

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 19th December, 2012

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

Sessional Paper No.14 of 2012 entitled: Reforming Education and Training Sectors in Kenya.

(By the Minister for Education)

Report of the Departmental Committee on Administration and National Security on the consideration of the nomination of Mr. David Kimaiyo for appointment to the post of Inspector-General of Police.

(By Mr. Kapondi)

The 18th Report of the Public Investments Committee on the Accounts of State Corporations Volume I and II.

The Treasury Memorandum on the 16th Report of the Public Investments Committee on the Accounts of State Corporations.

(By Mr. Chanzu)

The Report of the Public Accounts Committee on the Government of Kenya Accounts for the year 2008/2009.

The Report of the Public Accounts Committee on the Government of Kenya Accounts for the year 2009/2010.

(By Dr. Khalwale)

Mr. Speaker: Hon. Members, are there any more papers to be laid?

Yes, the Chair of the Committee on the Constituency Development Fund!

Mr. Imanyara: Mr. Speaker, Sir, this is the Standing Orders---

Mr. Speaker: Order! The request for the Floor is by the Member for Turkana Central. Mr. Imanyara, you need to explain. You need, first of all, to apologize for using the logging in card of the Member for Turkana Central and then proceed.

Mr. Imanyara: Mr. Speaker, Sir, I apologize for using his card, but I did not log in his card. The reason I seek your permission to use his logging in card is that when I adjourned the House this morning on your behalf, I left my card on the Speaker's slot. Your staff must have taken it to your office without my---

Mr. Speaker: Carry on then, Mr. Imanyara!

Report of the Procedure and House Rules Committee on Draft Standing Orders of the National Assembly, the Senate and the Joint Rules.

(By Mr. Imanyara on behalf of the Speaker of the National Assembly)

Mr. Speaker: Hon. Members, commendation is deserved for that Committee on Procedure and House Rules for accomplishing that task to prepare rules for you and for the senate.

Yes, the Chair of the Constituencies Development Fund Committee!

Report of the Constituencies Development Fund Committee on the Constituencies Development Fund Bill.

(By Mr. Ethuro)

NOTICES OF MOTIONS

ADOPTION OF SESSIONAL PAPER NO.14 OF 2012 ON REFORMING EDUCATION AND TRAINING SECTORS

The Minister for Education (Mr. M. Kilonzo): Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, this House adopts Sessional Paper No.14 of 2012 entitled: Reforming Education and Training Sectors in Kenya laid on the Table today, Wednesday 19th December, 2012.

ADOPTION OF REPORT ON APPOINTMENT OF MR. DAVID KIMAIYO AS INSPECTOR-GENERAL OF POLICE

Mr. Kapondi: Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, this House adopts the Report of the Departmental Committee on Administration and National Security on the consideration of the nomination of Mr. David Kimaiyo for the appointment to the post of Inspector-General of Police laid on the Table today, Wednesday 19th December, 2012.

ADOPTION OF PAC REPORT FOR 2008/2009 FINANCIAL YEAR

Dr. Khalwale: Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, this House adopts the Report of the Public Accounts Committee on the Government of Kenya Accounts for the year 2008/2009 laid on the Table today, Wednesday 19th December, 2012.

Adoption of PAC Report for 2009/2010 Financial Year

THAT this House adopts the Report of the Public Accounts Committee on the Government of Kenya Accounts for the year 2009/2010 laid on the Table today, Wednesday 19th December, 2012.

ADOPTION OF REPORT ON DRAFT STANDING ORDERS
FOR NATIONAL ASSEMBLY/SENATE

Mr. Imanyara: Thank you, Mr. Speaker, Sir. I now have my pin and I can use it.

Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, this House adopts the Report of the Procedure and House Rules Committee on Draft Standing Orders of the National Assembly, the Senate and the Joint Rules laid on the Table today, Wednesday 19th December, 2012.

ADOPTION OF THE 18TH PIC REPORT

Mr. Chanzu: Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, this House adopts the 18th Report of the Public Investments Committee (PIC) on the Accounts of State Corporations Volume I and II laid on the Table today, Wednesday 19th December, 2012.

QUESTIONS BY PRIVATE NOTICE

BAN ON GMO FOODS IN KENYA

Dr. Otichilo: Mr. Speaker, Sir, I beg to ask the Minister for Public Health and Sanitation the following Question by Private Notice:

(a) Could the Minister state the criteria, credible scientific facts and evidence that informed the decision by the Government to ban the importation and use of the Genetically Modified Organisms (GMO) foods and products in the country?

(b) Is the Minister aware that the ban on GMOs will adversely stifle the ongoing biotechnology research in the country and consequently compromise future food security?

(c) Was the National Biosafety Authority (NBA) involved in the decision to ban the importation and use of the GMO foods and could the Government consider lifting the same?

The Minister for Public Health and Sanitation (Mrs. Mugo): Mr. Speaker, Sir, I beg to answer.

(a) My Ministry, in concurrence with a Cabinet decision, banned importation of GMOs due to the great concern on the safety of GMO foods. Some countries have already banned the importation of GMO foods into their territories on account of food safety and welfare of their own citizens. Where there is apprehension and uncertainty with regard to the safety of food products, precautionary measures to protect the health of the people must be undertaken.

(b) I am not aware that the ban on the importation of GMO will adversely stifle the ongoing biotechnology research in the country because the ban is on importation of GMO foods for human consumption or GMO foods that will eventually enter into the food chain and not biotechnology items used in research.

