

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 6th May, 1999

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Mr. Anyona: Mr. Deputy Speaker, Sir, before I ask my Question, I would like to point out that I have not received the written reply, but I hope it is somewhere because the Minister is always very meticulous.

Question No.032

PROBATIONARY PERIOD FOR CIVIL SERVANTS

Mr. Anyona asked the Minister of State, Office of the President:-

- (a) what the probationary period for pensionable and non-pensionable civil servants is;
- (b) what the terms and conditions of employment are for each category of civil servants, including retirement benefits; and,
- (c) how many civil servants of each category are there in the country who have not been confirmed as permanent employees.

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Deputy Speaker, Sir, I regret that the hon. Member has not been given a copy of the written reply but, nevertheless, I beg to reply.

(a) Civil servants who are appointed to pensionable posts are required to serve a minimum probationary period of two years before they are confirmed in appointment and admitted to pensionable establishment.

(b) Non-pensionable civil servants are not required to serve a probationary period. The terms and conditions of employment for pensionable civil servants include salary, house allowance, medical benefits, leave and other allowances applicable to specific circumstances and work-related situations. In addition, these officers are eligible for the payment of pension in accordance with the provisions of the Pensions Act, Cap. 189 of the Laws of Kenya. Non-pensionable civil servants do not enjoy pension when they retire, but they are eligible for benefits under the National Social Security Fund. They do, however, enjoy other benefits applicable to pensionable employees, such as housing, medical benefits, leave and certain allowances.

(c) There are 11,823 civil servants who are appointed on probation to pensionable establishment. With regard to non-pensionable civil servants, there 27,614.

Mr. Anyona: First of all, I would like to state that this Question arises from a general outcry from civil servants who apparently languish for a long time without being confirmed in their employment contrary to the Code of Regulations. I have had this presentation from across the country. Can the Minister tell us how many should have been confirmed and yet they have not been confirmed?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, that is a matter which I have been trying to establish. I have directed the Director of Personnel Management DPM to ensure that civil servants who are due for confirmation but who have not been confirmed are actually confirmed. The DPM has subsequently written to all Ministries of the Government to ensure that this particular regulation is complied with. I do agree with the hon. Member that there are indeed many civil servants who ought to have been confirmed but have not been confirmed. I think, after my directive, that will be rectified.

Mr. Michuki: Mr. Deputy Speaker, Sir, in his tabulation of what constitutes terms of service for civil servants such as the ones this Question is talking about, does the Minister agree that the question of notice to terminate the services of a civil servant is part of the terms and conditions of service; and that, that aspect applies to both parties?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, in majority of cases, that is true.

Mr. Anyona: Mr. Deputy Speaker, Sir, the Minister has clearly indicated that he does not have a clear idea himself as to how many civil servants are suffering this injustice. I can understand his predicament because he is not only a new Minister but also new in this area of Government service. But we cannot leave this issue in this state of uncertainty when our people may be suffering injustice in terms of employment. Can I request the Minister -without necessarily asking that this Question be differed - to carry out a comprehensive review of this situation and come to the House at some stage to tell us how many civil servants had not been confirmed and how many have now been confirmed, as part and parcel of the morale building measures in the civil service? I think it is important that our Civil Servants--- Very often, we over-criticise them and yet they are human beings like us and for once, they should feel that we are concerned about their welfare. Could the Minister give that undertaking and give some indication as to how soon he might do it so that the officers at DPM do not go to sleep when others are suffering?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, I have already shown that officers who are on probation but are in pensionable establishment are about 11,823. However, I did say that, that is not a conclusive figure, but I have already issued instructions that, that should be done, and as soon that is done, I will brief the House as to how that progresses.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, part of the problem is the banning of the union that the civil servants used to have. Could the Minister tell us what he is doing to revive the union, and why he cannot unban it?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, there is nothing we are doing to revive the union!

(Laughter)

Mr. Michuki: Mr. Deputy Speaker, Sir, this Question relates to a category of the majority of the civil servants who used to appear on what used to be the Government Staff List which showed who was who throughout the country and at what grade. Could the Minister give this House an assurance that the staff list will be available in the future?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, we will ensure that the records are properly kept.

Question No.055

RECLAMATION OF LAND IN KOLWA CENTRAL LOCATION

Mr. Sungu asked the Minister for Agriculture what plans the Ministry has of reclaiming and opening up the fertile land in Nyamthoi area of Kolwa Central Location in view of the scarcity of food within Kisumu District.

The Assistant Minister for Agriculture (Dr. Wamukoya): Mr. Deputy Speaker, Sir, through you, I would like to request hon. Sungu to give me until the afternoon of Wednesday next week, while I consult with the Ministry of Rural Development concerning reclamation of this fertile land.

Mr. Deputy Speaker: Why do you need more time? You have had ten days with that Question!

The Assistant Minister for Agriculture (Dr. Wamukoya): Mr. Deputy Speaker, Sir, I have to consult another Ministry for more information so that I can give a comprehensive answer.

Mr. Deputy Speaker: But that Ministry is in Kenya, I hope! Hon. Sungu, you do not have any objection to that?

Mr. Sungu: Mr. Deputy Speaker, Sir, I have already consulted with the Assistant Minister and I am happy with the deferred Question until negotiations are complete.

Mr. Deputy Speaker: The Question is, therefore, deferred to Wednesday next week.

(Question deferred)

Question No.069

AMBULANCE FOR KATANGI HEALTH CENTRE

Mr. Wambua asked the Minister for Health:-

(a) whether he is aware that an ambulance was given to Katangi Health Centre by the

Government, but it has since been used as a private vehicle by the Father in-charge of Katangi Catholic Mission; and,

(b) if the answer to "a" above is in the affirmative, what steps he is taking to ensure that the ambulance is given back to Katangi Dispensary for public use.

The Assistant Minister for Health (Mr. Koske): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that an ambulance was given to Katangi Mission Dispensary and the Father in-charge is the head of the Katangi Catholic Mission.

(b) Since Katangi Catholic Mission is a private institution, its property is also treated as private property.

Mr. Wambua: Mr. Deputy Speaker, Sir, I am really very surprised to hear the answer from the Assistant Minister. This same answer is the one which made this Question be deferred yesterday. The other Assistant Minister knew this answer was not correct. I am asking about the Katangi Health Centre and not the Katangi Mission. Could he reply if he is aware that Katangi Health Centre was given an ambulance by the Head of State? I was there and hon. Mutiso, the former Assistant Minister for Health was also there. He is the one who requested for the ambulance. Could you answer my Question? I am not interested in Katangi Mission. My Question is about Katangi Health Centre.

Mr. Koske: Mr. Deputy Speaker, Sir, Katangi Mission Dispensary is actually next to the Katangi Health Centre. The request was actually made by the Katangi Mission Dispensary. That is why this ambulance was given to Katangi Mission Dispensary.

Mr. Wambua: On a point of order, Mr. Deputy Speaker, Sir. We need guidance from the Chair. The Katangi Health Centre is the one which requested for the ambulance. The Head of State was there that time. He announced in public---

An hon. Member: Who was he?

Mr. Wambua: The Head of State was President Moi. He announced in public---

An hon. Member: Who is the Head of State?

Mr. Deputy Speaker: Order!

Mr. Wambua: Everybody knows who is the Head of State! He announced in public that he was giving an ambulance to Katangi Health Centre. If the Assistant Minister is not well informed, could he consult whoever was there? This is something which is on record.

Mr. Koske: Mr. Deputy Speaker, Sir, I would really want to make it very clear that the people who requested for the ambulance were from the Mission Dispensary. The Medical Officer of Health (MOH) for Machakos District had actually said that he would prefer the sub-district hospital at Kangundo, which is far more busier than the Health Centre, to be given this ambulance.

Mr. Deputy Speaker: Order! Is that answer the same as the one which was given to you yesterday?

Mr. Wambua: Yes, it is the same! The other Assistant Minister deferred it so that he could bring another one next week!

Mr. Deputy Speaker: Order! Mr. Assistant Minister, your colleague approached me and said that the answer he had was not satisfactory. That is why the Question was not taken yesterday. You cannot come back today with the same answer and present it to the House! There must be something wrong! The Question must be deferred until you have consulted with your colleague and come back with an answer which is different from that one. This is because he declined to answer it yesterday on the basis that the answer was not satisfactory. Do you want to respond to that?

Mr. Koske: Mr. Deputy Speaker, Sir, as I said earlier on, the two health centres are actually close to each other!

Hon. Members: They are not! No!

Mr. Deputy Speaker: Order! It is no longer a question of what you have on that paper. I also need to confer with you because the Question was deferred yesterday because I was given to understand that you were not satisfied with the answer yourselves. So, I will have to confer with you on that matter later.

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. I think the House is suffering by default, arising from the confusion in the Government itself. You notice I had a Question yesterday, which had been deferred last year, because the answer was unsatisfactory. Yesterday, we got back the same answer! Here is another case where we got an answer yesterday, the Question was deferred and the same answer is coming back again! Yesterday, we had a Question on youth polytechnics. When it was being answered by the Assistant Minister, I could see his Minister whispering over his shoulder. He did not get the message. Later on, I spoke to the Minister and he said he was supposed to answer the Question himself, and that the answer he had was

different from the one which was being read! Can the House be saved from this confusion?

Mr. Deputy Speaker: Order! Order! I would like to plead with you that when you approach the Chair with a request and that request is granted, you should reciprocate by taking the House seriously. So, hon. Ministers, if an answer has been found unsatisfactory by yourselves, do not bring it back in the same form in which it has been rejected. Please, let us work for the benefit of the House.

Next Question!

Question No.066

TELEVISION RECEPTION FOR MALINDI

Mr. Badawy asked the Minister for Information and Broadcasting when the residents of Malindi will be provided with the Kenya Broadcasting Corporation (KBC) television reception.

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

I am pleased to inform the House in general, and the hon. Member for Malindi in particular, that the KBC has plans to construct a television transmitting station at Malindi in the next Financial Year, that is 1999/2,000. Currently, the Corporation is finalising on the land acquisition issue to enable the civil works to start immediately.

I would, therefore, like to take this opportunity to confirm that when the completion of the project is over, the KBC will improve television services in Malindi and the surrounding areas.

Mr. Badawy: Mr. Deputy Speaker, Sir, I am equally pleased by the answer given by the Minister in assuring us that plans are underway. But I would have expected him to confirm that plans have been finalised. Could the Minister tell this House when exactly, in the next financial year, will that project commence and when does he anticipate this station to be commissioned and how much money he will set aside for the construction work?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, with the help of the Provincial Administration, we had been allocated a piece of land, but it turned out when we send out experts that the plot was not suitable for transmission purposes. We have applied for a plot on a hill at Mamburui next to the KPTC transmission centre so that we can instal our transmitter on that plot. We would be grateful if the hon. Member could assist us, since he is a very influential man in the area so that we can finalise the matter of land acquisition in order for the construction to commence forthwith. The funds are already available. We are just waiting for the land issue to be sorted out.

Mr. Maitha: Mr. Deputy Speaker, Sir, Malindi is a new district. It was previously part of Kilifi District. It is well known that Kilifi and Malindi districts are not well served by KBC because of lack of transmitters. Malindi is a historical area and many tourists visit Malindi Town. Why has it taken so long for the Ministry to instal this very useful facility in Malindi?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, KBC has been re-organising its finances. I am happy to say that we have funds available for that project. We should be thanked for availing funds for that project. Malindi District is very important to us and it will get a television reception very soon. That is why I am appealing to the hon. Member to help us acquire that piece of land as soon as possible. Indeed, KBC has found funding for that project. The KBC has also implemented other projects of a television nature in other parts of the country. We want to cover as much of this country as possible.

Mr. Mutahi: Mr. Deputy Speaker, Sir, could the Minister tell us what funds he has set aside for that Malindi project? What is the figure?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I think I have confused the House. It is not funding of a donor nature. This funding is from the internal resources of the Corporation. I do not have the exact figure of the amount. But I can assure this House that it was internal resources. This is not a donor-funded project.

Mr. Obwocha: Mr. Deputy Speaker, Sir, the first point of order I wanted to raise was that the Minister evaded the legitimate Question asked by hon. Badawy as to the cost. We know that the Estimates for the next financial year have not been brought to this House. So, there is no way he can promise this House, when he does not know whether Treasury will approve that. So, if it is internal funding from KBC itself, let him tell us how much money he will set aside for that project.

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I do not have the figures here with me, but I can provide them later. The KBC as a parastatal does its own internal budgeting. In fact, it was the intention of KBC this financial year, which is about to end, to have completed this particular project, but we had a problem of acquiring

land. Funding is available.

Mr. Ojode: Mr. Deputy Speaker, Sir, the Minister is misleading this House. There is no way you can go and acquire a piece of land and yet you do not know how much you will spend. If he does not know how much he will spend on this project, let him ask Prof. Saitoti, the Vice-President or Mr. Biwott. They are here! He should not mislead this House. He should tell us what is the, estimated cost of that project?

Mr. Deputy Speaker: Order, hon. Members! The Minister has informed you that he does not have that information right now. So, in that respect, he is uninformed. He has undertaken to provide that information at a later date.

Mr. Shill: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Mr. Shill, what is itching you? So, Mr. Minister, you bring that information next week.

An hon. Member: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order! I am going to stop Question Time at 3.30 p.m. on the dot because you know what is on the Order Paper.

Mr. Keynan: Mr. Deputy Speaker, Sir, we know that the KBC is one of the loss making parastatals in Kenya and the Minister has alluded to the fact that they will get funds internally, I tend to believe that is not true. Can the Minister tell us where those funds will come from? Now, that there is a problem of acquisition of land in Malindi, can he consider transferring the same funds to Wajir and Manderu where we have ample land?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, as I stated in the beginning, we are committed to this [**Mr. J. Nyagah**]

project. In fact, we wanted to complete this project by June this year. The funding from internal sources is what we have used for opening up a new television transmission station in Webuye this week. Last month, we opened up a television reception at Kisii. We will open a television transmission station at Taita Taveta District early next week because the construction work has started.

Mr. Badawy: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order actually to imply that the delay in constructing the station is caused by the land acquisition problem when, in fact, the DDC and the land agents set aside that portion he has referred to on the hill at Mamburui next to the KPTC transmission station some three years ago? That indicates a serious breakdown of communication between his staff on the ground and himself. Is he in order to imply that?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I will check because this distinguished hon. Member is a very important man in that area and he knows it very well. The information which I gave is what I had been given. I will check and avail the information to this House through the hon. Member when it is provided to me.

Mr. Shill: Mr. Deputy Speaker, Sir, I am really surprised by the answer given by the Minister that funds are available to construct The KANU Broadcasting Corporation television reception station at Malindi. Is it in order for him to mislead this House when already existing television receptions, for example, Garissa television reception, have no funds? Where will he get the other funds from?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I have confirmed that we are getting it from internal sources and we are doing them according to a laid down programme. Webuye television station reception was opened this week. The one in Kisii was opened last month and Taita Taveta will be opened in next three or four months.

The Malindi project will be done as soon as the land issue is sorted out. Lamu also will be done in the next financial year from our internal resources. As far as the hon. Member's constituency is concerned, we will be looking into it to see whether it will be possible to set up that facility in his part of the world, which I like very much.

