seem to have been extensively debated on, I wish to move that---

**Hon. Members:** That is his maiden speech!

**Mr. Speaker:** Order! Order, all of you! Order, Mr. Mkalla. For the maiden Members, Mr. Lotodo is not maiden. He was here in the last Parliament for five years. So, that is advice to the maiden Members, but he can be interrupted. What was your point of order?

**Mr. Mkalla:** Mr. Speaker, Sir, I was saying that as the contents of this Bill were extensively debated on during the Motion on Supplementary Estimates, I wish to move that the Mover be now called upon to reply.

**Mr. Speaker:** Order! It is my job actually. I think Members talked on the Supplementary Estimates debate and the House had the occasion to extend it beyond the initial one day to two days, and I will put the question, which is that the Mover be now called upon to reply.

*(Question, that the Mover be now called upon to reply, put and agreed to)*

**The Assistant Minister for Finance (Mr. Keah):** Mr. Speaker, Sir, I would like to take this opportunity, in my response to hon. Members' contributions, to sincerely thank them for the very constructive way in which they have debated this Supplementary Appropriation Bill. I also wish to assure them that their observations have been taken very seriously and we, as a Ministry, will do our utmost to ensure that the funds for which this august House is voting are utilised to the fullest extent, in order to put right the economic ills that abound in our

economy.

Mr. Speaker, Sir, the hon. Mwiraria, in his contribution, did make a couple of observations on which I agree with him, particularly with regard to his contribution on collection of Appropriations-in- Aid (A-I-A), by the Ministries. He observed that if Permanent Secretaries do not do their best to contribute to the A in A, then some funds should be deducted from their respective Votes. I would only want to caution that some of the A-I-As involved is money expected from donor contribution and we can do nothing much in that regard. But in so far as it relates to funds that ought to come from within the Ministry, then I concur with him in his observations.

Mr. Speaker, Sir, the hon. Ngenye Kariuki discussed very extensively on most of the Votes, observing that there is, indeed, some misuse of the money, and that some of the Ministries are loaded with responsibilities which are too heavy. I would like to assure him that this Government has, in the Eighth Parliament, done its best to restructure the Ministries in a way that would provide optimum services to the country. Let us give it a try.

Mr. Speaker, Sir, I would like to assure those who have observed that they need money for road repairs, that every possible effort is being made by the Government to ensure that the roads are being repaired, particularly after the devastation by the *El Nino* weather phenomenon. This is already going on. As it has been said here before, the World Bank, for example, has a programme of funding road repairs, and they have gone round the country to see how badly the roads have been devastated, and we are expecting some funds from them within a month or two, in order to accelerate the rehabilitation process. We also have in place, programmes with other bilateral donors, and we are looking forward to receiving funds and support from our friends. I only want to urge this House to support this effort and ensure that we do not, through our actions or words, dissuade any of the donor communities from giving us the support that we badly need now.

Mr. Speaker, Sir, in so far as revenue collection is concerned, we are doing our utmost to enhance it. The Kenya Revenue Authority, through various means - computerisation and following up individuals - is doing a tremendous job in making sure we recover every penny that is due to the Government.

Mr. Speaker, Sir, on expenditure control, I can only join my colleagues in calling for optimum utilisation, especially of the funds which we have voted for in this Supplementary Estimates. I would like to urge hon. Members, as they go to their DDCs, to assist this House and be watchdogs and make sure they call for reports within the DDCs from the implementing officers in the district development committees, of what they are doing with the funds that we have voted in this House. Let them come and tell us: "In such and such a district, this is not happening." It is your right, as hon. Members, to ask those implementing officers to give you full reports of what they are doing with the funds, particularly with regard to capital expenditure. I want to encourage my colleagues to take this matter very seriously, indeed, because the funds that we vote here are, by and large; particularly those which find their way to the districts; utilised by the district treasuries and in that regard, Members can greatly help us in monitoring the utilisation of the funds we are voting.

Mr. Speaker, Sir, with these few remarks, I beg to move.

*(Question put and agreed to)*

*(The Bill was read the Second Time and committed to a Committee of the whole House today)*

#### **COMMITTEE OF THE WHOLE HOUSE**

*(Order for Committee read)*

*[Mr. Speaker left the Chair]*

IN THE COMMITTEE

*[Mr. Chairman took the Chair]*

THE SUPPLEMENTARY APPROPRIATION BILL

*(Clauses 1, 2, 3 and 4 agreed to)*

*Clause 5*

**Mr. Achola:** Mr. Chairman, Sir, just before you put the question on Clause 5, I would like to make a comment on that clause. Could the Assistant Minister explain why there was a reduction on R13 and yet we are talking so much about the *El Nino* effect? Our roads have been completely damaged and we do not seem to have shown it anywhere that, we are going to have an increase in the expenditure on our roads. I would like the Assistant Minister to comment on that.