(c) The ban on importation of GMOs was based on provisions of the Food, Drugs and Chemicals Substances Act, Cap. 254 which specifies the authorized officer for the purpose of implementation of the Act. The ban was done in concurrence with a Cabinet decision and a directive to relevant institutions, including the Ministry of Higher Education, Science and Technology under which the National Biosafety Authority falls. The Minister was part of this decision. My Ministry is planning or has commissioned a study on the safety of GMO foodstuff to guide the way forward regarding the importation of GMO foods and it is in consultation with the Ministry of Higher Education, Science and Technology.

Dr. Otichilo: Mr. Speaker, Sir, while I appreciate the answer given by the Minister, I want to state from the onset that she has not answered my Question. My Question was clearly, as stated on the Order Paper, to provide scientific evidence. She has just stated a boardroom decision. I need scientific evidence. If you allow me, I am willing to table scientific evidence regarding the Genetically Modified Organisms (GMOs) and their use.

Mr. Speaker: Proceed and table your scientific evidence. The Minister will then respond to the question of whether or not she has provided scientific evidence. But you may proceed and table.

Dr. Otichilo: Mr. Speaker, Sir, first, I want to table a Report by the European Food Safety Authority, which addresses the issue of GMO foods and products. Secondly, I want to table a report by the Open Forum on Agricultural Biotechnology, Kenya Chapter, namely, Africa Agri-biotech Update Journal, which addresses the issue of the use of GMOs and how they should be regulated and controlled. I also want to table a policy that was passed in this House, namely, the National Biotechnology Development Policy, 2006. This policy addresses all the issues to do with GMO and how we should control their use and regulation. In 2009, this House passed The Biosafety Bill, which became The Biosafety Act in 2009. This Biosafety Act allows the country to establish a National Biosafety Authority.

Mr. Speaker: Order, Member for Emuhaya! You are now exceeding the grant that I gave to you. The grant was to allow you to table scientific evidence. So, you only refer to the scientific evidence by title and proceed to table. Do not explain what it is all about.

Dr. Otichilo: Mr. Speaker, Sir, I oblige. The last report that I want to table is by the Government of France. It is prepared by the High Council for Biotechnology for the Government of the Republic of France.

(Dr. Otichilo laid the documents on the Table)

Mr. Speaker: Very well! Minister, you may now answer the part that the Member demands that you table scientific evidence.

Mrs. Mugo: Mr. Speaker, Sir, the Cabinet directed that a taskforce be established to look at all available evidence and scientific research. This includes the latest study which emanates from French scientists which states that studies linking GMO maize to cancer must be taken seriously by the regulators. This is as recent as this year. In fact, it is a few months ago. This is a study that has taken two years. Many other studies took 90 days, about three months, feeding the

GMO maize to the rats or whoever they give it to. That is the reason. Wherever there is doubt as to the health safety of---

(Dr. Otichilo pressed the intervention button)

Mr. Speaker: Order, Member for Emuhaya! You are aware that I have given directions on this matter. Let us just hear the Minister a little more.

Mrs. Mugo: Mr. Speaker, Sir, wherever there is doubt as to the future implications on the health of the Kenyan people, it is the Government's responsibility, vested in my Ministry, to take precaution. The mandate of this taskforce is to check all the areas. The Ministry of Agriculture and the Ministry of Higher Education, Science and Technology are represented. The taskforce is mandated to recommend to the Government as to the safety of the foods, with the new information that is coming, so that Kenyans are not worried anymore. We must not always look at the profit margins of these areas, but most importantly, the health. As to food security, I do not believe that importing GMOs foods will be the answer. The answer to our food security is irrigation.

Dr. Otichilo: On a point of order, Mr. Speaker, Sir. I asked the Minister to table scientific evidence that informed the Cabinet to impose a ban on GMOs. I have tabled scientific reports on the same. In her report, she is talking about France and yet I have already tabled a report of the Government of the Republic of France.

Mrs. Mugo: Mr. Speaker, Sir, I would like to inform the Member that we do not wait until there are scientific reports for something that is not proven. They should prove first that it is safe for us to take action. We are taking precaution. I would like to add that the countries that have already banned GMOs include Austria, France, Greece, Hungary, Germany and Luxemburg. We need to have the capacity to analyze the effects of GMO foods in future. We are not saying that it is completely banned. We are taking precaution until we get expert advice. Some of these people put these reports because they want to sell their foods.

(Dr. Otichilo stood up in his place)

Mr. Speaker: Order, Minister! Order, Member for Emuhaya! You do not stand until you catch my eye. Minister, I want you to reconcile the two documents, particularly those from France. There is one that has been tabled by the Member and there is another that you are referring to. What is the timing in those two documents?

Mrs. Mugo: Mr. Speaker, Sir, since I have not studied the documents that have just been tabled, I do not have that answer. I would recommend to the Member that we give all those reports, plus what anyone else has, to the taskforce. The taskforce is comprised of Kenyan experts in this area and they will give us the answer. I do not know what the rush is for.

Mr. Mututho: On a point of order, Mr. Speaker, Sir. Is the Member in order to bombard the Minister with scientific documents here, which fall far short of any scientific presentation as outlined by any scientist, including our Members here?

Mr. Speaker: Order, hon. Members! That is a matter that I can dispose of very quickly. Yes, the Member is in order because this is Question Time. The Member is entitled to put any documents that he may have to the Minister and see what the Minister's response or reaction is in respect to the content of those documents.

What is it Member for Kisumu Town West?