Mr. Katuku: On a point of order, Mr. Deputy Speaker, Sir. Hon. Shill is talking about "KANU Broadcasting Corporation" and the Minister is telling us about "Kenya Broadcasting Corporation" (KBC). Which is which? Is it the same thing?

(Laughter)

Mr. Deputy Speaker: Order! Order! Well, the Question here refers to the KBC. So, if hon. Shill is talking about "KANU Broadcasting Corporation", that belongs elsewhere and not in this House at this moment.

Mr. Shidie: Mr. Deputy Speaker, Sir, information is the most important tool in this world. The Minister is using a lot of money to construct this facility in Malindi and other parts of this country. Why is it that we are able to tune into the British Broadcasting Corporation (BBC) and the Voice of America (VOA), which are about 10,000 miles away, and yet, we are in this country? Denying Kenyans the right to information is denying them

their right to know everything about their country. We want to know where His Excellency the President goes to all the time. Could the Minister tell us why he is using rudimentary methods, which are more expensive than the new satellite system, which can enable us to get the reception cheaply?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, there is a confusion here. As far as radio services in Kenya are concerned, most of Kenya is covered by the radio. The Question was referring to television reception, and we are committed to gradually covering the entire country in so far as television services are concerned.

Question No.002

GRAVELLING OF ROAD E728

Mr. Kitonga asked the Minister for Public Works and Housing:-

(a) whether he could explain why Road E728 from Mutitu DO's Office through Kaliku-Endau was last graded in 1969, yet it is a classified road; and,

(b) whether he could further explain why funds are not allocated for this road, and what became of the gravelling project of 1983.

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

(a) I am not aware that Road E728 from Mutitu DO's Office through Kaliku-Endau was last graded in 1969, because the section between the DO's Office and River Ikoo was last graded in 1995 at a cost of Kshs25,000.

(b) I am not aware of any gravelling works that were intended for Road E728 in 1983, or any other gravelling project for the same road before or after 1983. Funds have not been allocated for this road, because it has not been prioritized and recommended by the local District Development Committee (DDC), but it will be considered along with others once we get the recommendations from the DDC.

Mr. Kitonga: Mr. Deputy Speaker, Sir, this Ministry is notorious for giving very misleading answers. The road from Mutitu DO's office has been prioritised very many times. Considering that the DO has to cover the entire area of Mutitu to Kaliku, Endau and Malalani which are locations--- The Assistant Minister said that Kshs25,000 was spent in 1995 to gravel the road from the DO's office up to River Ikoo, a distance of 10 kilometres. It is not true that Kshs25,000 could be spent to repair one kilometre. First, that is a lie. Secondly, the people of Mutitu---

Mr. Deputy Speaker: Order! Mr. Kitonga, withdraw that statement.

Mr. Kitonga: Mr. Deputy Speaker, Sir, I meant to say that the Assistant Minister is misleading this House.

Mr. Deputy Speaker: That is better.

Mr. Kitonga: Mr. Deputy Speaker, Sir, secondly, we are---

Mr. Deputy Speaker: Mr. Kitonga, ask your question.

Mr. Kitonga: Mr. Deputy Speaker, Sir, since the people of Mutitu have been reduced to using donkeys to transport their parcels and commodities, how much money has been spent since Independence, up to 1983, for the grading of this road?

Eng. Rotich: Mr. Deputy Speaker, Sir, I do not have the figures since Independence to date. However, if the recommendations by the DDC are available, I would like to request the DDC to send us that copy and we shall act on it immediately.

Mr. Kikuyu: Mr. Deputy Speaker, Sir, this is a classified road and the Government, despite the DDC's programmes and priority, has its own way of funding roads. Could we be told by the Assistant Minister, since 1995, which he seems to remember, and not after Independence, how much money has been allocated for the repair of this road? This is because it is an on-going project like any other road in the country. Could we also be told where the money has been going to after being voted to his Ministry, unless he has been transferring it to other Ministries and leaving the people of Mutitu to transport their goods using donkeys and camels?

Eng. Rotich: Mr. Deputy Speaker, Sir, the amount of money available in our records in 1995 was Kshs25,000, and no other funds have been allocated for the repair of this road. However, we allocate money to a district depending on the district's priorities. We grade roads according to the priorities of every district.

Mr. Kaindi: Mr. Deputy Speaker, Sir, the Assistant Minister is taking us on the usual merry-go-round. Last year, I asked a Question about roads, and we were assured by his Ministry that funds had been allocated and the roads were going to be done by December. Now, he is talking about priorities of different districts. The priorities that we have worked out within the districts, particularly in Kitui District, as I know, defy what

happened about three weeks ago. All the roads in Mutomo were gravelled and graded. Do they require hon. Kitonga to defect to KANU for the roads in his area to be done? What is the priority and programme of the Ministry?

Eng. Rotich: Mr. Deputy Speaker, Sir, it is not true that we do not go by priorities. In fact, we go by the priorities of the various DDCs.

Mr. Sungu: On a point of order, Mr. Deputy Speaker, Sir. Is it really in order for the Assistant Minister to say that the Ministry goes by the DDCs' recommendations, when in fact, there is no law that requires development projects to go through the DDC, except administrative procedures, which are put by this Government?

Eng. Rotich: Mr. Deputy Speaker, Sir, it is the people on the ground who know where the problems are, and we go by their recommendations.

Mr. Katuku: Thank you, Mr. Deputy Speaker, Sir. The Assistant Minister talks about priority in Kitui District. I wonder whether he is aware that the road we are talking about, which is in Mutitu, is the only main road in that area. It is also astonishing that---

Mr. Deputy Speaker: Mr. Katuku, ask your question!

Mr. Katuku: Mr. Deputy Speaker, Sir, could the Assistant Minister tell this House the road which was graded in Mutitu during the last Financial Year? This money was only taken to Mutomo during the recent by-election, and he is not aware of that.

Eng. Rotich: Mr. Deputy Speaker, Sir, I have a long list of roads that were graded in 1989/99 Financial Year, but I am not sure whether I should read out all of them. I think I can read out a few of them.

Mr. Deputy Speaker: Eng. Rotich, just table the document. Is the list divided in constituencies or what?

Eng. Rotich: Mr. Deputy Speaker, Sir, the roads are numbered.

Mr. Deputy Speaker: Do you mean that you cannot tell from those numbers the roads which are in Mutitu?

Eng. Rotich: Mr. Deputy Speaker, Sir, I cannot, but I can go and classify them and bring the list before the House.

Mr. Deputy Speaker: Then, just lay the document on the Table.

(Eng. Rotich laid the document on the Table)

Mr. Kitonga: Mr. Deputy Speaker, Sir, it is sad that this Ministry has really been punishing the people of Mutitu. There is a road, which was being constructed from Kitui Town up to Mutitu through Zombe, but the Ministry has withdrawn the KCS Construction Company, which was carrying out the repair work, just because I have insisted that I will not defect. It is surprising that the Government does not want to assist us to repair the "donkey roads". What are the local people supposed to do? Bw. Naibu Spika, tusaidie tafadhali. What do we do?

An hon. Member: Defect!

Mr. Kitonga: No way; no defection. We are taxpayers.

Mr. Rotich: Mr. Deputy Speaker, Sir, I am not aware of what he is saying.

Mr. Deputy Speaker: Next question? Hon. John Katuku?

Question No.034

REPAIR OF MAKUTANO-MA-MWALA-TALA ROAD

Mr. Katuku asked the Minister for Public Works and Housing when the Makutano-Ma-Mwala-Tala Road, which is currently impassable, will be made passable.

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

The Ministry is taking action on the road as follows: Makutano-Syathani Section: This section is seven Kilometres long and will be gravelled under the on-going Makutano-Kithimani Road C100. The contract was awarded to Gasjo Construction Company by Machakos District Tender Board in October, 1998 and work commenced in December, 1998. Syathani-Kivani Market Section; improvement of drainages and gravelling of this section, which is 10.5 kilometres commenced in 1998 by "force account" that is, using Ministry staff and hired staff. The Government allocated Kshs2 million for management, survey and preparatory work for Syathani-Kivani-Kangundo sections. The first instalment of European Union contribution amounting to Kshs2

million for Road C98 has been received and will be released to the district next week. Kivani Market-Kangundo Section: The section is 11 kilometres long and its gravelling and improvement of drainage is financed by European Union under Roads 2000 Programme. The Ministry has received tenders from prequalified contractors, evaluated them and the European Union has raised no objection to the award of the contract. The decision of Machakos District Tender Board is awaited, so that the contract can be awarded. The work is expected to commence in June, 1999. The section between Kangundo and Tala is six kilometres long and is tarmacked.

Mr. Katuku: Mr. Deputy Speaker, Sir, I asked this Question last week; it was deferred and I appreciate the attempt which has been made by the Ministry to answer it. However, I would like the Assistant Minister to clarify one issue. He talked of Gasjo Construction Company which was awarded the contract in 1998. How much is the contract worth and how much has been paid to the contractor? I understand the contractor just moved his equipment to the site and he never started any work, yet the Assistant Minister is talking about the work being done. Could the Assistant Minister tell us how much has been paid to the contractor and how much the road will cost?

Mr. Rotich: Mr. Deputy Speaker, Sir, the Makutano-Kithimani Project is on-going and the contract sum is Kshs60 million. The contractor is Gasjo Construction Company.

Mr. Wambua: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House that the work on Makutano-Kithimani Road is going on? The contractor has stopped working because he has not been paid. Could he tell the House when the contractor will be paid, so that he can resume work?

Mr. Rotich: Mr. Deputy Speaker, Sir, I am not aware that he has stopped working. But if we find out that he has stopped and we have not paid him, we shall make arrangements to pay him.

Mr. Gatabaki: Mr. Deputy Speaker, Sir, in view of the fact that most of the Questions coming to this House regard roads; about 50 per cent of the Questions by Members, and in view of the fact that the answers from the Government are--- They are not sure, they are not going to do this or that. Could the Assistant Minister relieve of the House the burden of asking Questions about roads by telling this House that the Government has squandered all the money intended for road construction?

Mr. Rotich: Mr. Deputy Speaker, Sir, I am not aware that the Government has squandered the money.

Mr. Ojode: Mr. Deputy Speaker, Sir, this is the second worst Ministry after the Ministry of Health. These promises being given here by the Assistant Minister are sheer promises. Last year, they promised to gravel my road from Sikusadhi to Ombo where the DO is stationed, to no avail. In September last year, the Ministry also promised to gravel Soru-Masara Road in Central Kadem, to no avail. Could we be told what is actually happening within this Ministry? Is it just because they are

[**Mr. Ojode**]

Ministers and they can earn, come here and start telling lies or mislead the House? Which is which?

Mr. Deputy Speaker: Order! Order, hon. Ojode! Hon. Members do not tell lies!

Mr. Ojode: Mr. Deputy Speaker, Sir, that is why I said they are misleading the House.

Mr. Deputy Speaker: Thank you.

Mr. Ojode: Could the Assistant Minister tell us when they are going to gravel this road in Ombo and the one in Central Kadem?

Mr. Rotich: Mr. Deputy Speaker, Sir, that is a different question.

Mr. Deputy Speaker: Yes, that is a different question.

Mr. Ojode: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order! If you are asking about all roads in the country, that may be relevant. But the question about your specific road is a different question from this one.

Mr. Ojode: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order! Mr. Katuku!

Mr. Katuku: Mr. Deputy Speaker, Sir, I asked the Assistant Minister a very specific question about how much money was allocated for this particular road and he told me it is Kshs60 million. I asked him how much has already been paid to the contractor and he has not answered. Could the Assistant Minister answer that part?

Secondly, the Assistant Minister has talked about three sections of this road. There is Syathani-Kivani Road which has been allocated Kshs2 million and some people have been hired. These people have been working on this road since January this year and they have not been paid even a penny. Why this delay? Could he assure the House that they will be paid next week as he is saying?

Mr. Rotich: Mr. Deputy Speaker, Sir, I am sorry, I did not answer the other question. I do not have the figures for the actual payment, but I can get them. For the second question, it is unfortunate that the money was

not given to the District Treasury for payment. However, they will get the money next week and they will be paid.

Mr. Deputy Speaker: Thank you. Next question, Mr. Osundwa?

Question No.056

TARMACKING OF THE MUMIAS-BUSIA ROAD

Mr. Osundwa asked the Minister for Public Works and Housing:-

(a) whether he is aware that 15 people have lost their lives in the past 12 months as a result of tractor accidents along the stalled Mumias-Busia Road; and,

(b) what steps he is taking to ensure that the contractor completes tarmacking of the above mentioned road to prevent further loss of human lives.

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

(a) I am aware that deaths have occurred along Mumias-Busia Road as a result of tractor accidents. The accidents are, however, caused by poor maintenance of tractors, overloading, overspeeding and negligence by tractor owners and drivers, but not necessarily due to road's the condition or its non-completion.

(b) The Ministry has made budgetary provisions during the 1999/2000 Financial Year and which are subject to approval by this House.

Mr. Osundwa: Mr. Deputy Speaker, Sir, this corrupt contractor called Hayer Bishan Singh whom I am sure you also know, because he has fleeced Kisumu County Council, Kakamega County Council and other councils in Western Province, started constructing this road from Busia side. Immediately he completed the section leading to hon. Amos Wako's home, 15 kilometres from Mumias, he stopped the work demanding higher payment. It is along the 15-kilometre stretch of the road where accidents happen and this has nothing to do with poor maintenance of tractors. Could the Assistant Minister tell this House how much money he has set aside to complete this road?

Eng. Rotich: Mr. Deputy Speaker, Sir, we have proposed a figure of Kshs700 million for completion of the road during the next financial year.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, I believe in giving credit where it is due. Many of us will agree that Eng. Rotich is standing tall amongst his colleagues. However, I am a bit concerned because the problem is not limited to Mumias only. The same problem occurs around Sony Awendo where similar tractors cause accidents. Could the Assistant Minister tell us what action he is going to take to minimise the deaths because in my opinion blaming the tractor owners is not enough? What action is he going to take, maybe through creating alternative routes, to minimise deaths caused by these tractors?

Eng. Rotich: Mr. Speaker, Sir, I cannot give a definite answer. However, I think we are [Eng. Rotich] going to investigate this and come up with some answer.

Mr. Wanjala: On a point of order, Mr. Deputy Speaker, Sir. It has become a tendency by the Ministers to give us inappropriate answers. The construction of this road has really overstayed---

Mr. Deputy Speaker: What is your point of order?

Mr. Wanjala: Mr. Deputy Speaker, Sir, it was a supplementary question.

Mr. Deputy Speaker: Hon. Wanjala, you stood on a point of order! Do you have a point or order or not?

Mr. Wanjala: I had a question. If I said it was a point of order---

Mr. Deputy Speaker: Order! I have told you many times that if you want to ask a question just stand and ask it. Do not stand under the pretext of raising a point of order. The next time you do that you will pay for it.

Mr. Osundwa: Mr. Deputy Speaker, Sir, when I asked this Question, exactly a year ago, I was given the same answer the Assistant Minister has given. My own investigations have revealed that the financing project of this road was supposed to be done by the Kenya Government and the African Development Bank. Could the Assistant Minister confirm to this House that the Government has defaulted on its part in this deal?