**The Assistant Minister for Finance (Mr. Keah):** Mr. Chairman, Sir, on R13--- This one relates to the Ministry of Public Works and Housing, and it is really on the Recurrent Expenditure. I would like to say that we need to reduce some of the Vote in order to take some money to capital expenditure. But the reduction here on the Ministry of--- Under the item 'Maintenance of Buildings and Rents and Rates', that is the area where we are reducing expenditure because we do not have the money. This is relates to the repairs, maintenance of buildings, rates and rents. Since we do not have the funds, we are reducing expenditure.

**Mr. Achola:** Mr. Chairman, Sir, I am not satisfied with that answer because we are saying that whatever we had planned for at the beginning of the year will not allow us to carry out maintenance on our roads. Since you are reducing expenditure on the irrelevant areas and you have not increased on the areas that are vital, how are we going to maintain our roads?

**The Assistant Minister for Finance (Mr. Keah):** Mr. Chairman, Sir, in this exercise, we have had to reduce funds from every Ministry because of the fact that we do not have the finances. This was, therefore, a mandatory reduction in so far as this Ministry is concerned. But in so far as the roads are concerned, we certainly have pumped in a lot of money for the repair of the roads and, in that respect, I will call his attention to the Ministry of Public Works and Housing. Under the Development Expenditure, there is money for roads. On D13, there is a reduction as well. What I would like to say is that in the main Budget, we have a lot of money for roads. Since we have only two months to the end of the year, we believe that what we have left in the main Budget, even after reducing the K£19 million, will be adequate to be utilised for the remainder of the year. We only have two months to go.

**Mr. Ita:** Mr. Chairman, Sir, is it necessary to have two rent restriction tribunals because they appear in two Ministries; Public Works and Housing and Trade? Is it necessary, really? The Rent Control Tribunal appears under two Ministries and money is voted for both of them.

**Mr. Chairman:** Hon. Ita, you would help the Assistant Minister if you refer to the relevant part of the Schedule, to enable him to respond to your question.

**Mr. Ita:** Mr. Chairman, Sir, I consider this to be a duplication because it appears under both the Ministry of Trade and Ministry of Public Works and Housing.

**An hon. Member:** Which Votes?

**Mr. Ita:** Mr. Chairman, Sir, under the Ministry of Trade we have Rent Control Tribunal and also under Public Works and Housing, we have Rent Control Tribunal--- Look at pages 162 and 163; Development and Recurrent on the other side.

**Mr. N. Nyagah:** What is the question?

**Mr. Ita:** Mr. Chairman, Sir, is it necessary to have both of them and they are funded?

**The Assistant Minister for Finance (Mr. Keah):** Mr. Chairman, Sir, as you know, the Ministry of Trade, is new and we have removed certain aspects from Public Works and Housing to be borne as post centre by the Ministry of Trade. So, we have shifted some of the funds and that is why the Rent Tribunal appears under the two Ministries. On one, there is a reduction and the other one has been removed from one Ministry to the other.

*(Clause 5 agreed to)*

#### *First Schedule*

**Mr. Kihara:** Mr. Chairman, Sir, I would like to raise an issue with regard to R02, under the First Schedule, on State Houses and Lodges. I happen to have worked in those places many years ago, and I know some of them are under-utilised. Whichever town you go to, be it Kakamega, Kisumu, Eldoret or even Sagana, which the President hardly uses, the story is the same. We do not need to spend money on those State Lodges which are hardly put into use.

**The Assistant Minister for Finance (Mr. Keah):** Mr. Chairman, Sir, we do have those State Lodges, as stated by the hon. Member. But the hon. Member knows very well that they have been utilised in the past, and

there is no way we will allow those buildings to be dilapidated. The money we are asking for is for the maintenance of those buildings.

**Mr. Achola:** Mr. Chairman, Sir, could the Assistant Minister explain to the House on the expenditure under R31, page 158, concerning teachers' salaries? Recently, the Ministry of Education and Human Resource Development carried a headcount of teachers countrywide, but what effect is it going to have on the additional money required by the Ministry?