Mr. Olago: On a point of order, Mr. Speaker, Sir. Ordinarily, Mrs. Mugo is a very thorough Member of the Front Bench but I am dismayed by her answer this afternoon because clearly she has not addressed her mind to the documents which were authoritatively tabled by hon. Otichilo. So, why go round and round? Why do you not just say: “Mr. Speaker, Sir, these documents are important. I need time to study them so that I come up with something substantive?” Is it in order for her just to be casual about it?

Mr. Speaker: Hon. Olago, it is in order for the Minister to respond in the manner that she has. At least she has referred to a counter document by a scientific body in France that she says may have informed the decision to ban Genetically Modified Organisms (GMOs) products even if it is on a temporary basis. So, she is in order. We want to take a question by hon. Twaha.

Proceed, hon. Twaha!

Mr. Twaha: Thank you, Mr. Speaker, Sir. I can understand the Government’s concern with regard to GMO foodstuffs. What about fibre crops like cotton and sisal? Are they included in the ban?

Mrs. Mugo: Mr. Speaker, Sir, as far as the ban is concerned, for the time being we have banned foodstuffs – food that is imported, especially grains, which is a staple food for our people. We consume a lot of maize and rice. Should they be harmful in the long run, we will realize that we made a mistake. We do not want to have something similar to what happened with thalidomide, a drug which was allowed and approved, but the women who took it gave birth to children who had deformities. We do not want to go that route. Allow us to get expert advice. I have answered the question about the documents. I said I will hand them over to the task force which is made up of experts. I am not an expert in this area but I know as a fact since I am charged with the food security of Kenyans in this country. I am also following the World Health Organization (WHO) regulations which say that each country must evaluate GMOs themselves with their experts and make the decision whether they want to use them or not. That is exactly what the Government is doing through my Ministry.

Mr. Njuguna: Mr. Speaker, Sir, importers of GMO foods have now been affected by this ban. What plans has the Government put in place to compensate these importers?

Mrs. Mugo: Mr. Speaker, Sir, as far as I know, there was no time that bulks of GMO foods were allowed to be imported unless they went through other ministries. That is as far as I know and it is my Ministry that is supposed to approve all foodstuffs that come into the country together with the Kenya Bureau of Standards (KEBS). As far as I know, we have not given such authority. For anyone who imported on their own, the Government has no responsibility for that.

Mr. Imanyara: Mr. Speaker, Sir, given that this House adopted a biosafety policy and followed it by an enactment of a law – The Biosafety Act – could the Minister tell us why it has been found necessary to set up a task force before setting any sanctions against the persons who may be responsible for the reasons that made you to set up the task force? In other words, have you prosecuted any persons under the provisions specifically of Section 52 of the Biosafety Act to justify the setting up of the task force?

Mrs. Mugo: Mr. Speaker, Sir, I am not getting the question completely. Could he repeat it louder, please?

Mr. Imanyara: Mr. Speaker, Sir, I will be happy to do so. I said that this House adopted a biosafety policy way back in 2006 and followed it by the enactment of legislation that has provisions on how to address the issues for which you have set up the task force. What steps have you taken and have you charged any person under the Biosafety Act, specifically Section 52, before setting up a task force?

Mrs. Mugo: Mr. Speaker, Sir, this action of setting up a task force was an emergency – something that was to be done immediately but the Biosafety Act falls under the Ministry of Higher Education, Science and Technology and the Minister for Higher Education, Science and Technology and I have had conversation. Even before banning GMOs, we went through it together and, therefore, I believe that she has taken action to do with the biosafety. My Ministry immediately protected Kenyans and the other formalities can come later and a ban is not a permanent thing. It is just something temporary, while we wait to get more information from the experts. It is very temporary.

Dr. Otichilo: Mr. Speaker, Sir, I want to say that I am not satisfied with the answer and the proceedings which have transpired over this Question because I have not been provided with any scientific evidence that I can refer to which the Cabinet used to ban GMOs. I have provided my materials. I want to see the materials that the Minister has. Also, we have a National Biosafety Authority which has the mandate to deal with all issues to do with GMOs – their regulation and control. Why was this authority not involved in the banning of this issue?

Mrs. Mugo: Mr. Speaker, Sir, the Ministry in which the Biosafety Authority falls, the Minister is a Member of the Cabinet and she was present when this issue was discussed and agreed upon unless you are insinuating that the Minister does not represent the Authority. I would believe that the Authority was represented by the Minister and as I said, this is temporary, taking into account the security of Kenyans where food is concerned. As soon as we get the information from the task force, we will lay it on the Table of this House and give it to you, hon. Otichilo.

Mr. Speaker: Very well, Minister! I am satisfied that you have dealt with the matter as best as you can up to this point, except the following: When is your task force going to complete its assignment? When shall we stop using the words “as soon as possible” so that we have a proper and final position?

Mrs. Mugo: Mr. Speaker, Sir, the task force has been established. I have asked them how long it will take them to give us a concrete answer and I have given them approximately two months but if they do it earlier, it will be very good and we will lay it on the Table. If they do not manage within two months then they will tell us.

Mr. Speaker: So, we will leave it at two months for the time being as the maximum period that it will take to finally clear this position with certainty?

Mrs. Mugo: Yes, I will give a report to this House as to how far it will have gone.

Dr. Otichilo: On a point of order, Mr. Speaker, Sir. Would I be in order if I can request for this Question to be deferred until when that report comes so that we will be able to prosecute it?