Eng. Rotich: Mr. Deputy Speaker, Sir, it is true that it was a joint financing between ADB and the Kenya Government. There have been some problems but the Government has not defaulted.

Mr. Wanjala: Mr. Deputy Speaker, Sir, work on this road that we are talking about has really overstayed without completion. A week ago I just read in one of the newspapers that a road in the Rift Valley has been allocated Kshs900 million. Western Province is one province that has been supporting this corrupt Government. Why are they not completing the roads in Western Province?

Eng. Rotich: Mr. Deputy Speaker, Sir, I am not aware that the Government is corrupt.

Question No.075

IMPLEMENTATION OF RECOMMENDATIONS OF
BEIJING PLATFORM FOR AFFIRMATIVE ACTION

Mrs. Mugo asked the Minister for Home affairs, National Heritage, Culture and Social Services:-

(a) how far the Government has implemented the recommendations of the Beijing Platform for Affirmative Action; and,

(b) why the Ministry has failed to table a Sessional Paper on affirmative action for debate and adoption by the House.

The Assistant Minister for Home Affairs, National Heritage, Culture and Social Services (Ms. Mwachai): Mr. Deputy Speaker, Sir, I beg to reply.

This matter has been taken up and is already being addressed by the task force set up to review all laws that discriminate against women. The on-going programme on the national policy on gender development and the on-going constitutional review process have taken affirmative action by apportioning a third of their positions in the commissions to women. The public universities have also endorsed affirmative action as a means of promoting women's status in the campuses. Gender-sensitivity will be practised in recruitment, retention, deployment, training and staff development. The Medical School has made a commitment to lower the admission points by 1.5 thus enabling more female students to enrol in 1998.

When the work of the task force to review laws that discriminate against women and work on development of a national gender policy is finalised a Sessional Paper on both will be prepared and submitted to this House for debate.

Mrs. Mugo: Mr. Deputy Speaker, Sir, it is very disappointing because that answer is shallow. There is no thought to it and it is a joke unless the Assistant Minister is not aware of what was signed in Beijing. My Question is: What has been implemented of all the critical areas? I believe the Assistant Minister knows which those critical areas are. Nothing has happened so far. It is not a question of what we are going to do, it is the question of what has been done in the last four years. Next year we are going to Beijing Five. What have we done? How far have we implemented what we passed in Beijing?

Ms. Mwachai: I am very happy to hear your sentiments but as it is, when you look at the answer to Question "a" you can see that everything has been catered for here. The lowering of the points for the ladies of course is going to encourage more ladies enrolment for training purposes. When you look at the answer, you will see that the constitutional review process which has practised affirmative action by apportioning a third of the positions in the Commission to women.

Mr. Raila: Mr. Deputy Speaker, Sir, the Assistant Minister is really not answering the Question which has been put by the hon. Member of Parliament. She is asking what the Government is doing about the critical areas of the Beijing Plan of Action. For example, the Question of violence against women is one of the critical areas. The Government does not come out with a clear policy of how it is going to deal with violence against women. Yesterday we saw a young 13 year old girl who was raped by a navy officer who is still at large. What plans does the Government have to implement all those critical issues which are contained in the Beijing Plan of Action?

Hon. Members: Hear! Hear!

Ms. Mwachai: I am very happy to hear that from hon. Raila. That means he is taking care of the sentiments of ladies and the answer is: I am sure that he has seen that police officers and the entire Government are doing all the best in order to curb such malpractices in this particular country.

Dr. Kituyi: Mr. Deputy Speaker, Sir, when asked to say what the Government has done to implement the Beijing Platform the hon. Gracious lady has said four things. One is that they have set up a task force. They never committed themselves at Beijing to set up a task force. Two, that the ongoing constitutional review process is allowing for one third of the commissioners to be women. This is not happening as a result of the Government efforts. Government negotiators in this process never asked for more women than they were provided for. So, they cannot take credit for what they did not cause to happen. Three, she mentioned about universities taking affirmative action. Universities have not accepted affirmative action because of pressure from the Government. That is an initiative that is outside the ambit of the Government effort. Finally, she is talking about universities

lowering admission by 1.5 marks at Medical School. That might mean that more girls or more boys will qualify to go to the Medical School. It does not guarantee that more girls will gain admission into our universities. Could she now tell us in summary what she knows about the Beijing Platform and out of those things what the Government has done? She is a Gracious lady.

Ms. Mwachai: Mr. Deputy Speaker, Sir, I am very happy to hear that from the hon. Lady. The answer is that, this Government has got its own policy and the policies of the Government are not supposed to be induced by what another government is doing. So, we have a systematic way through which all these things are put in practice.

Mrs. Sinyo: On a point of order, Mr. Deputy Speaker, Sir. Is the Gracious hon. Lady in order to tell this House that the Government should not be influenced by other governments, yet this Government is a signatory to the Beijing Platform for Action?

Ms. Mwachai: Mr. Deputy Speaker, Sir, when you are a signatory to a document, it does not mean that, you are going to follow each and every step another government is following. Therefore, we will just try to obtain the copy of what has been signed in order to implement it.

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order! Mrs. Mugo, ask your question.

Mrs. Mugo: Mr. Deputy Speaker, Sir, it is common knowledge that this Government spent a lot of public funds to send more than 30 women to Beijing-

An hon. Member: With their hairdressers!

Mrs. Mugo: With their hairdressers! Apart from that, a Minister of this Government signed that document and on top of that--

Mr. Deputy Speaker: Ask your question!

Mrs. Mugo: How much money has been voted in the Budget for the implementation of the Beijing resolutions? The policy paper on these resolutions has never been brought to Parliament for approval so that money for its implementation can be voted. How much money has the Government voted for the implementation and monitoring of the Beijing resolutions, and when will the paper be laid on the Table of this House?

Ms. Mwachai: Mr. Deputy Speaker, Sir, according to the question by the hon. Lady, she did not ask about how much money has been set aside for the implementation of the resolutions. Because of that, I cannot answer that question verbally in this august House. I will have to refer to a document and get the details about the money which has been spent and the money she is asking for.

Mr. Deputy Speaker: Order! Next Order!

MINISTERIAL STATEMENTS

MEMBERSHIP OF HOUSE COMMITTEES

The Vice President and Minister for Planning and National Development (Prof. Saitoti): Mr. Deputy Speaker, Sir, with the indulgence of the House, I wish to make the following Ministerial Statement. Under the provisions of Standing Order No. 145(2), the House Business Committee has nominated the following hon. Members to serve in the respective Standing Committees for the current Session:

PUBLIC ACCOUNTS COMMITTEE

The Hon. S. Kamolleh, MP.
 The Hon. E. Morogo, MP.
 The Hon. H.A Odongo, MP.
 The Hon. D. Musila, MP.
 The Hon. Dr. A. Ali, MP.
 The Hon. J.N. Angwenyi, MP.
 The Hon. D. Mwiraria, MP.
 The Hon. M. Kibaki, MP.
 The Hon. Dr. O. Oburu, MP.
 The Hon. R.P.S Wanjala, MP.

The Hon. N. Gatabaki, MP.

PUBLIC INVESTMENTS COMMITTEE

The Hon. A. Badawy, MP.
The Hon. J.K. Sambu, MP.
The Hon. S.M. Amin, MP.
The Hon. D.N. Kombe, MP.
The Hon. A. Shabaan, MP.
The Hon. P.K.M Sang, MP.
The Hon. M. Githiomi, MP.
The Hon. G.M. Parpai, MP.
The Hon. O. Ayacko, MP.
The Hon. J.A. Donde, MP.
The Hon. P.K. Kaindi, MP.

THE SPEAKER'S COMMITTEE

The Hon. K.F.X. ole Kaparo - The Chairman

The Hon. Dr. Y.F.O. Masakhalia, MP.
The Hon. J. ole Sunkuli, MP.
The Hon. N.K. Ngala, MP.
The Hon. A. Kiptoon, MP.
The Hon. G.M. Ndambuki, MP.
The Hon. Prof. S.K. Ongeru, MP.
The Hon. Col. R.J.K. Kiluta, MP.
The Hon. Dr. A. Ali, MP.
The Hon. M. Keriri, MP.
The Hon. O. Otula, MP.
The Hon. G. Imanyara, MP.
The Hon. M.N. Muihia, MP.

THE STANDING ORDERS COMMITTEE

The Hon. K.F.X. ole Kaparo - The Chairman

The Hon. J.H.O. Omino, MP.
The Hon. Dr. B. Godana, MP.
The Hon. S.K. Musyoka, MP.
The Hon. M.M. Mohammed, MP.
The Hon. J. Sunkuli, MP.
The Hon. M.B. Keah, MP.
The Hon. O.K. Kiangoi, MP.
The Hon. Maoka Maore, MP.
The Hon. G.M. Anyona, MP.
The Hon. J.M. Kitonga, MP.
The Hon. G.W. Kapten, MP.

THE CATERING COMMITTEE

The Hon. W. Morogo, MP.
The Hon. D. Sankori, MP.
The Hon. Ms. M. Matano, MP.
The Hon. M.A. Galgalo, MP.
The Hon. Z.N. Nyang'wara, MP.

The Hon. K. Thirikwa, MP.
 The Hon. K.F.X. ole Kaparo - The Speaker of the National Assembly
 Mr. J. Masya - The Clerk of the National Assembly
 Mr. M.O.T. ole Kirusua - The Serjeant-at-Arms

THE PRIVILEGES COMMITTEE

The Hon. K.F.X. ole Kaparo - The Chairman

The Hon. A. Wako, MP.
 The Hon. Dr. A. Anangwe, MP
 The Hon. M.A. Awori, MP.
 The Hon. Mrs. M.A. Wamwachai, MP.
 The Hon. J. Mwakalu, MP.
 The Hon. W. Kihoro, MP.
 The Hon. H.O. Omamba, MP.
 The Hon. M. Kombo, MP.
 The Hon. Mrs. B.W. Mugo, MP.

THE LIBRARY COMMITTEE

The hon. J.H.O. Omino, MP. - The Chairman

The Hon. M.A. Affey, MP.
 The Hon. J.K. Marrirmoi, MP.
 The Hon. A.W. Ndilinge, MP.
 The Hon. E. Ethuro, MP.
 The Hon. T. Onyango, MP.
 The Hon. A.I. Muchiri, MP.
 The Hon. A.M. Nderitu, MP.
 The Hon. W. Wafula, MP.
 The Hon. Mrs. J. Sinyo, MP.

Mr. Deputy Speaker, Sir, I wish to make two points pursuant to this one.

The first point is that, I have been informed that the names of Members of Parliament that I have just read here were compiled and brought to me after consultations by Whips representing various political parties who are represented in this House. So, my understanding is that, there have been exhaustive consultations.

Mr. Anyona: Mr. Deputy Speaker Sir, the manner in which the Committees of the House have been established is irregular. It is the requirement of our rules and traditions that Committees of the House are set up through positive resolutions of the House. That is the practice all over the world; it is the practice in the House of Commons and everywhere else. This is a practice that was sneaked into this Parliament with the infamous 1988 Mlolongo Parliament. We do wish to revert to the normal procedure of appointing Committees of the House. This is because, as it is, these Committees have no authority since they do not enjoy the authority of Parliament based on positive resolution. To that effect, we are going to seek to initiate a resolution of the House to adopt and formally appoint these Committees.

Mr. Deputy Speaker, Sir, I have already submitted a Motion to the Speaker, which is receiving his attention, and I was told consultations were going on before these names were tabled. Now, we have been given a list of Committees which do not meet those requirements. It is also important that at the beginning of multipartyism, this Parliament must in itself control the manner in which Committees are established. Committees are very important. We have Departmental Committees of the House which are not working because of the manner in which they were appointed. Some hon. Members do not know whether they are Members of those Committees or even chairmen. I want to give notice that we are going to bring a Motion to regularise this position. To that extent, I would like to say that the consultations referred to by the Vice-President have not taken place, because as far as I know, the matter is before the Speaker.

Thank you.

Mr. Wambua: On a point of order, Mr. Deputy Speaker, Sir. Is hon. Anyona in order? This is because, according to the reply from the Leader of Government Business, the consultation---

Mr. Deputy Speaker: Order! Order, hon. Wambua! Hon. Anyona is quite right to raise that issue because he has brought before the Speaker a document requiring that this process be reviewed. So, that matter is still with the Speaker and I am sure a suitable reply is going to be forthcoming from him. But for the time being, this has been the practice in the past, so today we cannot change it. We have to go by it. So, the Leader of Government Business has acted perfectly and legitimately.

Mr. Munyao: On a point of order, Mr. Deputy Speaker, Sir. I stand to beg your permission to allow the Minister for mis-information to make the Ministerial Statement he had promised this House early this week.

Mr. Deputy Speaker: Order! Order!

Mr. Munyao: Mr. Deputy Speaker, Sir, I withdraw the word "mis-information".

Mr. Deputy Speaker: Hon. Nyagah, are you in a position to respond?

The Minister for Information and Broadcasting (Mr. J. Nyagah): Mr. Deputy Speaker, Sir, I am not a Minister for mis-information. Secondly, I did not state that I was going to make any statement, though he raised the question.

Mr. Deputy Speaker: Order, hon. Nyagah! Hon. Munyao sought a Ministerial Statement from your Ministry. Now, you have your colleagues in the House who should have passed to you that requirement. If you are not ready, just say so, but absence from the House is not an excuse for not responding.

Mr. Munyao: He was here!

BIASED COVERAGE BY KBC

The Minister for Information and Broadcasting (Mr. J. Nyagah): Mr. Deputy Speaker, Sir, I am ready to make a Ministerial Statement on the issue that was raised by hon. Munyao.

Mr. Deputy Speaker, Sir, I wish to confirm that last Friday, on the occasion of the burial of the late hon. Silas Ita at his home in Siakago, there was attendance of Government and also Opposition Members of Parliament. I further wish to confirm that there was extensive coverage by KBC of that particular sad occasion. I wish also to confirm that the Government Membership was covered during that occasion. Finally, I wish to confirm that there was a slight oversight, and that, not everybody who attended that function - about 3,000 people - was mentioned by name. In future, we will attempt to mention as many names as is humanly possible.

Mr. Munyao: Mr. Deputy Speaker, Sir, it is sad to listen to a Government Minister making such a Ministerial Statement. This was a sad occasion and the late hon. Ita was a Member of the Democratic Party of Kenya. Even earlier on when we were sending condolence messages, the President's name and his Vice-President's appeared, but we never appeared.

Mr. Deputy Speaker: Order, Mr. Munyao! Just seek clarification from the Minister, do not indulge in a debate.

Mr. Munyao: Mr. Deputy Speaker, Sir, the Chair cannot be satisfied that, that is a substantive Ministerial Statement, because, the Leader of the Official Opposition, hon. Kibaki, gave a speech at that funeral soon after the Speaker did, and then His Excellency the President. Even hon. Members in the Opposition, namely; Messrs. Keriri, N. Nyagah and several others. He must apologise.

Mr. Deputy Speaker: Hon. Munyao, those are the same issues you raised when you sought the Ministerial Statement. So, there is no point repeating them. I allowed you to seek clarification from the **[Mr. Deputy Speaker]**

Minister on the response he has made, and not to engage in debate a with him. So, if you do not have it, sorry.