**The Assistant Minister for Finance (Mr. Keah):** Mr. Chairman, Sir, I do not know whether the results of the census have been incorporated into these Supplementary Estimates, but I know we have the provisions to cover the recent salary increases for teachers. I think the Minister for Education and Human Resource Development, Mr. Musyoka, will agree with me that we do not yet know what impact the results of the teachers headcount will have on these allocations.

**Mr. N. Nyagah:** Mr. Chairman, Sir, I am still on a follow-up of Mr. Achola's question. Can the Minister allay the fears we have on the just concluded headcount of teachers? We are told the exercise is yet to kick off, because there is a problem with the computer system within the Ministry. We want to know whether that issue has been taken into consideration.

*(Mr. Keah conferred with Mr. Musyoka)*

**The Assistant Minister for Finance (Mr. Keah):** Mr. Chairman, Sir, that problem has been taken into consideration.

*(First Schedule agreed to)*

*(Second Schedule agreed to)*

*(Mr. Achola talks loudly)*

**Mr. Chairman:** Hon. Achola, I can grant you a chance to speak, only when I see you.

*(Title agreed to)*

**The Assistant Minister for Finance (Mr. Keah):** Mr. Chairman, Sir, I beg to move that the Committee doth report to the House its consideration of the Supplementary Appropriation Bill and its approval thereof without amendment.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[Mr. Speaker in the Chair]*

## REPORT AND THIRD READING

### THE SUPPLEMENTARY APPROPRIATION BILL

**Mr. Omino:** Mr. Speaker, Sir, I beg to that report a the Committee of the whole House has considered the Supplementary Appropriation Bill and approved the same without amendment.

**The Assistant Minister for Finance (Mr. Keah):** Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said report.

**The Minister for Education and Human Resource Development (Mr. Musyoka):** Seconded.

*(Question proposed)*

*(Question put and agreed to )*

**The Assistant Minister for Finance** (Mr. Keah): Mr. Speaker, Sir, I beg to move that the Supplementary Appropriation Bill be now read the Third Time.

**The Minister for Education and Human Resource Development** (Mr. Musyoka): Seconded.

*(Mr. Munyao stood up in his place)*

**Mr. Speaker:** What is wrong with you, Mr. Munyao? I am yet to propose the Question. There is nothing before the House. Oh, sorry; you have to wait until the issue is before the House.

*(Question proposed)*

**Mr. Munyao:** Mr. Speaker, Sir, I think I can now comment on that matter at this stage. I liked the seriousness exhibited by the Minister for Finance when he moved that Motion. I also like the seriousness which all Members of Parliament have demonstrated as they contributed to the Motion.

Mr. Speaker, Sir, we are now calling for seriousness, because we have about a month to go; that is, by June 15th, everything will be finished. It is my hope that the Ministries and civil servants affected in these areas are going to be serious in finalising what should be finalised this year. As I say this hon. Members who have been here for a long time will also bear me witness that it has been a procedure every time to pinpoint out all these mistakes and no action is taken. We should realise that saving time is important, because time is as good as money. I have in my mind, some of the issues we should undertake because, you can evaluate that into time saving.

Mr. Speaker, Sir, last week, Members of Parliament, for example, spent two days in Mombasa deliberating on the economic situation of this country. If you multiply two days by 200 people, that is 400 days. This adds up to one year and 35 days. Last week, we spent 400 days because each individual spent his own time discussing the future of this country. If you put that time into value, it would be a lot of money. So, after wasting one year and 35 days, the Government still wants us to spend another one year discussing the same thing again. A meeting has been scheduled for next week, and I do not know what it will be all about, because after all, the country has already discussed this issue.

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to begin debating when, in fact, we are in the Third Reading stage? He should have said these things during the Second Reading.

**Mr. Speaker:** May I guide the House. On this particular Bill, we discuss matters of policy in the Second Reading; whether or not the amount will be allowed at the Committee Stage. As Mr. Musyoka has rightly said, at the very beginning, on the Third Reading, it is just a few comments. You do not open debate as you are attempting to. So, please, will you shorten your comments? All other Members who intend to contribute on the Third Reading should know that there is no possibility of reopening debate. So, I hope I am clear.

**Mr. Munyao:** Mr. Speaker, Sir, I like and respect your guidance, particularly your ruling. As you know, I am very obedient. I am only worried when some Ministers want to be counted for stopping me from reopening debate. You know that I was not reopening debate, I was just trying to comment. He is also included in that cue, because as an honest Minister of Education and Human Resource Development, we are now complementing, as we have supplemented him to appropriate properly.