Mr. Speaker: You will not be in order now that I have already given directions that the matter is for the moment satisfactorily dealt with. The Minister has given a commitment that they will complete the exercise in two months time. So, Dr. Otichilo, two months time means Parliament will have come to the end of its life. Work hard to return in the next Parliament and I will approve the Question for you.

(Laughter)

ENCROACHMENT ON IDAVAGA MUSLIM
SECONDARY SCHOOL LAND

Mr. Chanzu: Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice.

(a) Is the Minister aware that Idavaga Muslim Secondary School in Vihiga District cannot carry out its expansion programmes because its land has been encroached?

(b) What measures will the Ministry take to solve the problem to enable the school implement its expansion programmes?

The Assistant Minister for Education (Prof. Olweny): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Idavaga Muslim Secondary School in Vihiga District has a land dispute with the family of Mr. Zuberi, which has affected the expansion of the school programmes.

(b) The school's dispute is a subject of a pending court case at the Senior Magistrates Court at Vihiga, Miscellaneous No.70 of 2003. I wish to advise the school Board of Governors, the sponsor and parents to follow up the matter to its logical conclusion. The Ministry, therefore, cannot take any action at the moment given the current scenario.

Mr. Chanzu: Mr. Speaker, Sir, when I raised this Question, the substantive Minister, who is here, had promised that he had sent his officers to the school to go and establish what the problems were about the expansion. Again, he made some other commitments like trying to assist, so that the school can utilize the space it has. I do not know whether the Assistant Minister can take care of that as we wait for the court case. This is a good discovery that there is a court case. Could he support the school with infrastructure money, so that they can develop the piece of land which they have now?

Prof. Olweny: Mr. Speaker, Sir, I did not get clearly what the Member has requested for, namely, the help that is required from the Ministry.

Mr. Chanzu: Mr. Speaker, Sir, I wish the Minister was the one answering this Question because I am sure he remembers what he said, which is here. He promised to look for some funds to assist the school to utilize the space where they are now as we wait to sort out the matter of encroachment.

Prof. Olweny: Mr. Speaker, Sir, the Member knows very well that the school already has money which it cannot use from the Constituencies Development Fund (CDF). Even if the Ministry gave the school money today from the infrastructure funds, which request has to come through the District Education Board (DEB) where the Member sits, the school will still not use the money because there is no land for expansion. The family of the late Mzee Zuberi is sitting on the land that belongs to the school. I hope the Member knows that Mzee Zuberi sold the land to the Muslim community there. Then the Muslim community gave that land to the school while Mr. Zuberi had requested to stay there because he had no other land. So, he stayed there until his death. Then his two granddaughters, who have no families there, have refused to vacate the land. That is why there is a court case. The Member has given the school a lot of CDF money to put up classrooms and laboratory, but this cannot be done because of the land problem.

Mr. Chanzu: Mr. Speaker, Sir, with due respect, this is my area and I know what I am talking about. There are even drawings to the Ministry of a three storey building that we want to build. The space is enough for us to utilize the money. We need additional money from the Ministry to accomplish that. I am aware of the information that he is giving me, but there are designs which we want to craft as we wait to sort out the issue of the space which is occupied by the encroachers.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Prof. Olweny: Mr. Deputy Speaker, Sir, the Ministry has not said no to giving money to the school, but I have said that the request to the Ministry has to come through the DEB. Let them do it and then we shall look at the request and do the needful. He is giving you the same information that I have given to you.

Mr. Olago: On a point of order, Mr. Deputy Speaker, Sir. As you were consulting, I wanted to rise on a point of order to say that the Assistant Minister has declined to answer the Question because to him, the matter is *sub judice*. He has said that the matter is in court and you were consulting at that time. If he intends to refuse to answer because it is *sub judice*, then he must comply with the Standing Orders and produce evidence to show that the matter is in court and discussing it here is going to prejudice the outcome. He has failed to do that.

Mr. Deputy Speaker: Indeed, Assistant Minister, if a matter is *sub judice*, you must be in a position to furnish the House with the relevant documentation to prove that. In which case, then, the Question cannot be interrogated any further. So, can you do that?

Prof. Olweny: Mr. Speaker, Sir, I have given the court case number, but when my officers went to the ground, they could not get the papers immediately. However, we agreed with the DEO to help in getting the papers which we can table later. So, we can arrange to get the papers.

Mr. Deputy Speaker: How much more time do you need to do that? This is a Question by Private Notice. The Chair is willing to postpone any further interrogation of this Question, but how much more time do you want?

Mr. Linturi: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is not very serious or keen in giving the right answer to this Question. For a very long time, we have discussed matters that are pending in court. At times, we stop discussing because evidence is tabled before this House that the matter is in court. So, with that experience, I find him out of order to plead with the House to be given time to go and look for papers, when he knows that there is a condition that evidence must be tabled before this House to prove that there is an active case in court.

That notwithstanding, I would have expected him to be more persuasive by even advising the Board of Governors. The BoG of Idavaga should act on his behalf to explore the provisions of Article 159 of the Constitution on alternative dispute resolution, if at all he is interested in making sure that this school has room for expansion. Is he in order?

Mr. Deputy Speaker: Is he in order to do what? What has he done? I do not see a valid point of order to give a direction on. Hon. Assistant Minister, how much more time do you need? When a matter is *sub judice*, it is not declared so---

Prof. Olweny: Mr. Deputy Speaker, Sir, I left the DEO collecting the papers. One week will be enough for me to present the papers on the Floor of the House.