DEBTS OWED BY MINISTRIES TO CONTRACTORS AND SUPPLIERS

The Minister for Finance (Dr. Masakhalia): Mr. Deputy Speaker, Sir, I rise to make a Ministerial Statement on debts owed by Ministries to contractors and suppliers of goods and services.

Mr. Deputy Speaker, Sir, there have been many queries raised by the public and in this House, regarding the status of pending Bills the Government owes the private contractors and suppliers, which currently stand at Kshs14 billion. I am equally aware that these pending Bills have adversely affected the operations of the private sector.

Mr. Deputy Speaker, Sir, in order to address the problems facing contractors and suppliers, the Government has programmed the repayment of the pending Bills over a three-year period. The payment will be

effected using special Treasury Bonds. Some Kshs940 million is covered under the revised 1998/99 Budget Estimates, and the balance of Kshs11 billion will be programmed for in the 1999/2000 Financial Year.

Mr. Deputy Speaker, Sir, hon. Members should note that stalled projects have also been programmed and budgeted for completion. However, it will take a considerable period of time to complete the stalled projects. While settling pending bills, the Government has taken cognisance of the fact that some of the creditors, such as the Kenya Power and Lighting Company (KP&LC) Limited, the Kenya Posts and Telecommunications Corporation (KPTC) and the Nairobi City Council, also owe the Government substantial amounts of money arising from servicing of their external debts and tax arrears.

In this connection, a cross-debt cancellation mechanism has been adopted and implemented as reflected in the 1998/99 Revised Estimates. Under this arrangement, the Government has settled debts amounting to Kshs876 million owed to the KP&LC, and Kshs4.8 billion owed to the KPTC. Debts relating to the Nairobi City Council water supply bills will be settled in a similar manner after validating claims.

In order to forestall a repeat of the accumulation of pending bills and stalled projects, Government policy now is to match Government Expenditure commitment to available financial resources. In essence, this entails maintaining a highly prioritised project portfolio to facilitate faster completion of projects. The Government is committed to directing its resources to development and providing services in critical areas that the private sector may not be able to provide to the economy.

Other actions taken to ensure that this problem is brought under control include reviewing the tendering and procurement procedures and increasing private sector participation in the Central Tender Board and the District Tender Boards. In addition, strict measures are to be employed in contract management, including banning contractors and suppliers who provide sub-standard goods or services to the Government. We are also developing standards for the construction of roads, buildings and other items which are intended to ensure quality roads and buildings at affordable costs.

Thank you, Mr. Deputy Speaker.

Mr. Munyao: On a point of order, Mr. Deputy Speaker. I have listened to the Minister for Finance very carefully, particularly, when he talked about pending bills amounting to Kshs14 billion. I am aware that there is a committee appointed by the Minister to verify all the pending bills. The Committee was headed by Mr. Harry Mule and a few other officials from the Treasury. Could the Minister tell this House; among the pending bills, which ones were rejected and which ones were settled? Could he also give reasons for the Government's refusal to settle the rejected bills? We would like to have all these details, so that we can know the balance.

The Minister for Finance (Dr. Masakhalia): Mr. Deputy Speaker, Sir, the hon. Member is right. The Task Force which was appointed last year to look into the matter of pending bills presented its Report at the end of March, 1999. According to the Task Force's Report, pending bills amounting to Kshs14 billion have been okayed in both the projects and contracts categories. The Report also includes those pending bills which have been suspected to have been claimed improperly in relation to contractual processes.

Mr. Anyona: Mr. Deputy Speaker, Sir, I rise on a point of order in reference to a matter which arose in the House yesterday afternoon.

Mr. Deputy Speaker, Sir, some remarks which seemed to cast aspersions on me were made following a speech I made just before debate on a Procedural Motion which sought to extend the mandate of the Select Committee that was appointed by this House to investigate corruption in the Public Service continued. The remarks were also made in response to a letter I wrote to the Speaker of the National Assembly on 8th January, 1999, in relation to the Anti-Corruption Committee.

Yesterday, in my contribution to the Motion, I made certain observations, as elaborated in the letter I wrote to the Speaker of the National Assembly, which I thought were legitimate. I was trying to suggest the way forward, so that our Committees can become more effective. I think, like any other hon. Member of this House, I have the right and the obligation to ensure that our Committees operate effectively. I do not want to be involved in tribal politics in this Parliament. I have never participated in that type of politics before. Therefore, I do not want to drag Kisii politics into this issue. It is unfortunate that the remarks I am referring to were made by a hon. Member from the Kisii community. However, as I have said, I do not want to drag any tribal politics into this matter. I just want to raise it as a matter that affects this House.

If I may paraphrase, in his contribution, hon. Obwocha made two points about my contribution and the letter I had written to the Speaker of the National Assembly in January. One of the points he made was that I had demanded an interim report, and that there is no provision in the rules of the House for a Committee to make an interim report on a matter it is mandated to deal with. That point is not correct.

Standing Order No.160(1) says that the procedure of a Select Committee shall, as far as possible, be similar to the procedure of the Committee of the Whole House. Paragraph 5 of the same Standing Order says that

a Committee of the House has no authority to extend, or limit the terms of reference given to it by the House without going back to get authority to do that. So, clearly, that is a reference to a situation where a Committee is required to report to the House if it finds that it has to limit or expand the terms of reference given to it by the House.

Secondly, the procedure of the Committee of the Whole House is clearly stipulated under Standing Order No.126 to Standing Order No.131.

Mr. Deputy Speaker: Order, Mr. Anyona! Could you, now, go to the point? I think you have built your preamble.

Mr. Anyona: I am coming to the point, Mr. Deputy Speaker, Sir. Therefore, I want to say that Standing Order No.126 and Standing Order No.127 provide that a Committee of the House which has some problems must naturally come back to the House to get a new mandate. In fact, according to the tradition of Parliament, that is what happens. So, it is not true to say that there is no provision in the rules of this House for a Committee to bring an interim report.

The second point is very important, and I take a lot of exception to it. First of all, hon. Obwocha referred to me as a "fellow". Now, I am not a "fellow"; I am a Member of Parliament. Secondly, he said that I was an obstacle to the workings of the Committee. Now, I explained that a meeting had taken place in Naro Moru, which I considered irregular. I wrote to the Speaker of the National Assembly to ensure that the correct procedure is followed.

Mr. Deputy Speaker: Order, hon. Anyona! You gave all those explanations yesterday. I ruled that in respect of the letter you wrote to the Speaker, it is receiving consideration, and that the Speaker will give a considered ruling at a later stage. So, that, really, should not be an issue. What should still be an issue is not even that the Standing Orders do not provide for the making of an interim report, but rather what you have considered a personal slur, which is really against the Standing Orders of this House; that is tantamount to discussing your character without a Substantive Motion. So, could you restrict yourself to that?

Mr. Anyona: Mr. Deputy Speaker, Sir, I want to seek substantiation or withdrawal of the two remarks by hon. Obwocha. One, it is normal decorum of the House that we do not refer to Members of Parliament as "fellows". I do not think we should allow it just because it is hon. Obwocha and myself, who happen to come from Kisii, and because there is some turbulence in Kisii politics, I do not think so. Secondly, the question of making an allegation that I was "an obstacle" should either be substantiated or withdrawn, because all I did was, as I said, to write to the Speaker. I do not think there can be any better procedural way of dealing with Parliamentary issues than to refer them to the Speaker to confirm whether the procedure is right or wrong. I would like to seek the ruling and the guidance of the Chair on those two issues. Thank you.

Mr. Deputy Speaker: I really have to go and read the HANSARD and get the exact wording hon. Obwocha used. I will come back and revisit this matter next week.

POINT OF ORDER

CRASH LANDING OF AIRCRAFT AT MANDERA AIRSTRIP

Mr. Shaaban: Mr. Deputy Speaker, Sir, I rise to demand a Ministerial Statement from the Minister of State, Office of President, in regard to the twin air crash which took place at Mandera Airstrip on Saturday, 1st May, 1999 and Monday, 3rd May, 1999 where a boy of 12 years died and several people were injured as a result of the stampede when they were running away from that crashed aircraft, thus causing the cancellation and reversing of His Excellency the President's visit to Mandera District. We understand the cancellation of the trip by His Excellency the President because we did not want also the President to have a mishap in this potholed airstrip which is in poor condition.

However, the people of Mandera are concerned that His Excellency the President will not be able to visit them because the airstrip is in a very poor state as **[Mr. Shaaban]** well as the roads sector. The road from Garissa to Mandera has also collapsed because of the *El Nino* and the President cannot visit and even say thank you to the people who have elected him. I, therefore, demand a very comprehensive Statement from the Minister of State.

Mr. Deputy Speaker: Order! You have made your point. The Minister is hearing you. Office of the President, do you want to respond now or you want to do it later?

The Minister of State, Office of the President (Dr. Anangwe): Mr. Deputy Speaker, Sir, I will respond to this point of order on Tuesday, next week. Thank you.

BILL*First Reading*

THE SUPPLEMENTARY APPROPRIATION BILL

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

Second Reading

SUPPLEMENTARY APPROPRIATION BILL

The Minister for finance (Dr. Masakhalia): Mr. Deputy Speaker, Sir, I beg to move that the Supplementary Appropriation Bill, be read a Second Time.

The specific purpose of this Bill is to request Parliament to approve the following:-

(i) To authorise issue of K£40,304,693.11.20 out of the Consolidated Fund for service of the year ending 30th June, 1994 as specified in the Second Column of the First Schedule.

(ii) To issue K£33,183,294.15.20 out of the Consolidated Fund for service of the year ending 30th June, 1995 as specified in the Second Column of the Second Schedule.

(ii) To issue K£430,049,350 out of the Consolidated Fund for the service of the year ending 30th June, 1999 for the service and purpose specified in the second column of the Third Schedule.

Mr. Deputy Speaker, Sir, in addition, I should point out that the supply granted for the service of the year ending 30th June, 1999 in respect of certain Votes in accordance with the provisions of the Appropriation Act, 1998, is reduced by the amount specified in the third column of the Fourth Schedule. This is a Procedural Bill and I would urge hon. Members to pass it so that Ministries and Departments can spend money allocated to them during the remaining part of this financial year.

With these few remarks, I beg to move.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Deputy Speaker, Sir, I do rise to second the Bill and only to point out the fact that this particular Bill is meant to enable the Minister to appropriate the money from the Consolidated Fund because, although this House did pass the Supplementary Estimates, the Minister cannot appropriate that money from the Consolidated Fund as laid out in the Constitution without an Appropriation Act. That can only come about once we have passed this particular Bill.

Exhaustive debates on the Supplementary Estimates was conducted at the time we were discussing the Supplementaries. But, therefore, at this particular time, although the hon. Members may very well wish to revisit the issues, in a way we did cover them. I merely want to cover one issue which I think at this particular time is worthy mentioning. I want at this stage to commend the work that is being done by the police in dealing with criminals; those who are involved in perpetrating crimes. Congratulations do go to the Commissioner of Police who clearly has demonstrated his determination to wage a war against crime and against the criminals. We hope that the determination of the Commissioner and the police will remain sustained in order to clear these criminals who are doing great harm to this country. We want Kenyans to live safely and businesses conducted safely.

Mr. Deputy Speaker, I do beg to second the Bill.

(Question proposed)

Mr. N. Nyagah: Mr. Deputy Speaker, Sir, since this Bill is governed by Standing Order No.143, and also Standing Order No.81 we have limitation of debate, I would like to request through the Chair; if Members were to speak for 30 minutes as provided for under the Standing Order, then very few of us are going to be able to speak. For we know that if this request was done through the Chair, it may then help those who are going to get an opportunity to speak so that they can air their feelings. We know that little debate should be done [**Mr. N. Nyagah**]

because it has gone through Committee of Supply in the past, and this should be a humble request, without having to amend the Standing Orders, just to request the Chair because we respect the Chair, that we limit our debate.

Thank you.

Mr. Deputy Speaker: Thank you, hon. N. Nyagah. As it is, there are very few Members in the House contributing but for the time being, let Members proceed and I will watch their talk very carefully. If we proceed and if we are going to overrun our time, I will ask the House to agree to limit every Member's contribution to merely ten minutes. Thank you. Proceed hon. Mwiraria.

Mr. Mwiraria: Thank you, Mr. Deputy Speaker, Sir. I am afraid I will have to make a point which I feel needs to be made repeatedly until the Treasury begins to use the Supplementary Estimates for what they are supposed to be used.

Mr. Temporary Deputy Speaker, Sir, you yourself as a former Permanent Secretary will recall that, Supplementary Estimates were only allowable if the expenditure could not be foreseen when the original estimates were prepared and secondly, if there had been unforeseen price increases necessitating the increase. Unfortunately, during the seven years that I have been in this Parliament, Supplementary Estimates have been used to re-write the original estimates. They have also been used to justify unconstitutional expenditure. The worst culprit has been the Office of the President and many Members of this House will remember approving Supplementary Estimates under a refund of some sort, only to be told that the money was being sent to build the Eldoret Airport.

Mr. Temporary Deputy Speaker, Sir, my second point is that, we also approved the purchase of the Presidential jet through Supplementary Estimates, even though such expenditure was definitely foreseen and was planned for. So, really, I am appealing to the Minister that in future, he makes sure that he does not accept expenditure which is intended to circumvent the provisions of the Constitution of this country. If you look at the current year's budgetary allocations, the Office of the President which had an approved estimate of K£624 million is now asking for Supplementary Estimates of K£103 million which is an increase of 17 per cent. Could the Minister, when replying, tell us which unforeseen expenditure justifies this steep rise in the expenditure in the Office of the President? Could he also tell us since we know that from July last year, inflation has come down, what is he catering for by this 17 per cent increase?

Mr. Temporary Deputy Speaker, Sir, if you look in detail at the Office of the President, you will find that there is an item that they call Directorate of Field Administration. For this item, personal emoluments go up from K£8.8 million to K£15.1 million which is an increase of 72 per cent. If the personnel were employed when the previous Budget was prepared, how come you need 72 per cent of their emoluments at this stage or are we being told in this Parliament that, the Office of the President has gone on a recruiting spree, employing people who do not exist in the estimates and therefore, justifying the 72 per cent increase in their personal emoluments, Mr. Minister?

Mr. Temporary Deputy Speaker, Sir, let me support a point made by the seconder of the Motion, His Excellency the Vice-President in congratulating the Commissioner of Police for making efforts to provide security to us Kenyans. It is unfortunate that the Supplementary Estimates give K£42 million to the police but only K£1.7 million is going towards transport and all of us know that, the biggest weakness of our police force is lack of transport. Any time that you go to the police with a problem, they will tell you: "Provide transport or buy petrol for our vehicle"; with a result that, up in the countryside, nothing gets done. I would have been a little more sympathetic if instead of giving additional funds to the Kenya Police College in Kiganjo, which is perhaps training people that we cannot even equip to work, they give that money to the police in the districts to help them do the work of providing security to this nation.