Mr. Speaker, Sir, now, we want to save time, because we only have two months to the end of the financial year. This is why I am comparing it with the period we spent in Mombasa. We do not have to spend more time next week discussing the same issues.

Mr. Speaker, Sir, I support the Bill.

**The Minister for Education and Human Resource Development** (Mr. Musyoka): On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order! I think Mr. Munyao, as an old Member, knows he was wrong. Therefore, he was offside for a very brief moment, and knowing that he has been discovered, very quickly went to sit down, for which I commend him. Well done, Mr. Munyao.

**Mr. Achola:** Mr. Speaker, Sir, I would like to make one comment regarding all Ministries' Votes. I would like to appeal to the Ministers to avoid the misappropriation that we have been hearing and witnessing

coming out of the PAC. Now that we have already given the Ministers this money, they should put it into the use for which we are voting it.

That is all, thank you. And, of course, we should not have any re-allocation to any Ministry whatsoever.

**Mr. Speaker:** Order! Mr. Achola, there is no opportunity to change your mind after you have finished contributing and come back. It is against the rules of the House. So, once you have sat down, sit down tight.

*(Question put and agreed to)*

*(The Bill was accordingly read the  
Third Time and passed)*

### MOTION

#### ADOPTION OF PAC REPORTS

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

*(Mr. Wamalwa on 23.4.98)*

*(Resumption of Debate interrupted on 29.4.98)*

**Mr. Speaker:** Mr. Achola, you were on the Floor last time! Are you still interested?

**Mr. Achola:** What do you mean? I am very interested!

*(Mr. Achola moved to the Dispatch Box)*

**Mr. Speaker:** Order, Mr. Achola! Thou shalt not ever speak that way to Mr. Speaker! Secondly, you will go back to the Back Bench and talk from there. You are not a shadow Minister. So, that is the first punishment for being rude to Mr. Speaker. Go back and talk from there!

*(Mr. Achola went back to the Back Bench)*

**Mr. Achola:** Mr. Speaker, Sir, sorry for that hiccup. I must say my thinking process is a bit disturbed, having been interrupted yesterday. I do not think my contribution is going to be very fluent as I intended it to be.

Mr. Speaker, Sir, last night, I was talking about stalled projects. I gave a figure of how much this Government has spent on stalled projects. I mentioned the fact that during the last 10 years, this Government invested over Kshs100 billion in projects from which we are getting nothing. I would also like to give examples of certain stalled projects which illustrate how ridiculous some of our investments are. For example, if you look at paragraphs 129 and 130 of the 1993 PAC Report, it is indicated that the Government spent Kshs400 million---

*(Loud consultations)*

**Mr. Speaker:** Order, Members! All those hon. Members who wish to take the liberty to withdraw from the Chamber, it is your right to do so, but, please, withdraw quietly.

**Mr. Achola:** Thank you, Mr. Speaker, Sir. I was trying to illustrate how hopeless we have been in trying to implement certain projects in this country; for example, the extension of the Government Press, where someone in the Office of the President suggested that they required security equipment very urgently and went ahead to buy and import security equipment worth Kshs400 million way back in 1989, before they actually built the housing unit which was to house the Press. Although it was claimed at that time that it was urgently required, up to today, almost seven years later, the ordered printing press is still in boxes and the building is still incomplete.

*[Mr. Speaker left the Chair]*

*[Mr. Deputy Speaker took the Chair]*



Mr. Deputy Speaker, Sir, this Government paid Kshs91 million in 1989 for this extension and up to this moment, nothing has been done. So, really, the unit is just rotting.

I would like to give an example of Mokowe Health Centre in Lamu District, which was built at a cost of Kshs59 million way back in 1980. Every year, the Public Accounts Committee (PAC) has recommended that this unit be completed. It is really a wonderful facility but nothing has happened. When we visited this health centre last year, I discovered that the unit was even bigger than Nyanza Provincial Hospital in Kisumu Town. Up to this moment, the unit is getting wasted because nothing is going on there. It is as if money allocated to the centre has literally gone down the drain.

Mr. Deputy Speaker, Sir, allow me to go to some of the very touchy aspects of the PAC Reports for the two years in question. I would like to talk about the irregular award of contracts. In 1991, the Office of the President initiated a request, through the Treasury, to obtain funds to build the Eldoret Airport. The Government asked the Treasury to identify a financier because there were no finances. The Treasury, in its funny way of dealing with the matter, identified an unknown company, presumably resident in the United Kingdom (UK). But on close analysis it was found to be non-existent. However, the Treasury went ahead and paid that non-existent financial consultant Kshs10 million, even before they had discovered where this particular consultant resided. After just two months, the Treasury tried to locate this consultant but they were unable to do so.