Mr. Deputy Speaker: Given that we have holidays, shall we say the next time the House sits other than this week? The earliest the House sits other than this week.

Prof. Olweny: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Fair enough. I so direct that the Question be listed on the Order Paper the earliest the House sits other than this week. Before the Question is raised on the Floor of the House, you must be in a position to furnish the relevant documentation or proceedings to

either the Speaker's Office or my Office to determine whether, indeed, the Question as framed, constitutes *sub judice*.

(Question deferred)

ORAL ANSWERS TO QUESTIONS

Question No.1850

CRITERIA FOR AWARD OF LICENSES TO HARVEST TREES FROM MAU FOREST

Mr. Mututho: Mr. Deputy Speaker, Sir, can I read the Question out loud?

Mr. Deputy Speaker: The Question is there. For purposes of the media, it is there already on the sub-titles.

Mr. Mututho asked the Minister for Forestry and Wildlife:-

(a) whether he could provide a list of companies/individuals licensed to harvest trees in Mau forest in the last eight years indicating the origin of the companies and their respective allocated forest portions and how much they paid for the licenses;

(b) what criteria was used in pre-qualification and awarding of the above licenses and the rationale in exempting others from paying local cess and licenses; and,

(c) whether he could consider revoking the above licenses and facilitate participation of the local community as important stakeholders of the Mau forest.

The Deputy Speaker: Proceed Minister!

Mr. ole Metito, where is your colleague?

The Minister of State for Provincial Administration and Internal Security (Mr. ole Metito): Mr. Deputy Speaker, Sir, I seek the indulgence of the House that the Question be placed on the Order Paper tomorrow and I undertake to look for the Minister.

Mr. Deputy Speaker: Is that okay with you, Mr. Mututho, that this Question be listed on the Order Paper tomorrow afternoon?

Mr. Mututho: I am okay, Mr. Deputy Speaker, Sir.

Question No.1698

FLOUTING OF RULES AGAINST DRIVING ON PEDESTRIAN WALKWAYS

Mr. C. Kilonzo asked the Minister of State for Provincial Administration and Internal Security:-

(a) why traffic police officers have failed to take action against motorists who are driving on pedestrian walkways; and,

(b) what measures the Government has put in place to ensure that pedestrian walkways are not used by motorists.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Khang'ati): Mr. Deputy Speaker, Sir, I beg to reply.

I acknowledge that we, indeed, have a problem of motorists interfering or driving on pedestrian walkways. However, the police have not failed to take action. As a matter of fact, the police have been active, vigorously combating this offence. The Traffic Police Officers have been arresting and prosecuting motorists who drive on pedestrian walkways in contravention of Traffic (Amendment) Act No.10A of 2012. For example, between the month of January and July, 2012 the following cases of driving on pedestrian walkways were detected and prosecuted successfully in Nairobi and Mombasa City. In Nairobi alone, 1,760 cases were detected, prosecuted and penalty amounting to Kshs16,045,800 paid to the Government. In Mombasa, 258 cases were also detected and penalties amounting to 2,393,300 paid. There are also cases in other parts of the country that right now I am not able to furnish the House with specifics.

Regarding the measures that are being taken to ensure that the pedestrian walkways are not used by motorists, I want to state here that the Government through the Ministry of Roads and the Ministry of Nairobi Metropolitan is working around the clock to improve transport networks in the cities and other urban areas by constructing by-passes, filling potholes, expansion of rail and other transport facilities so that the traffic jams which contribute to motorists driving on pedestrian walkways are eliminated. This problem is to a large extent due to insufficiency of road networks. For example, I can cite an example that a few months ago you could find motorists on Thika Highway using all manner of ways to overtake so as to reach town. With the construction of the new highway, this is now a thing of the past. This problem has to do with insufficient roads. The Traffic Police Officers on their part have stepped up enforcement of all traffic laws to minimize road carnage and recklessness. The Government has also embarked on training or retraining of Traffic Officers to increase awareness of the traffic laws and hence improve enforcement.

Further, plans are underway to install surveillance cameras in major cities which will enable the police to detect individuals contravening the laws of the country, including the Traffic Act. The Government is also redesigning roads and in certain areas providing barriers which will make it difficult for motorists to access pedestrian walkways.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, only yesterday, I and the Chairman of Constituencies Development Fund Committee, had to stop at the entrance of the airport to ask a policeman why he was not taking action on motorists who were using pedestrian walkways and overlapping. So, my question to the Minister and the Government is whether they can consider fast-tracking training of these police officers to understand and enforce the law on traffic so that the mischief that is being done by motorists decreases.

Mr. Khang'ati: Mr. Deputy Speaker, Sir, I have already mentioned that retraining of police officers is already being undertaken and I agree with Mr. C. Kilonzo that this problem is there. The specific case that he is citing is unfortunate but all police officers are under instruction to prosecute motorists who infringe on this. In fact, I want to use this opportunity to warn motorists who have this habit because in the public transport sector there is a lot of indiscipline. So, they stand warned that if they infringe on this, it will be taken very seriously and they will be prosecuted.

Mr. Konchellah: Mr. Deputy Speaker, Sir, it looks like the new traffic rules are meant for urban areas like Nairobi. I must say that sometimes they work. When you go to the rural areas, it is business as usual. People are still carrying three or four people on the motor bike and

they pass the police on roadblocks and no action is taken. Could you tell them that the law should apply equally?