Mr. Temporary Deputy Speaker, Sir, I was a little appalled when I looked through the Supplementary Estimates for the Ministry of Agriculture. That is, the Development Vote which is being increased by over K£100 million and which in effect, is doing nothing but pay for the mistakes this country has made in allowing a few favoured individuals to import sugar without duty; to in fact, flood the market so that the local sugar industry is unable to sell its sugar. I am saying this because K£50 million is going as a loan to Muhoroni Sugar Company and K£50 million is going to Nzoia Sugar Company, when these companies are storing tonnes of sugar which they are unable to sell. For how long are we going to subsidise, through budgetary provisions, individuals who are milking the country? I do hope that the Minister will take this issue seriously.

Mr. Deputy Speaker, Sir, another aspect of the Supplementary Estimates which I personally do not favour at all, and I think this House should object to, is the fact that in order to make it possible for the Ministry of Agriculture to save some money to give as supplementary loans to the two companies I have mentioned, namely; Muhoroni and Nzoia Sugar Companies, savings are being made from livestock diseases and pest control where Kshs5.5 million is being saved. This money is being saved at a time when Anthrax has become a big problem countrywide. What wisdom is there in "robbing Peter to pay Paul?" In fact, it is not to pay "Paul", I should say to pay "Judas". What wisdom is there? We are also removing funds from food security, extension services and from promotion of agriculture purely to support loans to the sugar industry which is suffering because of deliberate

Government action of licensing people to import sugar who do not really require that support.

Having said that, let me look at something positive. For the Ministry of Natural Resources, an amount of over K£14 million is being provided for its Recurrent Expenditure as Supplementary Estimates. Looking at it, over K£15,250,000 is going to go to the Kenya Wildlife Service (KWS) hopefully to save it from the financial mess it was left in by the previous Managing Director. Well, we need a flourishing KWS for the tourist industry. So, these steps are welcome. But once again, one cannot but question the events leading to the position the KWS finds itself in. Without wanting to praise anyone, when Dr. Leakey was in the saddle, the KWS was doing very well. He was moved out, money was looted and when the whole institution was about to collapse, he was recalled back. Why does Kenya not learn from its previous mistakes and stop playing "Chinese musical chairs" with leading managers of our Government and our parastatals? I think we should really give respect and promote people on merit. Also, we should avoid giving people jobs because of who knows who or who comes from where.

Mr. Deputy Speaker, Sir, once again, I must say I was saddened, looking through the Supplementary Estimates, by the Ministry of Health. If you look at the Supplementary Estimates, K£13.4 million is being set aside for curative health. That looks a very noble idea, but when you look at the details, this money going to pay for, personal emoluments, house allowances, other personal allowances and medical allowances. In short, all the money we are providing for in curative health is going to pay people. For example, the laboratory technicians spend their time twiddling their thumbs because they do not have the equipment to examine the specimens they get from the patients and yet, here we are increasing their salaries so that they can sit idle for more months and get paid more money and do absolutely nothing to assist the people of Kenya. I believe that the time has come for us to be realistic. If it is health, let us provide money for providing health services. I would have liked to see an emphasis on preventive medicine not curative health where every penny is going to pay salaries and other personal emoluments.

Mr. Deputy Speaker, Sir, I really want to be brief, but before I conclude, let me address myself to the Ministry of Finance directly. My first question relates to the payments to the National Bank of Kenya. Let me, first, as a customer of the National Bank of Kenya and as a Kenyan, confess that I would like that bank saved. But how proper is it for the Government to put in, at first, Kshs2 billion and now, if what we are reading in the papers is correct, another Kshs4.5 billion? Where is this money coming from? During Budget last year, we were told that we were going for a balanced Budget. Now, these Supplementary Estimates are by no means balancing the Budget, leave alone when you make other payments outside the budget of Kshs6.5 billion to the National Bank of Kenya. May I also ask the Minister since the Kenya Commercial Bank (KCB) is in similar trouble, it had lent a lot of unsecured money and in the last audited accounts, a lot of money has been written off because it could not be justified. I think the Minister should answer this question to clear the air. Is there any likelihood that the KCB would be facing the same problems as the NBK and that the Ministry maybe forced to provide additional funding to the KCB to bail it out?

Mr. Deputy Speaker, Sir, my final point relates to the fact that during the last Budget, once again, this House was told, by the Minister's predecessor, that every effort was going to be made to make the Kenya Revenue Authority (KRA) an independent, autonomous body which would have staff who are motivated, who are well-paid so that the loss of revenue which results from petty corruption can be brought down. We all know that the KRA staff has a dual salary system. The ones who used to belong to the Customs and Excise Department and the Income Tax Department still earn Government salaries while those new employees of the KRA are earning what might be considered in Kenyan terms as "competitive salaries" which compare with industries. The question I am putting to the Minister, and this is the second time I am doing it, why does the Minister not deem it fit to pay the entire staff of the KRA the same salaries so that all the staff are equally motivated? If the Minister can find Kshs6.5 billion to bail out the NBK, why can he not get enough money to pay the KRA staff an equivalent amount so that they can be motivated, to collect more revenue and reduce the wastage which results from under-collection of revenue? I thought that those are the few points that I would like to highlight, and I do hope that the Minister would give them serious consideration.

Mr. Deputy Speaker, Sir, we have an application by farmers to open a bank. Really, why are they being discriminated against? What conditions of the Banking Act have they not fulfilled? Kenya is perhaps the only country where banks operate with impunity. They come, do local business and take away the profits. In most countries, foreign banks only carry out international business; they do not do local business. But in Kenya our foreign banks and they are many - are doing local business and they are repatriating profits. When will the Minister for Finance take action to make sure that we develop the local banking industry which has been destroyed over the last 15 years? I will make a plea to the Minister that he should see to it that the Kenya Farmers Bank is approved and registered to operate as a matter of urgency.

With those few remarks, I beg to support the Bill.

Mr. Munyao: Mr. Deputy Speaker, Sir, thank you for giving me time to make a few remarks regarding this Bill, particularly, because I am just off-loading my sadness. I am so bitter, although I have got to support these Supplementary Estimates, to really to stand here and approve the Supplementary Estimates meant purely to pay KANU officials, particularly, when I think about the K£103,175,038 million under the Office of the President Vote. When talking about that, I refer to most of the Ministries because we have now confirmed that most of the civil servants are purely KANU officials. I will prove that. I saw it when I was in Mutomo and Tigania West during the recent by-elections held there. Every civil servant was out dishing money and I believe that some of the money might be this one that we are approving under the Supplementary Estimates. God knows why the Minister is telling us there is some money in the Consolidate Fund. Are we giving permission to the Minister to borrow, or has he got some money in the Consolidated Fund? The Minister has to tell us whether we are actually giving him more permission to borrow money.

Perhaps, before I get to that, out of the money that we are paying in this country, in form of taxes, which has been established to be between Kshs160 billion and Ksh180 billion, I will say that Kenyans are better off without paying taxes than just paying taxes and all of it is squandered. I understand, and I am sure that, that Kshs50 billion, out of the total amount of money, goes to pay these debts which are 10 to 15 years old. This was the clarification which I was seeking from the Minister when he laid a paper here; Ksh50 billion is going out to pay those debts which we acquired and which have been misappropriated by individuals. This is what we are paying for. A further Kshs80 billion out of that is paid out as salaries and the balance of Kshs50 billion is misappropriated by the same senior "looters" in this country. Therefore, when you put together the monies that this country collects and the money we pay for salaries, old debts and that one which is misappropriated, Kenya is better off without paying any taxes. At least, a Kenyan will be able to sell his or her goats, sugarcane, cotton and invest in buildings. We are better off without paying taxes! We are sad that we pay taxes which are misappropriated; to pay bills which were acquired 10 to 15 years ago. Some of the tax payers were not there when we were acquiring it.

As I said earlier, I am bitter for having come here and support the Supplementary Estimates so that the Government goes out and pay KANU officials. I saw it, and I am ready to prove it. I saw it happening at Mutomo and Tigania West during the by-elections there. Government vehicles--- I even saw Ministers with that KANU flag dishing out money. Every civil servant was out in the field. The DC had to make---

Mr. Leshore: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Yes, Mr. Leshore.

Mr. Munyao: I hope it will be a point of order.

Mr. Leshore: Mr. Deputy Speaker, Sir, is the hon. Member not misleading this House by saying that he saw Ministers dishing out money? I was in that car and we never dished out money. Could he substantiate that allegation?

Mr. Deputy Speaker: Which car?

Mr. Leshore: The GK car he is talking about!

(Laughter)

Mr. Munyao: Mr. Deputy Speaker, Sir, you are also sure that I have not even gone further to mention about the car. So, if he is confirming that he was in one of those cars, I do thank him very much for assisting me.

Mr. Deputy Speaker: Order! Hon. Leshore, this is a National Assembly and not some---

Hon. Member: A Maasai village!

Mr. Deputy Speaker: Order! You must not argue across the Floor but address the Chair. So, Mr. Munyao, do you know this car that he is talking about?

Mr. Munyao: Mr. Deputy Speaker, Sir, you are my witness. We heard it at the same time. I did not mention which car it was. He is only confirming to us that he was in one of those cars which had a flag because that is what I said. If that is so, I thank him very much for that.

(Laughter)

Mr. Leshore: Mr. Deputy Speaker, Sir, I think time has come for these colleagues of ours on the opposite side of this House to substantiate any [Mr. Leshore] claim of dishing out of money. We have heard so many of them saying that "KANU is dishing out money." I have never seen anybody from the KANU side dishing out money. Could he substantiate that?

Mr. Deputy Speaker: Order! We are not discussing about Tigania West by-election in this House but the Supplementary Appropriation Bill. So, why do you not spend your time discussing the Bill? If you want to quarrel inter-party, you can go to the City Stadium.

Mr. Munyao: Thank you, Mr. Deputy Speaker, Sir. This House likes you because you see further than some people. However, time will come when they will also sit on the Opposition side, and at that time, they will be fighting to get a space as it will be full. So, if one wants to come to this side, come now. You should not wait until that time.

I said that I am bitter that we are approving this Bill. I am talking about the appropriation of money which is in this Bill; K£103 million which we are now approving and the same to all the Ministries. I had just explained what I saw in those areas which had by-elections. During that time, I saw a programme drawn by a DC which read: "So-and-so will be passing through that area at seven o'clock; such-and-such visitor will be passing through that place at about nine o'clock; that group will be there at midnight. So you chiefs and sub-chiefs, get all your people out and have a list of people to sign."

The Minister for Education and Human Resource Development (Mr. Musyoka): On a point of order, Mr. Deputy Speaker, Sir. As much as I hate to disturb my friend on the other side, is he in order to go against your ruling? I heard you clearly saying that we are not discussing about the Mutomo by-election, neither are we discussing the Tigania West by-election in this House. But the Nominated Member of Parliament continues to discuss the same thing.

Mr. Munyao: Mr. Deputy Speaker, Sir, you will agree with me that truth is so bitter, and some of the people who are known to be behind what I have said feel so touched. These people were doing exactly what I said. However---

Mr. Deputy Speaker: Order, hon. Munyao! You must be relevant to the Bill.

Mr. Munyao: Mr. Deputy Speaker, Sir, I am very relevant to the Bill.

Mr. Deputy Speaker: No, you are not!

Mr. Munyao: Mr. Deputy Speaker, Sir, all what I am saying is that I am refusing to pass this Bill so that KANU officials are paid money when Democratic Party (DP) officials are not paid from the same tax payers' money. He knows it very well.

Mr. Deputy Speaker, Sir, I do obey your ruling and you know that I can stick to it. I am saying that, although we are now passing the money and we will be allowing the Minister for Finance to spend it, let it be spent properly because it is the taxpayers' money. It does not belong to a particular organisation or party, because we are paying salaries for the civil servants. We want the civil servants to operate independently, and not to operate under one tag. They should supply services for what they are paid for.

Mr. Deputy Speaker, Sir, if we are paying salaries for the KBC staff and then they behave the way they do, then we are paying for services which are not provided. In fact, there were some Members of Parliament who are involved in this kind of thing and that is why they are attacking us.

The Minister for Education and Human Resource Development (Mr. Musyoka): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for hon. Munyao to persistently mislead this House, including himself; because he is talking about truth as having the capacity to hurt? The truth of the matter is that they were beaten squarely and so, he should not really bring in this confusion. I hate to do this but I think it is not proper to allow hon. Munyao to continue misleading this House with allegations that are unprovable and if indeed he feels that there were certain serious irregularities committed, then the better place will be the petition court and not this House!

Mr. Deputy Speaker: Order, hon. Munyao! Just leave out elections and discuss the Bill before the House.

Mr. Munyao: Mr. Deputy Speaker, Sir, I am just talking about the performance of the DC who was being used by the hon. Minister! In fact, he even wrote a circular using Government stationery to all teachers in Mutomo to report to their schools. He was using a Government vehicle with a flag going on a campaign mission!

The Minister for Education and Human Resource Development (Mr. Musyoka): On a point of order, Mr. Deputy Speaker, Sir. Could hon. Munyao table before this House the purported circular, that this Minister issued to the teachers with regard to the election in Mutomo, which he lost very fairly?

Mr. Munyao: Mr. Deputy Speaker, Sir, I do not want to go into this because the Minister knows it very well. It is the Minister who is bringing up the Mutomo affair. I heard that we lost but I have not said anything about losing. There is no losing in this. I am talking about the Government money which we are now appropriating and yet the Minister spent it during that time. Where are we going to get this money to take us upto June if they have already spent this money on other things which were not seen? I am very happy with what my

Shadow

Minister for Finance hon. Mwiraria said. He said at the time when he was a Permanent Secretary together with you, Mr. Deputy Speaker, and I know how serious you were, Supplementary Estimates were only meant for "things which were not foreseen". Were Mutomo and Tigania some of the "unforeseen areas" for this Government to finance?

Mr. Deputy Speaker: Order, hon. Munyao! You are making this otherwise very civilised debate to be very cumbersome! Why do you not restrict yourself to what you have before you?

Mr. Munyao: Mr. Deputy Speaker, Sir, although we agree with the Ministry of Finance that he gives the Ministry of "Mis-information---" Earlier on, through you, I withdrew the word: "Ministry of "Mis-information." But I cannot withdraw that word now because---

The Assistant Minister for Information and Broadcasting (Mr. Ekirapa): On a point of order, Mr. Deputy Speaker, Sir. There is no Ministry of "Mis-information" in this country and, therefore, we cannot allow the hon. Member to mislead this House and to say that he will not withdraw. I think he should withdraw and apologise to the House.

Mr. Munyao: What do I have to withdraw? I know that it is written here as Ministry of Information and Broadcasting. But I am saying the Ministry performs like the Ministry of "mis-information". Earlier on, I had proved that I had gone for a funeral in Embu---

The Assistant Minister for Information and Broadcasting (Mr. Ekirapa): On a point of order, Mr. Deputy Speaker, Sir.

Mr. Munyao: Wait until I have explained and then you can come up! Please, just come and sit here. I will explain and then you will get it.

Mr. Deputy Speaker: Order, hon. Munyao! You must address the Chair.

Mr. Munyao: I had explained that I drove all the way from here to Siakago and I sat down from 11.00 a.m. and the programme went upto the evening---

The Assistant Minister for Information and Broadcasting (Mr. Ekirapa): On a point of order, Mr. Deputy Speaker, Sir. I did seek your ruling as to whether there is in this country, a Ministry of "Mis-information". On this note, I asked him to withdraw that remark and apologise!