At that time the Committee thought that there was some conspiracy between officers in the Treasury and this particular firm. Having lost Kshs10 million, the Treasury went ahead and agreed with the Office of the President's request to advance it Kshs2.8 billion without approval from anywhere. The Treasury officials never came to this House to ask for authority to release this money. As a result, they violated Sections 99 and 100 of the Constitution of this Republic. The Office of the President asked the Treasury to avail Kshs2.8 billion to a contractor who had been single-sourced. In other words, the Treasury was not given the chance to subject this project to competitive tendering.

I am very confident to say that, really, the nerve centre of corruption in this country is the Office of the President. Going through the PAC Reports, one gets case after case of misappropriation of public funds originating from the Office of the President. In fact, the above was a very good example of such cases. There was no need for the Office of the President to just rush into the Consolidated Fund and take away this money. In fact, the ruling party KANU had a big majority in the House at that time and, therefore, the Government would have brought the matter before the House and obtained the money legally. There was no need for the Government to take a short-cut because if the matter was transparent; or if there was nothing wrong with the matter, then the Government would have brought it before this House. The Reports of the two years under consideration show case of misappropriation upon case of misappropriation, and corruption upon corruption, all arising from the Office of the President.

Another example arose when the Office of the President actually connived with the Treasury to buy the Presidential jet. Again, an unknown consultant was contacted and the Treasury paid the would-be financier Kshs7 million. In a matter of two weeks, the money was lost and the would-be financier was nowhere to be seen. We believe that this money was actually given to a certain group of people who knew exactly what they were doing. They were taking the Office of the President and the Treasury for a ride. After failing to identify the financier, instead of bringing the matter to the House for proper authorization, the Office of the President directed the Treasury to again illegally "dip its dirty hands" into the Consolidated Fund. The Treasury withdrew a staggering sum of Kshs2.4 billion for the purchase of the Presidential jet. Up to this moment, nobody has seen the urgency of buying the jet. So, one is left to conclude that there was some under-hand deals which went on in this particular process.

Mr. Deputy Speaker, Sir, still on the issue of irregular award of contracts, I would also like to mention here one supplier of computers in this country. We found out from the Treasury that there is a company called Computer Applications Limited. This company had consistently supplied worthless computer equipment to the Government Computer Centre. For example, in 1989, the company charged the Government over Kshs10 million for services that could not be accounted for. The following year, the company went ahead and supplied computer equipment to the Government despite the fact that previously, it had performed so badly. It was given a contract for Kshs245 million to supply computer equipment to the Government. This project was supposed to last two years. As of last year, when we discussed that issue in the PAC meetings, nothing had happened. There was no output coming from the computer systems supplied by the company and we thought that the Government had been taken for a ride. In fact, it was as if the Government had paid the company money for no services rendered.

As if that was not enough, the same company supplied a computer system to the Ministry of Transport and Communications--- A computer system comprises of hardware and software, but this company had the

audacity to supply the hardware without the software and, therefore, the hardware was actually useless. The company knew this, but because certain forces were involved, it was agreed that the company supplies the computers, all the same. Let me add here that during our evidence - taking, we asked the Treasury officials why they had single-sourced the company, Computer Applications Limited. The Director of Government Computer Services told us that they had actually been directed by the then Minister for Finance, Prof. Saitoti, to straightaway buy computers from the company.

The question that arises is: Why was the company chosen to supply computers to the Treasury when we have so many computer companies in this country? We have many computer firms in this country and yet one firm was being given one order after another, despite the fact that in all of them, it had under-performed! We asked the Director of the Government Computer Centre how they had identified this supplier and he told us that this company was actually doing the (server?), which is a statement of user requirements. In other words, it was as if the Treasury was working for the benefit of this company. It is not something that one can easily prove, but the Director gave us evidence that the company gave the Ministry what it was supposed to ask for. Therefore, the company supplied to the Government exactly what the company itself had recommended to it.

Mr. Deputy Speaker, Sir, these are some of the things that drive this country into poverty. If the Ministry which is supposed to guard this country's---

### PERSONAL STATEMENT

**Mr. Deputy Speaker:** Order! Hon. Members, as per the requirements of Standing Order No.20A (i), we adjourn the business of the House at 6.30 p.m. every Thursday, to enable Members to make personal statements. Today, only one Member fulfilled the requirements of Standing Order No.20A (i). I will now ask hon. Munyao to make his personal statement.