Mr. Khang'ati: Mr. Deputy Speaker, Sir, to the best of my knowledge, the law is not being applied selectively. So, if there is non-application of the law in any area then that matter should be brought to our attention.

Mr. Deputy Speaker: Order, Mr. Khang'ati! The Questioner asked about three people riding on a motor cycle. My presumption is that he is referring to the *boda boda* and yet you want to tell me that you do not know about three people riding on *boda bodas* in the country? Where is the application of the law in that case, if it is not selective? This is a scenario you run into anywhere outside Nairobi and even in some parts of Nairobi.

Mr. Khang'ati: Mr. Deputy Speaker, Sir, I am aware that we have motorbikes carrying sometimes up to three people but the reference the hon. Member was making was regarding selective application of the law and that is the one that I addressed myself to. The police are under instruction to arrest such people and prosecute them.

Mr. Deputy Speaker: Why are they not arresting them?

Mr. Konchellah: On a point of order, Mr. Deputy Speaker, Sir. Let me put it clearly to the Assistant Minister. In Nairobi at the moment only one passenger is being carried on a motor bike and they wear helmets and reflectors but in the rural areas, nobody is wearing helmets including the passengers and they carry three or four people resulting in so many accidents. Can we help this country by stopping what is going on and follow the law?

Mr. Khang'ati: Mr. Deputy Speaker, Sir, I acknowledge that because I come from an area where *boda boda* is used heavily. That is Bungoma County. I know that that malpractice is there. I now issue an order that if such individuals are found, they should be arrested and prosecuted.

Mr. Deputy Speaker: Order, hon. Assistant Minister! You should not use an opportunity to answer a Question that was raised by a Member to address the nation. You should have done this. Not only is this selective application, but it is simply no application of law when it comes to rural areas. That is common knowledge.

Mr. Litole: Mr. Deputy Speaker, Sir, as much as the police are trying to do their job properly, there were some rules which were unveiled and were bearing fruits in Nairobi. But interestingly, these rules were suspended. Could the Assistant Minister tell this country why those rules which bore good results were suspended?

Mr. Khang'ati: Mr. Deputy Speaker, Sir, could the Assistant Minister be specific to the rules he is referring to?

Mr. Deputy Speaker: Which rules are you talking about? Are they the Michuki rules?

Mr. Litole: Mr. Deputy Speaker, Sir, I am referring to the traffic rules which were effected in Kenya. People were not overlapping and there was no *matatu* menace. However, when they were suspended by the Government, the *matatu* menace became rampant. The rules being meted by the Government were yielding results. Why were those rules withdrawn or suspended by the Government?

Mr. Khang'ati: Mr. Deputy Speaker, Sir, I am not aware of any traffic rules which were suspended. If the Member is referring to the so-called "Michuki rules", I want to assure him that they still exist. The traffic rules still exist. They are covered under the Traffic Act. They can only be withdrawn if the Act is amended.

Mr. Kilonzo: Mr. Deputy Speaker, Sir, the most notorious drivers, indeed, are Government Drivers. These are Government vehicles driven by Government officers. More

serious are the ones which carry Ministers. Even under the new rules, hon. Members and I have witnessed Ministers overlapping all the way, almost causing accidents. Could the Assistant Minister also take this opportunity to warn those Ministers who are here and assure us that he will arrest them?

Mr. Khang'ati: Mr. Deputy Speaker, Sir, as I said, the law is not applied selectively. It applies to every citizen of Kenya, Ministers, included. I know that three or four months ago, the Permanent Secretary, Secretary to the Cabinet and Head of Public Service issued a circular to all Ministers and drivers of VIPs to stop overlapping and flouting traffic rules. I am aware of that because my office received such a circular.

Question No.1803

EXPENDITURE ON DROUGHT MITIGATION IN WAJIR DISTRICT

Mr. Sirat asked the Minister for Finance:-

(a) how much money was slashed from each Ministry and/or department for drought mitigation in the 2011/2012 Supplementary budget;

(b) how the money was spent and whether he could provide itemized expenditure; and,

(c) how much money was spent on drought mitigation in Wajir South Constituency.

The Assistant Minister for Finance (Dr. Oburu): Mr. Deputy Speaker, Sir, this Question came on the Floor of the House on 13th December which was Thursday, last week. When it was raised, we requested that it be directed to the Ministry of State for the Development of Northern Kenya and other Semi Arid Lands and the Speaker agreed. We were only able to answer part (a) of the Question and we provide that information to the same Ministry. It is, therefore, not in order for this Question to be re-directed to our Ministry.

Mr. Deputy Speaker: My recollection is that, indeed, this Question was directed to the Ministry of State for the Development of Northern Kenya and other Semi Arid Lands. Why did it end up again in the Ministry of Finance?

(Mr. Kingi walked across the Chamber)

Mr. Olago: Mr. Deputy Speaker, Sir, did you notice hon. Kingi walked from this side to that side like a rat without bowing at the Bar?

Mr. Deputy Speaker: Order, hon. Kingi! Can you go back and observe the rules of the House? The House is in session, hon. Kingi!

(Mr. Kingi walked to the Bar and bowed to the Chair)

Where is the Minister of State for the Development of Northern Kenya and other Semi Arid Lands?

Mrs. Noor: On a point of order, Mr. Deputy Speaker, Sir. Drought mitigation cuts across several Ministries in this Government. Would I be in order to say that this Question is very important and that it is in the right place? The Minister for Finance should answer the Question because he has the total resource allocation for drought mitigation. The Ministry of Water and

Irrigation is carrying out drought mitigation. The Ministry of Agriculture, the Ministry of State for Special Programmes and the Ministry of State for the Development of Northern Kenya are doing the same. All these Ministries are carrying out drought mitigation.