Mr. Deputy Speaker: Order, hon. Ekirapa! If there is no Ministry of "Mis-information", then hon. Munyao is talking about a non-existent thing. So, let us not take time trying to argue with him over a "non-existent Ministry." But if he is talking about the Ministry of Information and Broadcasting and he is making specific reference to it and calls it in that process the Ministry of "Mis-information", then I will intervene!

Mr. Munyao: Mr. Deputy Speaker, Sir, I had explained how we all went to Siakago to escort our colleague, the late hon. Silas Ita and we sat from 11.00 a.m. and in fact, the rains fell. There was a programme which was followed and we were all there. But later in the evening, I listened to the KBC evening news and all the names of the Opposition Members of Parliament, including hon. Kibaki, were not listed as having attended. The same was repeated in the 9.00 p.m. news and 11.00 p.m. news summary. This afternoon, you heard the Minister saying that there were about 3,000 people and they could not cover all of them.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Poghio) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, the Leader of the Official Opposition and the other seven Members of Parliament are not just ordinary persons who would go to an area and could not be seen. In fact, I was shocked because when the President was laying his wreath, he had to come directly in front of me and there was a KBC staffer with a camera taking pictures of the President. Later in the evening when they were trying to give hon. Kibaki a black out - they did black out their own - hon. Biwott because he was next to Kibaki. Somebody made a lot of effort to make sure that the public do not see those who were there from the Opposition.

When you get such a Ministry which can totally mis-inform the world what do you call it? They gave the list of all those people who were there from KANU and left those from the Opposition. What do you really call that Ministry? If I were you, hon. Ekirapa, I would cry, go back to Teso and never come back to that Ministry--- We all knew this hon. Member of Parliament before he was appointed an Assistant Minister in this Ministry.

The Assistant Minister for Information and Broadcasting (Mr. Ekirapa): On a point of order, Mr. Temporary Deputy Speaker, Sir. How long are we going to allow the hon. Member to entertain the House with all

his theatrics instead of concentrating himself in discussing the matters before the House?

Mr. Munyao: All I am saying, and I beseech the Minister for Finance, that amount of money which is meant for the KBC K£23,457 should be deleted because we are only paying for salaries and the cameras which do not serve anybody. It is written here that the money is meant for the salaries and expenses of the Ministry of "Mis-information" and Broadcasting, including general administration---

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Munyao! Can you proceed with seriousness now?

Mr. Munyao: Mr. Temporary Deputy Speaker, Sir, I think this Bill is procedural and we would like to tell the Minister that immediately he gets the money, he should be serious. He should make sure that he is not going to continue making nugatory payments. I am not trying to say everybody is not performing. But out of the total number of civil servants in this country, maybe, ten per cent or less performs. The Minister for Finance should be very strict. After 5.00 o'clock, all Government vehicles should be locked up. He should even get those that are kept at home by senior civil servants. He should be able to tell us how many vehicles have been surrendered so far.

With those few remarks, I will go, sit down and think whether I will support. I will come back and tell you whether I will support.

Mr. N. Nyagah: Thank you, Mr. Temporary Deputy Speaker, Sir. I will take a very short time while making my contribution. We are being asked to improve the financial status by this Bill. In so doing, I would like to caution the Minister for Finance on one thing. Partly, why we are doing so is because of the unabated corruption in the civil service that has gone on for a very long time. The time has come for this Government, if it is serious, to be able to correct that anomaly.

In the past, and it still continues, we know situations where Government houses were and are still being sold to politically-correct individuals and people who are close to the Commissioner for Lands. Those are Government houses that are valued at a very high figure. Yet, what is paid for the houses is not even worth being contributed as any form of payment to any Government.

I would like to concentrate in one area, which is very close and dear to me. That is the Ministry of Health. If you look at what we are appropriating, it is Kshs19,510,000, in addition to Kshs13 million. I cannot understand why the Ministry of Health should be supported and yet, I would like to say a few things that have gone wrong. We know through the World Bank that there is great pressure to the Government, that certain officials of the Ministry of Health are removed because they are being a hinderance to the well-being of this Ministry. We also know that yesterday, a meeting of donors was held at the Ministry of Health Headquarters, precisely because of what I am talking about; that is misappropriation of money that is allocated. We also know, and we are expecting the Minister for Health to come to this House and make a Ministerial Statement as pertaining to the Kshs600 million that the Danish International Development Agency (DANIDA) has withdrawn because of corruption within that Ministry.

Through you, Mr. Temporary Deputy Speaker, Sir, as I speak to the Minister for Finance, I would like to request the Chair that in future, the substantive Minister for Health should come to answer Questions pertaining to his Ministry. He should also come to give Ministerial Statements as opposed to sending his Assistant Ministers. This is because it has gone on history here - and I am the Shadow Minister for Health and I know what I am talking about - he never comes to answer on the illegal things that have gone on in this Ministry. For instance---

The Temporary Deputy Speaker (Mr. Poghisio): Order! You know the definition of a Minister in the House. That is per the Standing Orders. So, proceed without pushing on that.

Mr. N. Nyagah: Well, I was talking about a full Minister and a half-Minister. But be that as it may, last June, when hon. Nyachae was the Minister for Finance, during the Budget Speech, he did give a directive that the civil servants, permanent secretaries and Ministers will only use two vehicles. I do not know how far this exercise has gone. But I think certain officers should be surcharged for not going by that directive that was given by a Minister. I would like to demonstrate what I am talking about. I said that I am going to confine myself to the Ministry of Health.

We would like to know why no action was taken against the former Permanent Secretary for Health, Mr. Mbova. Having got the directive, he had the following vehicles at his disposal, which he used until he was transferred. So that I can help the Government, I would like to read out to the Minister, the various vehicles that Mr. Mbova continued to use to flout the regulations that the former Minister for Finance had given. A Pajero GK T038 that was used to carry his APS, APs and secretarial staff.

The Temporary Deputy Speaker (Mr. Poghisio): How does that relate to the Appropriation Bill?

Mr. N. Nyagah: It is leading to the fact that the Appropriation of Kshs19 million that is going to be

used by the Ministry is going to be misused in case the new Permanent Secretary comes in and uses five vehicles. It is extremely relevant if the Chair cares to listen to what I am going to read. He used a Mercedes Benz GK, a Volvo GK U906, an Isuzu Trooper KAK 291L which was formerly GK Z244 and a Peugeot 504 GK A264A. The reason that I am reading this is that the Attorney General is empowered by law to take action on civil servants who flout Government instructions. I hope that in that relation, the Chair is satisfied that I am within the scope of the Appropriation Bill.

Secondly, still on the Ministry of Health, where they want us to allow them to use money, we still want certain explanations. Why has the Ministry of Health paid large sums of money to suppliers. The drugs and pharmaceutical industries--- The estimates indicate that the Ministry of Health requires US\$25 million to satisfy this country. What is normally used by the Ministry is only US\$5 million. There has been a lot of corruption in this Ministry. That is basically what we want the Minister for Finance to understand so that when he comes to responde, he knows some of the problems that we are going through.

We have had a situation in the past, where Kshs95 million was stolen through this Ministry. It has not been explained why the officers concerned have not been arraigned in court. It has gone unabated. The time has come for the Government to take stern action on officers who are making Kenyans die. I say this in great pain! I represent many Kenyans in Kamukunji constituency, who live in the slum areas and are not able to go to private hospitals. The only access that they have with difficulties are the Government hospitals. They are unable to raise the cost-sharing amounts even in those Government hospitals, leave along the few dispensaries that exist within the Nairobi City Council. This is because a lot of money has been misappropriated by the chief officers at the Ministry of Health. We must defend this. If we want to continue raising at the same rate of growth, then health is an important factor.

Mr. Temporary Deputy Speaker, Sir, I would like this country and the Minister to know that there are companies that have been paid money by the Ministry of Health, despite the fact that they have removed the officer who was in charge of stores in order for them to use Indian companies to bring in inferior drugs that are not even registered. These companies are Lelsiwan(?) limited which was paid Kshs21,692,027 through cheque number 040710 of 30th June, 1998; Leancome(?) Pharmacy which was paid Kshs10,398,000, through cheque number 040713 of 30th June, 1998; Meta and company limited which was paid Kshs2,604,414, through a cheque number 040757 and Kenya Starao(?) company and Square(?) Services--- All these are companies which were paid by the Ministry of Health after they made partial supplies or none at all and yet the Ministry of Health is supposed to pay its staff on administration and so on.

With those very few remarks, Mr. Temporary Deputy Speaker, Sir, I hope the Minister will take action.

Mr. Keriri: Mr. Temporary Deputy Speaker, Sir, I would hate to repeat what has been said, but I want to mention one or two things for the benefit of the Minister. Earlier on, we were taken through the reasons why the Ministry needs Supplementary Estimates. One hopes that the Minister does not have to seek for the approval of Supplementary Estimates, if that will be possible. I am sure the Minister does agree with me that - one time he was my chief economist and before we prepared estimates, he advised me on how to plan so that we could avoid asking for Supplementary Estimates every time. I hope that he will use the same expertise to get the Ministry to a situation where they will not come for Supplementary Estimates, even for personal emoluments. We are not employing more civil servants. In fact, we are retrenching them. We are reducing civil servants because we want to balance the Budget, which we cannot do, anyway. The idea of coming up with so much money on personal emoluments and house allowances is an indication that there exists no discipline in budgetary planning.

*[The Temporary Deputy Speaker
(Mr. Poghio) left the Chair]*

[Mr. Deputy Speaker took the Chair]

In every Ministry, Mr. Deputy Speaker, Sir, there are officers who are full time employed to prepare estimates and control the Budget. Long time ago, we used to call them PFU. Currently, they are known as accounts controllers. If these officers use their time properly they will get the Minister the correct information and we will not come up with estimates of this magnitude where the major item is personal emoluments and purchase of new cars. Why should we purchase new cars? Unless we have committed a crime in doing things that should not be done, then somewhere someone did not do his job properly. I think we must instil the discipline that is required in preparing the Government Budget. The same Minister, as an economist, was one of those people who told us that we must have a forward-looking Budget which will help us to achieve a current budget. Does that still happen? I would like the Minister to answer that question when he responds. If it

happens, why is he coming up with Supplementary Estimates which, in my view, ought not to come? His counterpart in the Ministry of Planning and National Development told us that the inflation rate is being reduced. If the inflation is going down, what causes the increases that the Minister is asking for? It means this is not the normal Supplementary Estimates; it is something probably cooked up. I think, Mr. Minister, you have to instil discipline. I wish you a long life in that Ministry so that you can instil there some economic discipline.

Mr. Deputy Speaker, Sir, on the capacity to spend; we have been asked for more money. At the same time, we see a lot of money not being spent. My pet project here is roads. We have a lot of foreign aid that is not spent on time to repair our roads. As I said the other day, we are told that discussions are going on with the World Bank and our Government in order for them to agree on how to spend that money. When we ask for that money we must have committed ourselves to planning or to what we want to spend that money on. We must have committed ourselves to the discipline under which we will spend that money. All what those donors want is for us to spend that money under such discipline. We are arguing about the issue of discipline which we should know better than them. I think, we are wasting time and, in fact, retarding development in this country.

The Minister for Finance has been in charge of planning for a long time when he was a civil servant. I think you will agree with me that the capacity to spend what you get does matter. If you do not have that capacity, then I do not think there is any use for the Minister to ask us for more money.

We have even money voted here for roads which ought to be spend by 30th June, 1999. At present, if you look at the Supplementary Estimates, the money we have voted the other day, the Minister has not even spent half of the money which he ought to have spend on our roads and yet our roads are deteriorating. If you look at this Supplementary Appropriation Bill--

The Assistant Minister for Planning and National Development (Mr. Sumbeiywo): On a point of order, Mr. Deputy Speaker, Sir. I do not want to interrupt my friend, Mr. Keriri, but he has kept on addressing the Minister directly. Is it in order for him to do so when our Standing Orders state that we should address the Chair? Is he in order?

Mr. Keriri: Mr. Deputy Speaker, Sir, I was addressing the Minister through the Chair, although I was looking at him. I hope my friend, the hon. Member, can see that I am addressing the Minister through the Chair.

Mr. Deputy Speaker, Sir, I was talking about money not being spent on roads. All I am saying is that if you look at this Supplementary Appropriation Bill, you will see thousands of pounds which have now been reversed because they were voted for roads which have not been tarmacked because there is not enough money. Most of those roads are roads which were started quite a while ago by his predecessor, but they were abandoned.

Mr. Deputy Speaker, Sir, it is better to complete a project that you have already started than to start another one and then heap it on top of that one which is unfinished, and which you might not even complete. If that happen before the year end, you will end up having many incomplete projects. I think we should start a project and then finish it before we start another one. For example, if we start constructing a road we should complete it first. I might not have enough time to quote all the unfinished roads, but the Minister knows them because they are in the Estimates with token provisions. I think the Minister should put his House in order by organising to complete those roads. This is because when they were planned, they were given priorities. What made them non-priority, I do not know, but I suspect that it is mainly because they were in a place that was not favoured by the system. The Minister for Finance must be one who develops Kenya equitably without regard to specific areas, but giving priority where it is deserved.

The current Minister's predecessor talked a lot during the Budget about domestic borrowing. Today, the Minister was talking about a few things not in the Budget when he was making a point of order about financing things through domestic borrowing. That is all right because we cannot wipe out domestic borrowing overnight. This is so because he has to pay what he borrowed earlier on. I think it is important that we get the Budget controlled carefully enough so that we can reduce domestic borrowing.

I would like to commend the Ministry of Finance and the Central Bank of Kenya (CBK) for the action they have taken to reduce domestic borrowing, which has assisted in reducing interest rates. I think we cannot keep on blaming them, but also congratulate them when they do a good job. That is a good job done, but we must make it sustainable. This is because if we do not do that then we will go back to the same thing. Of late, we have seen Treasury Bill rates going up. I hope that this is not an indication that they will continue going up. I also hope that the Minister will keep the control lever on so that we can get the benefit and improve investments.

I would like to talk about being fair to the country equitably. Expenditures cannot be controlled if some areas are favoured, while others are not favoured. Some roads have been built in some areas, while some roads in other areas, as I said earlier on, have been abandoned. If I may mention one aspect that touches my constituency,

and I want to do this without being parochial--- Most of the roads in Central Province, have been started either a new, resealed or recarpeted, but then abandoned. For example, we have the Makutano Road in Murang'a which connects Kirinyaga, Sagana and Nyeri. A contractor was awarded a tender to recarpet the road in 1994, but up-to-date that road is still being resealed. The contractor comes and stays on the site for a few months and then goes away. What is surprising is that this contractor does the same thing always. There are several roads that have been awarded to the HZ Construction Company in Central Province. This construction company has been given about five roads to repair, but it has not even done half of the job. Now, those roads are being given to some other contractors and they are under tender. I am surprised that the Government wants to give the five roads, which are not of the same specification to a single contractor. I think this will be a waste of money because that single contractor is going to be bogged down just like the other one. After that we will come here and vote a lot of money. I think each one of those roads should be given to a separate contractor, not just because of the efficiency, but also because the Government should benefit more contractors than benefiting only one. It must give a chance to other contractors to earn money from tax-payers revenue. Giving one contractor five roads to do is, in fact, being unfair. This is because the Government is making one fellow to benefit from tax-payers' money when the others are waiting to get a piece of the cake.