#### MISUSE OF FUNDS BY MAKUENI COUNTY COUNCIL

**Mr. Munyao:** Thank you, Mr. Deputy Speaker, Sir. My statement concerns the Ministry of Local Authorities. I have a lot of respect for Prof. Ongeru. I know that he will conduct investigations and come up with something. It concerns the members of staff of Makueni County Council. Makueni, being a new district, the county council there has new members of staff. We want the district to remain clean. There are a few members of staff who are corrupt and they might spread their corruption to others. I would like the Minister to investigate the contents of this document, which I am going to lay before this House, and stop the corruption. Deductions to the National Social Security Fund (NSSF) of some individuals are never remitted to the head office. The National Hospital Insurance Fund (NHIF) dues are paid in some people's names. The counterfoil is written "The NHIF", but the actual cheque is cashed through the Kenya Commercial Bank branch in Machakos, in the names of some people. I do not want to go into the details, but the document that I am having is very clear, and I hope the Minister will check this.

Mr. Deputy Speaker, Sir, vehicles are purported to be serviced for as much as Kshs95,000, Kshs65,000 and Kshs60,000. Some of these vehicles have never moved and have been in the garage for about two to three years. This is terrible! There is a Suzuki 386, KAJ 353Z; two lorries, KWN 093 and KAB 063Q. There are some other vehicles which are negotiated for Kshs230,000, but when you check the withdrawn money, it is about Kshs630,000. There are other cheques of Kshs750,000 appearing in this document without names. There is a lot of mess in the new district. I would like the Minister, in his own wisdom, to investigate this matter and take the right action to clean the district.

*(Mr. Munyao laid the document on the Table)*

**Mr. Deputy Speaker:** Prof. Ongeru, do you want to respond now?

**The Minister for Local Authorities** (Prof. Ongeru): Mr. Deputy Speaker, I am in receipt of these serious allegations, and I will treat them as such. To be able to investigate these allegations, the Ministry will act in two stages. First, there is the preliminary stage which is to establish the veracity and the authenticity of these allegations made by hon. Munyao. If the preliminary report indicates that there is some fraud, the Ministry will move to stage two. I will officially gazette the officers to do an audit account for Makueni County Council, I will then present a statement after that. Thank you.

### MINISTERIAL STATEMENT

## IMMINENT COLLAPSE OF KENYA FERRY SERVICES

**The Assistant Minister for Transport and Communications** (Mr. Obure): Thank you, Mr.

**[The Assistant Minister for Transport and Communications]**

Deputy Speaker. A few days ago, hon. Karisa Maitha, who is the Member of Parliament for Kisauni Constituency, expressed some concern regarding the Kenya Ferry Services, and I wish to make a Ministerial Statement in response.

Kenya Ferry Services Limited, due to its heavy operational costs, has its own normal budgetary constraints. However, it is not true that the company is facing imminent collapse owing to these budgetary constraints.

The Government has all along been financing the Kenya Ferry Services. In cases where the Kenya Ports Authority (KPA) has advanced the Kenya Ferry Services some funds, the Government has, through my Ministry, reimbursed KPA these funds. Therefore, it is not true that the Kenya Government has not remitted funds to the Kenya Ferry Services.

The question of the KPA cutting down funds which it used to give to the Kenya Ferry Services does not arise under the present funding arrangements. During the last four financial years, for instance, the Kenya Ferry Services has been funded to the tune of K£25,911,447 through direct yearly estimates from the Government, special arrangements, and the KPA. It is not true that only two ferries are currently operating. The Kenya Ferry Services has a fleet of six ferries: MV Nyayo, MV Harambee, MV Kilindini, MV Pwani, MV Mvita and Mtongwe Two. The first four ferries operate at Likoni, while MV Mvita and Mtongwe Two operate at Mtongwe. All the six ferries are fully operational and they are up to the international required standards. But, of course, less ferries might operate depending on the volume of traffic. Therefore, while I entirely agree with hon. Maitha that the ferry services are essential, I do not agree with him that there is any cause for alarm at the present time, as far as these services are concerned. The Government, through the Ministry, is doing its best to ensure that the ferry services are continued and sustained.

Thank you.

**ADJOURNMENT**

**Mr. Deputy Speaker:** Hon. Members, it is time to interrupt the business of the House. The House, therefore, stands adjourned until Tuesday, 5th May, 1998, at 2.30 p.m.

The House rose at 6.40 p.m.