Would I be in order to ask the Minister for Finance to tell us how much was used in total for drought mitigation?

Mr. Deputy Speaker: The Assistant Minister for Finance, why do you think that this Question cannot be adequately disposed of by your Ministry?

The Assistant Minister for Finance (Dr. Oburu): Mr. Deputy Speaker, Sir, the Question that the hon. Member has asked is what was in part (a) of the Question. This is on the allocation of finances. That is the information that we provided to the Ministry of State for the Development of Northern Kenya and other Semi Arid Lands.

However, just as the Member has said, the expenditures were incurred by various Ministries. It is the Ministry of State for the Development of Northern Kenya and other Semi Arid Lands which does the coordination of these Ministries. That is why it was being re-directed. We do not have the information.

Mr. Deputy Speaker: Order, Mr. Assistant Minister! The allocation to these Ministries for purposes of drought mitigation is done by the Ministry of Finance. So, why do you not have this information? Whom did you give? How much and what for? That is all the Question is about.

The Assistant Minister for Finance (Dr. Oburu): Mr. Deputy Speaker, Sir, if you heard me right, I said that part (a) of the Question is the one that deals with the allocation of these resources. That is the answer that we have given. We have given the details on how much money was given to each of the concerned Ministries. We have provided that information to the Ministry of State for the Development of Northern Kenya and other Semi Arid Lands. With regard to the details of how much was given to each Ministry, they are the ones who do the coordination. Parts (b) and (c) are on how the money was spent and on what items. That is what we cannot answer.

Mr. Deputy Speaker: You cannot take the Floor of the House as a Government, as a theatre of playing ping-pong with the Questions that are filed by hon. Members. You are the Government and you have a collective responsibility. This Question had been raised, initially, to the Ministry of Finance. You directed it to the Ministry of State for the Development of Northern Kenya and other Semi Arid Lands. It came back again to the Ministry of Finance. That is an internal process within the Government. You have a collective responsibility and clearly, you have to deal with this issue. You do not have to keep on sending it from one Ministry to the other without giving us an answer.

(Mr. Kimunya stood up in his place)

Mr. Kimunya, what do you have to say regarding this Question?

Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, I want to suggest that we consult between the two Ministries and have it referred to Prime Minister's set of Questions, so that we avoid tweeting and towing.

Mr. Sirat: Mr. Speaker, Sir, this the fourth time this Question has come to the Floor of the House; it has been flip flopping from the Ministry of Finance and the Ministry of State for Northern Kenya and Other Arid Lands. I will not allow it to go to the Prime Minister's Office again. This is a docket of the Minister for Finance. He can answer and tell how much money

they have withdrawn from the Ministry of State for Defence, Ministry of Education, Ministry of State for Provincial Administration and Internal Security and the Ministry of State for Development of Northern Kenya and Other Arid Lands.

Mr. Deputy Speaker, Sir, the Question is very clear. It is meant for the Minister for Finance to tell me how much they got from each Ministry and how it was spent.

Mr. Deputy Speaker: I am not sure if he can give information on the itemized expenditure. There are certain areas, where there is a block expenditure. Itemized expenditure is kept by the relevant Ministry. If it is the Ministry of Water and Irrigation, it will do it; if it is the Ministry of Livestock Development, it will do it? Do you have your answer now?

The Assistant Minister for Finance (Dr. Oburu): Mr. Speaker, Sir, if he insists that I answer, let me answer it.

Mr. Deputy Speaker, Sir, I beg to reply.

(a) During the Financial Year 2011/2012, all Ministries dealing with drought related activities were requested to raise resources from within their normal budgets to fill the financing gap. Consequently, a total of Kshs4.9 billion was allocated towards drought mitigation. The specific amounts per Ministry were as follows:-

1. Ministry of Livestock Development, Kshs1.312 billion;
2. Ministry of Water and Irrigation, Kshs671 million;
3. Ministry of Energy, Kshs420 million;
4. Ministry of State for Special Programmes, Kshs1.550 billion;
5. Ministry of Development of Northern Kenya and Other Arid Lands, Kshs150 million;
6. Ministry of Education, Kshs551 million;
7. the health sector, Kshs311 million;
8. Ministry of Information and Communications, Kshs12 million.

That is a total of Kshs4.977 billion.

(a) The utilization of funds allocated by the Treasury falls under the mandate of respective Accounting Officers in charge of the various budgetary Votes. In this regard, we have written to the relevant Accounting Officers requesting details of expenditure of the allocated sums. I will avail to this House the expenditure breakdown of the said amounts as soon as we have obtained these details from the Accounting Officers.

(b) As indicated in part (b) above, we are in the process of compiling expenditure returns from the various Accounting Officers, upon which, I will be able to provide a detailed breakdown of amounts spent on drought mitigation, including the amounts spent in Wajir South Constituency.

Mr. Sirat: Mr. Deputy Speaker, Sir, Kshs4.9 billion is a lot of money. During the drought of 2011/2012, not even Kshs2 million went to my constituency. I, therefore, congratulate the Assistant Minister for telling us that Kshs4.9 billion was allocated for the drought mitigation. I want to know the answer to parts (b) and (c); I want to find out where the other money has gone to.

Mr. Deputy Speaker: How soon could you have the answers to parts (b) and (c)?