Mr. Deputy Speaker, Sir, through the Chair, I would like the Minister to try and see what can be done to those roads which have been abandoned several times. We are voting money for them, but let them be done by many contractors so that they can be completed faster, and more people can gain from them. This will increase employment opportunities, which is an important aspect in this country.

As I said earlier on, I do want to talk too much on this Bill, because a lot has been said about it.

With those few points, I beg to support the Bill.

Mr. Maundu: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to make a few comments on this fairly procedural Bill that will give the Minister the power and the authority to make use of the finances that we recently approved in the Estimates.

The Minister has a serious task more particularly between now and the time he prepares the next Budget. We have seen that through out the year with his predecessor and himself that there is need to have financial discipline within the country.

In fact, we have seen a situation where officers who are charged with the responsibility of making sure that public finances are properly utilised have embezzled these funds. The Minister should take appropriate action to make sure that Accounting Officers, who allow or are negligent in making sure that public finances are properly utilised are not only disciplined, but sacked.

The tendency has been to give a lot of leeway to officers who embezzle funds. They are transferred from one Ministry to another or shuffled from a Ministry to a parastatal. The other day we saw a written case, where we were told that officers within the Ministry of Public Works and Housing, who have been involved in corruption, have no financial discipline within that particular Ministry have only been re-shuffled and re-appointed in other Ministries as Under-Secretaries and Deputy Secretaries. These are people who are engineers. This is the sort of problem that Kenyans have. When people misappropriate public funds they are given yet another opportunity possibly in a more lucrative position to continue misappropriating public funds.

Mr. Deputy Speaker, Sir, we believe that the Minister will be serious enough; tenacious to the extent that those who are involved in embezzling public funds are dismissed in public interest and taken to court for prosecution. The Minister has the onerous task as well, to oversee that the Anti-Corruption Authority functions well. There have been a number of unfavourable comments made about the appointment of the hon. Justice Ringera, just merely to make sure that his office does not take off. But I believe that we also, as Parliamentarians, have a duty to our country, where civil servants who have been appointed to positions of high calling, find appreciation from those of us who have been elected by the people, so that they continue to do their job well. We, as Parliamentarians, want to make sure that the Anti-Corruption Authority functions. There is a Committee of this House which also helps in making sure that corruption in this country is stumped out. I think we have a duty to make sure that this particular vice, which has continued to eat into the core of our economy and the country is wiped out as quickly as is practicable. So, I think we need to encourage and support the Minister for Finance, so that his duty in ensuring that corruption in high places is stumped out. He must appreciate the role that the press has played in making sure that matters of this nature have been brought out. But I think the buck stops at those who are responsible; the Ministers, civil servants and even us as Parliamentarians, to make sure that cases where corruption has been detected are pushed as fast as possible for prosecution.

Mr. Deputy Speaker, Sir, the allocation of finances to projects that are incomplete as stated by one our of colleagues here, has been erratic. We have seen the creation of very many districts in the country where finances were allocated. Most of the district headquarters throughout the country are incomplete; they are deteriorating;

they are being vandalised and what that means is that the Exchequer will have to cough more money if and when these districts headquarters will be completed. This also means that the people of this country will be taxed more. I think the Minister for Finance should also come up with an answer as to what is going to be done to these districts that have been established; whether the buildings will be privatised and sold to private individuals to defray unnecessary expenses on the Exchequer and the country or they are sold publicly. So, I believe the Minister will do that.

Mr. Deputy Speaker, Sir, in this year's Budget, we would like to see more money allocated for poverty alleviation. People are getting poorer and poorer and the talk in town today is; where has money gone to? Nobody seems to know where money is today. There are fewer people with money and most of us suspect that those who have money today are those who have misappropriated money. The Minister should be able to allocate finances to assist the poor people of this country, making sure that there is available provision of clean water, ensure that adequate finances are allocated to health and infrastructure.

Mr. Deputy Speaker, Sir, while I support this Supplementary Appropriation Bill, let it be an Appropriation Bill for the purpose of public good, so that Kenyans may find more advantage in the fact that we have given money which is properly utilised. Let us not give the Minister the power in the Appropriation Bill to misappropriate or allow misappropriation of funds. Let us see more of financial discipline towards the end of this particular year, so that there is hope for Kenyans when the Minister comes to propose his next Budget in the House.

With those few remarks, I beg to support the Supplementary Appropriation Bill.

Mr. Deputy Speaker: In the absence of other contributors and it being unlikely that Members are going to say something new, I have no choice but to call upon the Mover to reply.

The Minister for Finance (Dr. Masakhalia): Thank you, Mr. Deputy Speaker, Sir. I would like to begin by thanking the hon. Members who have made comments on this Bill. Their contributions have been noted and I would like to assure them that they are not going to be disposed of so easily. We will bear them in mind in the formulation of the new Budget which we are now working on. Incidentally, we are just some weeks away from the Budget day for the new Financial Year. As is traditional, there will be comprehensive policy statements which will address some of the issues that have been raised in the course of discussing the Appropriations Bill.

Notwithstanding the elaborate statements that we make, I would like to begin by assuring those of us who are doubting that there is a firm commitment to enhance discipline and prudent management of the public resources. I would like to assure that there is that commitment. In saying this, I am addressing some of the observations that were made by hon. Muniyao who seemed to think that there is a lack of financial discipline and that money is being wasted by financial managers in the public sector. That is not so. There is seriousness of purpose and commitment on our side. We could not do otherwise because we are committed to the cause of serving the nation and improving the well-being of Kenyans.

Mr. Deputy Speaker, Sir, a number of Members have indicated their misgivings on our having any Supplementary Estimates at all. Why do we not plan properly, match resources with expenditures and not have supplementaries? That is a good principle that we would like to invoke. But, the practical situation in life is that there are things imagined, as we proceed with the management of financial and economic affairs of the state, that prompt that we look at what we have provided for governmental activities and it behoves us to modify what we initially set off to implement. But we agree that supplementaries should not be a substitute for planning. We should plan more aggressively and precisely, so that we do not really find ourselves in that situation year-in-year-out. I could have cited a number of reasons why we have had to ask for revisions in what we stated but I think that information was considerably provided in the debate we had and also the text of the Finance Bill provides some of these explanations.

Hon. Mwiraria referred to the plight of the National Bank of Kenya where we have injected resources. Apparently, the newspapers may not be the best sources of information. We did give you some indication of the resources that were needed to come to the rescue of the National Bank of Kenya. That information still stands. Some misgivings were indicated about the departure from the strictly balanced budget position that we set off at the beginning of this financial year. I would like again to repeat what I said earlier that a deficit of 0.59 is not too dramatic a departure from a balanced budget. A performance in the fiscal area which gives you a budget deficit of less than 1 percent which we are actually achieving this year is a judged good performance. You could call it a balanced budget if you do not want to be too pedantic. Some observations were made on the Kenya Revenue Authority and its autonomous status. Again there I do not know whether hon. Mwiraria was right to say it should remain autonomous and at the same time say why have we not tried to guide it. He was in fact, implying that we should manage some aspects such as harmonizing salaries of employees. When **[The Minister for Finance]** you give autonomy to an institution, you should give it that autonomy and leave it to manage its affairs. That is what we are precisely doing.

I would like again to reiterate a point I made earlier on, on the farmers bank. The ball is in the court of those individual Kenyans who are trying to form these banks. We have had very useful discussions with them. We are still maintaining a dialogue and I hope that when they fulfil the conditions that we spelt out authority will be given to them to proceed ahead with the formation of the farmers bank as opposed to a bank which is confined to the coffee industry. Hon. Keriri asked whether there is any forward budgeting. Yes, there is but it is confined to the development estimates and not the recurrent estimates. We are trying to improve on what we have and that might also enable us to develop to a situation where we can avert the excessively large supplementary estimates.

I would like to end by saying that we will shortly be having an opportunity to review our public sector programme when we present the Budget for the year 1999/2000.

With those few remarks, I beg to move.

(Question put and agreed to)

(The Bill was read a second time and committed to a committee of the whole House today by leave of the House)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[Mr. Deputy Speaker left the Chair]

IN THE COMMITTEE

[The Temporary Deputy Chairman (Mr. Poghisio) took the Chair]

THE SUPPLEMENTARY APPROPRIATION BILL

(Clauses 2, 3, 4, 5, 6 and 7 agreed to)

(Schedules 1, 2, 3 and 4 agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Minister for Finance (Dr. Masakhalia): Temporary Mr. Chairman, Sir, I beg to move that the Committee do report to the House its consideration of the Supplementary Appropriations Bill, and its approval thereof without amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[Mr. Deputy Speaker in the Chair]

REPORT AND THIRD READING

THE SUPPLEMENTARY APPROPRIATION BILL

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

The Minister for Finance (Dr. Masakhalia) Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Minister for Agriculture (Mr. Mudavadi) seconded.

(Question proposed)

(Question put and agreed to)

The Minister for Finance (Mr. Masakhalia): Mr. Deputy Speaker, Sir, I beg to move that The Supplementary Appropriations Bill be now read the Third Time.

The Minister for Research and Technology (Mr. Kones) seconded.

(Question proposed)

(Question put and agreed to)

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

Mr. Deputy Speaker: Next Order!

MOTION

ADOPTION OF SESSIONAL PAPER NO.2 OF
1999: LIBERALISATION AND RESTRUCTURING
OF THE TEA INDUSTRY

THAT, this House adopts Sessional Paper No.2 of 1999 on the Liberalisation and Restructuring of the Tea Industry laid on the

Table of the House on 8th April, 1999.

(The Minister for Agriculture on 4.5.99)

(Resumption of debate interrupted on 5.5.99)

Hon. Mwiraria, you were on the Floor yesterday.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Poghisio) took the Chair]*

Mr. Mwiraria: Mr. Deputy Speaker, Sir, I had just started speaking yesterday when the House adjourned. I would like to start by recapping the point I had made; namely, that, what I considered to be the most important objective of the exercise of liberalisation has been left out of this Paper. On page three, paragraph three, there are six objectives listed. Unfortunately, the Ministry of Agriculture appears to have totally forgotten the fact that the very justification for the Ministry's existence is the improvement of--

QUORUM

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I believe there is no a Quorum in the House right now.

The Temporary Deputy Speaker (Mr. Poghisio): Well, let us find out. We do not have a Quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Poghiso): All right, we now have a quorum. Proceed, Mr. Mwiraria.

Mr. Mwiraria: Mr. Temporary Deputy Speaker, Sir, before I was interrupted because of lack of a quorum in the House, I was saying that, the main purpose of liberalising the tea industry was to hand over the management of the industry to the farmers with the intention of increasing their earnings and not lowering them. The intention was to make sure that the farmers get incentives so that they can improve their tea production and, therefore, continue growing a crop which has become vital for Kenya's economic growth. It is, therefore, regrettable that the list of the major objectives being pursued in this paper leaves out that part. I would like the Minister to make sure that in the revised paper, one of the major objectives is to increase incentives to the farmers hence increase their earnings so that they can work hard to increase the production of the tea crop.

Mr. Temporary Deputy Speaker, Sir, looking through this Paper, one gets the impression that, rather than increasing what the farmers get as take-away cash from their crops, the opposite is going to happen.

Mr. Temporary Deputy Speaker, Sir, to me the changes proposed in the Sessional Paper on KTDA are really cosmetic. It is like a snake which sheds off its skin, but basically remains the same. Kenya Tea Development Authority, to me, in this Paper, appears to have retained all its present functions, and it is going to increase its functions by taking on warehousing. Because, in the memorandum, we are told that KTDA is going to have Chai Warehousing Limited which is in formation. This means, it is a new company being formed by KTDA.

The Kenya Tea Development Authority will also continue employing all the senior staff for the factories. It is going to hand over the second echelon of staff to the factories, but beyond June 2000, the factory companies will have to take over the employment of extension staff. That is one aspect where we expect the costs to increase. In addition, KTDA is now expected to pay Corporation Tax at the rate of 35 percent. This money is going to come from the farmer's income. It cannot come from any other source. What I would have expected to see is for KTDA to give up entirely, its managerial and financial management of the factory companies, so that the present costs are at least reduced. Because, once again, looking through the Paper, KTA which will become Kenya Tea Development Agency, will continue to be agents for all the factories with outstanding loans. And the present charges of five percent of the total sales, I assume will continue. That is not mentioned in the Paper. I think it would be good for us to be told what KTDA will charge those factories -and these are the majority - who have loans, and who will therefore, be required under this Sessional Paper to use KTDA as their managing agent.

Mr. Temporary Deputy Speaker, Sir, in Paragraph 10.3(i), which is dealing with incorporation of KTDA, I think the right considerations have been taken into account. What has not been made clear here is whether or not, given the many assets KTDA has, which are going to be owned by the factory companies in proportion to the ratio in which the assets were created by these companies, (whether) any dividends will accrue to the factory companies. Because, if for instance, all the houses are fully paid for, and they will be leased because KTDA will not require the kind of office space it has been having, whether, when they make money through those leases, dividends will be declared. Alternatively, KTDA could be required to use the revenues out of the existing assets to finance itself and thereby reduce the contributions of the factory companies to it. This is a point which needs to be clarified. As I said earlier on, we need to strip KTDA of operational and financial management roles. Except, where they assist to establish new factories and where the factories will continue servicing loans which were taken in the past.

Mr. Temporary Deputy Speaker, Sir, I do not want to spend time discussing the Kenya Tea Board. I fully share the view of my colleagues who have clearly stated that we could do away with the Tea Board. Given the functions enunciated in this Paper in Paragraph five, we do not require a licensing authority for people who want to grow tea. People should be free to choose how to use their land. Where a similar arrangement exists in the case of coffee, farmers are not allowed to uproot their coffee. But for all intents and purposes, this law has been circumvented. People who do not want to keep coffee on their shambas, go and prune it by cutting it a few inches above the ground to let it start growing. In the meantime, while the new shoots are growing until they begin bearing, the farmers are using their land to grow short-term crops, such as, beans, maize *et cetera*. Really, in all fairness, we should not force our farmers to grow a crop which has become unproductive. The reason I am mentioning coffee is that, in recent years, the co-operatives, which run the marketing of coffee in most parts of this country, have been completely rendered unprofitable by imposition of co-operative officers as overseers of how the societies work. It is for this reason that I completely share the view that we should get rid of the Tea Board.

Mr. Temporary Deputy Speaker, Sir, there is this other body, the Kenya Small-Scale Tea Growers Association which is mentioned on page 22. Many of the speakers before me, have clearly stated that this body

was established by KTDA. It was not established by the farmers. What we should do, now that we are giving the farmers the right to run the factory companies, is to leave it to them to decide whether the individual factories need to get together in one form or another to speak for the small-scale farmers as a group. We should not impose upon the farmers a body which is not of their choice.

Mr. Temporary Deputy Speaker, Sir, I know that the other body has been thought of negatively. I am aware that to a certain extent, it is responsible for the changes we see in this Sessional Paper. However, my plea would be for the factory companies to be allowed to operate individually for a while. They should be given a chance to see whether they need to get together somehow, and decide on what type of organisation they want to form. I fully support the Kenya Tea Growers Association (KTGA), whose membership comprises of large-scale tea growers. I would prefer that the small-scale tea growers are left to decide the kind of body they wish to establish. They may, for instance, establish a body which comprises of different factory companies to represent them, or to speak for them.

So, I would like to urge the Minister to scrap the Kenya Small-Scale Tea Growers Association (KSSTGA) from this Paper, and let the companies decide what kind of body they want to speak for them in future.

I would, now, like to refer to a body which is absolutely vital for the growth and development of the tea industry in Kenya - the Kenya Tea Research Foundation (KTRF). The Sessional Paper rightly points out that the KTRF will continue working on the development of cloning tea seedlings for different parts of the country but, more importantly, the body will engage in research on tea manufacture. To me, this is a very important area of research, given the present level of development in the country's tea industry.

Mr. Temporary Deputy Speaker, Sir, I would now like to go back to the objectives, which are in paragraph three. Specifically, I would like to refer to two objectives. One, Objective 3(iv), which reads as follows:- "To generate higher levels of value-added tea through enhanced technological applications in order to improve farm-level income and, ultimately, foreign exchange earning from tea".

That is a function which rightly falls upon the re-organised KTDA.

The second objective I would like to refer to is 3(v), which deals with aggressive marketing of Kenyan tea abroad. My plea is that the KTDA should, in conjunction with the KTRF, spend a lot of its time looking for better ways of packaging Kenyan tea and marketing it with a view to generating more value to the Kenyan tea farmer. Good tea packaging can increase its value by as much as 50 per cent. So, I would urge that the KTDA be given the additional function of marketing value-added tea. The KTDA can get in touch with companies abroad which package and market tea. They can package our tea here and sell it abroad, so that our farmers can also reap the additional benefits that may accrue from packaging.

The only regrettable thing is that Kenyan tea farmers are expected to bear the operation costs of KTRF. Tea can be compared with the goose that lays the "golden" egg. I think it behoves upon the Ministry of Agriculture to continue financing tea research even if tea growers have to contribute a small sum of money towards the tea research. It does not make sense at all for the Government to shed off the responsibility of carrying out such important research on the country's top foreign exchange earning crop at a time when the economic situation is very difficult.

Mr. Temporary Deputy Speaker, Sir, most of the remarks I have made are based on one major consideration - the need to ensure that this country's tea farmers get enhanced benefits after the liberalisation of the industry. Now, the Sessional Paper is completely silent on what the Ministry of Agriculture intends to do to make this possible. I think time has come for the Ministry of Agriculture to consider seriously how farm inputs can be made available to the farmer cheaply. This is one area where the small-scale farmer suffers a great deal.

Under the KTDA, the farmer gets fertilisers which are imported at higher prices than local prices. That is something I would like to object to. I would like the Ministry of Agriculture to devise a system of making fertilisers cheap, even if it has to be a subsidy. This is because, agriculture is the mainstay of this country's economy. In countries such as America, farmers grow wheat year-in, year-out. They just hand it over to the Government. If the Government cannot sell it, it finds other ways of disposing of it. If a country with a strong economy such as America can afford to subsidise its farmers, why not Kenya?

Mr. Temporary Deputy Speaker, Sir, I feel very strongly that the Ministry of Agriculture must put the interests of farmers first. It must really give attention to all farmers, irrespective of what they grow. We must look after our farmers carefully. We must be prepared to support them, particularly, by finding ways of availing farm inputs to them cheaply and by looking critically at the bank that used to give them low interest rate loans, the Agricultural Finance Corporation (AFC) which is as good as dead. It is no longer financing farmers.

Mr. Temporary Deputy Speaker, Sir, I do not know whether they do it elsewhere, but not in the area I come from. In the Meru region, we get nothing from AFC. I would like to suggest here that AFC be revitalised as soon as possible. If we can afford Kshs6.5 billion to bail out National Bank of Kenya; a bank which has been

looted by people who have gone and borrowed and the only security they had was their name. Why should this Government not protect the Kenyan farmers? Why should the Government not establish an institution to finance the poor small-scale farmers who, under no circumstances, are allowed to get away with unpaid loans? So, my plea is that we do everything possible to see to it that an agricultural bank to give low-interest cheap loans to farmers is established as soon as possible. We should also look at possibilities of getting cheap farm inputs to our farmers. We are not asking that they get them for free. However, if possible, that will be a wonderful thing. But if we can subsidize them - I am not sure whether we still receive PL 480 fertilizer - would it not be wonderful if that fertilizer was given cheaply to tea, coffee, wheat and other farmers so that we can increase our production?

Let me conclude by repeating my earlier remarks that the success of this Sessional Paper will depend on whether or not the interest of the farmer - the take-away cash that the tea farmer gets out of his efforts - is going to be good enough to make him continue growing tea. Coffee is an industry which can fairly be said to be "dying" in Kenya. We are producing 50 per cent of the coffee we produced in 1980. We do not want to reach that situation with regard to tea. Tea is a crop, which we know, if the small-scale farmers are encouraged and given farm inputs they can double production without any difficulties because large-scale farmers of tea virtually produce twice as much as what we get per hectare of tea from small-scale farmers. So, my plea is that we should look after the small-scale farmer and see whether we can give him cheap farm inputs, possibly subsidized, or where we get them from donors who are friendly to Kenya, let us get them from there. Finally, let us have an agricultural bank to give cheap loans to our farmers.

With those few remarks, I beg to support.

The Minister of State, Office of the President (Dr. Anangwe): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to talk and to support this Sessional Paper. This Paper provides a unique opportunity for us to discuss about liberalisation in the agricultural sector in general, and the tea sub-sector in particular. In both instances, there are a number of fundamental issues which we need to take heed of and if we do not address these issues very carefully, instead of resolving problems which confront the agricultural sector, we may be courting disaster; we may be jumping from the frying pan into the fire.

Sir, let me preface what I am just about to say on a positive note by thanking the Government for having accepted the liberalisation, not only in the agricultural sector, but the economy in general. This is a global trend and there is no way we can stand in the way of global trend. If we stand in the way we shall be steam-rolled and probably we may never be able to be in control of the situation. In this global trend there is capitalist assault in all other forms of production and we have no choice, but to see how we can make the best out of this particular situation. On a positive note, there are definite benefits of liberalising the economy, particularly in the agricultural sector. Because when we liberalise, we make the agricultural sector more flexible and more responsive, at least, to external shocks and changing market conditions; we enhance productive capacity and the efficiency of this particular sector by improving, of course, resource allocation and reduction of waste.

The other benefit of liberalising the agricultural sector is that, we remove market distortions and, in that way, we can easily remove the cobwebs that hamper growth. But may I also express caution here that the pre-supposition which underpin the acceptance and the application of a liberalised approach or the market approach or the capitalist approach, is that the environment is by and large capitalist. That is the best question; whether that particular assumption does obtain in the environment in which we live. In fact, the best question we should be asking ourselves is Kenya predominantly a capitalist country; is the agricultural sector in this country could be best described as being capitalistic? Yes, of course, there are enclaves of thriving agricultural sector based on cash crops. We see enclaves on the side of all farm activities, but let us not be misguided. All these undertakings of capitalist nature are, of course, occurring against the foundation that is fundamentally peasantry. All these may be cosmetic changes which may not have changed the craft of what Kenya is, by and large.

The essence of a peasant mode of production is that the peasant produce for themselves, they produce for their own consumption, but not for surplus. They may witness a surplus, but that is not the general trend of that particular mode of production. People tend to depend on their own family labour. We may integrate a few in cash crop production, but we should not be misled. The mere fact that a peasant engages in cash crop production does not mean he has become capitalist. He is a peasant of another kind who is depending on market subsistence. In other words, he expects to sell what he derives from the cash crop to sustain himself through buying food. It is basically for his own consumption. Sometimes we have been mistaken when we perceive the scenario in such a manner that we are dealing with really a capitalist. Whether this kind of a producer is in Mumias, Kirinyaga or in Nyeri, the basic logic which underpins his subsistence is the same. He is not producing for surplus.

Mr. Temporary Deputy Speaker, Sir, he is producing for his own consumption. He is just to maximise consumption. Having said this, of course, that has implications on the designs we may have put in place in order to promote agricultural production. This kind of mode of production, particularly of the peasantry, I do not think

you are going to go far by putting in place, mechanisms which are reliant on the market approaches alone. You have to, in one way or another, hinge on what the State can do. If and when you do not, the only logic the peasants know is to abandon; whether it is cash crops or any other form of agricultural activity, to go back to what they know best. That is to produce for their own subsistence. When there are no adequate supports particularly hinged on the State, they will abandon their coffee and they will go and grow maize or potatoes. They will abandon their tea and they will go and grow maize, potatoes and even sugarcane.

Mr. Temporary Deputy Speaker, Sir, we need really to think very carefully, before we can come up with interventions but if we rely largely on the market, I have my own reservations. Some surveys that were conducted in this country to know the percentage of peasants whether they are really low-income, middle peasants or the rich peasants, of course their data maybe out of date but that is the only data we can go by in this particular instance. Towards the end of the seventies and early eighties, there were indications that, if you looked at the holdings in the entire country of people who owned between zero and 1.9 hectares, in fact, they are about 60 per cent. Those who we may have considered to be rich peasants may be about 10 per cent. So, in other words, we are talking about a segment of society in the rural areas by and large, dependent on the peasant mode of production. The reason why I am saying all this is just to underscore a simple point; that, to integrate this kind of people within the modern agricultural economy, one has really to bring in the state. You cannot avoid this. It is a pre-condition within which you can hope to change the lives of these particular people. That implies of course, subsidisation of inputs or some attempt at least. That implies extensive extension services, at least in the subsidised form. That implies giving support in terms of intervening in the marketing sector, because left on their own, the peasants may not find it very easy.

Mr. Temporary Deputy Speaker, Sir, in saying these particular remarks, of course I am driving at what has been put in place in this particular Sessional Paper. I support this Paper because I read in it very cautious undertones which we need, of course, to seriously take cognisance of. Those promoting proposals outside this Paper, may I caution you that in the long term, even come 2002, those measures outside this particular framework will be your own unmaking because the peasants will be asking in 2002 that: "We wanted to depart from what this Paper had provided and you are providing and at least, alternatives to this and that may not be very acceptable.

Mr. Gatabaki: On a point of order, Mr. Temporary Deputy Speaker, Sir. With due regard to the excellent lecturing from the hon. Minister for which he was an expert in lecturing in the University of Nairobi but on something else and not on tea or farming; the hon. Minister is misleading this House by insisting on peasantry. We are talking about a very highly enlightened industry which wants to be liberalised and which is a high earner of foreign exchange in this country. So, I am cautioning the Minister that we are not talking about peasantry. We are talking about a highly---

The Temporary Deputy Speaker (Mr. Poghiso): Mr. Gatabaki, you are taking somebody's time.

Mr. Gatabaki: We are talking about a very highly enlightened industry which wants to be liberalised and which is a high earner of foreign exchange in this country. So, I am cautioning the Minister that, we are not talking about peasantry but we are talking about a highly enlightened industry.

The Minister of State, Office of the President (Dr. Anangwe): Mr. Temporary Deputy Speaker, Sir, to react to what he is saying, I think hon. Gatabaki is a large-scale tea farmer. He is not a peasant and he is only promoting his class interests in here, in saying what he did say. What I was simply saying is that, this particular Paper has been packaged very carefully and we really need to adhere to what has been provided, because unless we do so, we may introduce in certain measures that may get out of gear and the consequences maybe adverse to this particular sector.

Mr. Temporary Deputy Speaker, Sir, to summarise the gist of this Paper, this Paper attempts to improve the participation of the farmer, particularly the small-scale farmers in the management of the tea industry. In addition, it is also trying to enhance the equity and the shareholding of this particular small-scale producers within the institutions and the assets of KTDA and related institutions. That should be encouraged and I see nothing wrong with that kind of provision. However, may I also underline the opportunity costs that seem to be reflected in here. Of course, when you have no more guarantees by the Government, it is like you have lost a title deed. You cannot be able to borrow constantly as much as you used to do before. That one, we have to be cautious about and so, that would mean that if we are thinking about the future without Government guarantees, we have to weigh whether that will be possible in the future.

Mr. Temporary Deputy Speaker, Sir, we are also saying in this paper that, there will be no more subsidised extension services and whatever extension services that will be provided by these institutions, in one way or another, the farmer will be expected at least, to pay the price. We are also saying in this paper that, the tax exemptions that this particular sub-sector used to enjoy may have been minimised and may be no more. I think every change that comes has a cost but I still believe that in one way or another, with these measures put in place,

this particular sub-sector will be able to perform better and to the benefit of Kenyans and those particular farmers.

Mr. Temporary Deputy Speaker, Sir, coming directly to this paper, I have looked at the objectives that are to be pursued in this paper. I have no problems with the objectives but I would like to suggest to the Minister to add at least, one more objective and that particular objective is to improve of course, linkages with sugar and milk sub-sectors. Without sugar, nobody will take tea. Some of you have taken tea without sugar and you know that you are taking medicine. It is not very interesting. Without milk, you cannot take tea. So, whether there maybe developments within the tea sub-sector, unless we have parallel developments within the sugar and milk sub-sectors, of course all these efforts may come to zero. Yes, there will be tea but Kenyans will not be able to drink it because they cannot afford to buy sugar. Yes, there will be developments in the tea sub-sector but there is not enough---

(Mr. Ndwiga stood up in his place)

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Ndwiga!

The Minister of State, Office of the President (Dr. Anangwe): Mr. Temporary Deputy Speaker, Sir, all that I am trying to say is that, we need to enhance the linkages between these two. We need to enhance the linkages between what is happening in the tea industry and what is happening in the sugar industry and what is happening in the milk sub-sector. Where there are gains that may have been made in the tea sub-sector, some of these gains need to be ploughed in the sugar sub-sector and in the milk sub-sector. Where there are gains that may have been made within the sugar and milk sub-sectors, and there are some deficiencies within the tea sub-sector, it may be necessary to apply some of these gains within the tea sub-sector.

Mr. Ndwiga: Why?

The Minister of State, Office of the President (Dr. Anangwe): You cannot drink tea without sugar. That is what I have said, unless of course--- A few of you for different reasons, either you are diabetic or you think that it is fashionable but remember the majority of Kenyans particularly in the rural areas, many of them take tea with sugar. So, if we develop tea alone without making sugar affordable, it is no longer really the beverage that we may have been taking.

Mr. Temporary Deputy Speaker, Sir, on
[The Minister of State, Office of the President]
shareholding of equity on page 4, I think the attempt here is finally to let the small-holder tea farmers to own the Kenya Tea Development Authority (KTDA) and other assets exclusive of what the State may contribute. I have reservations, at least, the State should be able to retain some shareholding. We may discuss about the size, but when the State has, at least, some shareholding of---

An hon. Member: Why?

The Minister of State, Office of the President

(Dr. Anangwe): This is a suggestion I am making to the Minister---

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghisio): Order! Hon. Members, it is now time for us to interrupt the business of the House. Therefore, the House stands adjourned until Tuesday, 11th May, at 2.30 p.m.

The House rose at 6.30 p.m.