Dr. Oburu: Mr. Deputy Speaker, Sir, we are going to endeavour to provide it. We have already written requesting this information from the various Ministries. You can see the total number of Ministries is eight and less than half of them have responded. It is very difficult to say how soon they will respond. But we are going to try to get this information before Parliament adjourns.

Mr. Deputy Speaker: You have to be definitive Assistant Minister. This is the devil that the Questioner is looking for. Where has this money gone to and how was it used? The Chair wishes it was on the other side not on the Chair---- I would have been interrogating you on this because I come from a drought stricken area. Proceed. Where is this money?

Dr. Oburu: Mr. Deputy Speaker, Sir, you can see I am in quagmire. Now you know the reason I was asking for the Question to be answered by the co-ordinator. If you give us after Christmas, which is Thursday, next week, we could try to get the information.

Mr. Deputy Speaker: Are you okay with that, hon. Sirat?

Mr. Sirat: Mr. Deputy Speaker, Sir, yes, as long as that Thursday, he will be here.

Mr. Deputy Speaker: I direct that this Question be listed on the Order Paper immediately after as soon as Parliament reconvenes after the holidays. I hope the Assistant Minister will have a comprehensive answer this time around.

(Question deferred)

Question No.1878

STALLING OF WORKS ON CHEPTONGEI/KAPSOWAR TOWN
TRANSMISSION LINE

Mr. Kiptanui, on behalf of Mr. **Chepkitony,** asked the Minister for Energy:-

(a) whether he is aware that construction of a power transmission line from Iten Township to Cheptongei/Kapsowar Town has stalled for the last six years,

(b) what plans the Ministry has to complete the project, and,

(c) what the cause is of the frequent power blackouts in Iten Township and its environs?

Mr. Deputy Speaker: Minister for Energy! Deputy Leader of Government Business, where is your Minister for Energy?

Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, I seek the indulgence of the House as we wait for the arrival of the Minister for Energy. In the meantime, I suggest that we move on to, perhaps, the next Question or defer this Question until tomorrow. In any case, we only have a limited window before the next item.

Mr. Ochieng': Mr. Deputy Speaker, Sir, I am being informed by my colleague that the Minister is at the bus station looking for a driver.

(Laughter)

Mr. Deputy Speaker: The Minister is at the bus station doing what? Does the Leader of Government Business know that the Minister is stranded somewhere?

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, I believe that the hon. Member is being a bit cheeky. My recollection is that the bus got a driver and passengers. Now it is on the move. So, that may really not be the reason for the delay.

Mr. Deputy Speaker: The Chair finally gets the joke. Clearly, it does not look like the Minister is stranded somewhere. We will come back to this Question.

Next Question, hon. Clement Waibara!

Question No.1835

REARING OF MONKEYS IN PRIVATE
RESIDENCE IN NG'ETHU VILLAGE

Mr. Waibara asked the Minister for Forestry and Wildlife:-

(a) whether he is aware that there are monkeys being reared in a private residence within Ng'ethu Village, Gatundu North Constituency;

(b) what species they are and whether the owner is licensed to keep them in the current location; and,

(c) what steps he will take to ensure that the animals are evacuated since they are destroying farmers' produce besides being a nuisance in the area.

Mr. Deputy Speaker: Minister for Forestry and Wildlife! Deputy Leader of Government Business, where is your Minister?

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, I spotted the Assistant Minister outside the House. He indicated to me that the answers are with the substantive Minister. So, in the circumstances, we might have to wait for Dr. Wekesa to come and do the needful.

Mr. Deputy Speaker: Hon. David Koech, are you on a point of order?

Mr. Koech: Yes, Mr. Deputy Speaker, Sir. You notice that there are two Questions which have been directed to this Ministry this afternoon. Some of us have been waiting for our Questions to be put on the Order Paper, but they have not been able to find their way onto it. Could you consider taking action against the Minister? There is no way he and his Assistant Minister can fail to turn up when there are two Questions on the Order Paper directed to their Ministry.

Mr. Deputy Speaker: Deputy Leader of Government Business, what explanation do you have for the absence of all your Ministers this afternoon? A good number of them are absent.

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, regarding the subject matter, in terms of the Ministry of Forestry and Wildlife, I looked for the Minister, following the concerns raised in the House earlier. I established that the Assistant Minister was within the precincts of Parliament.

Mr. Deputy Speaker: Mr. Minister, you are supposed to have a Government Whip, who works with you. In this case, the Kenyan taxpayers pay for two whips as a matter of fact, because of the unusual state of having a coalition Government.

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, I agree with you totally. I have been reduced to doing the work of the Leader of Government Business and that of the Government Whip. I wish the public was not spending that much money on all these offices, which are not actually working.

Mr. Deputy Speaker: Deputy Leader of Government Business, that does not let you off the hook easily because you have a collective responsibility as Government.

Yes, hon. John Mututho! You are on a point of order.

Mr. Mututho: Mr. Deputy Speaker, Sir, I just want to add my voice to what hon. Koech has said. They have not even bothered to do the answers. We are talking of very sensitive matters, an example of which is the Mau Forest. They have not bothered to even give an

indication that they want to answer the Questions. They thought that Parliament will not be there and, therefore, the Questions will just lapse with the current Parliament. Could you give a very firm direction that we have these Ministers here to give answers to the Questions tomorrow?

Mr. Deputy Speaker: Yes, hon. Charles Kilonzo.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, during the morning session, a Minister of this Government blamed the striking nurses for refusing to negotiate with him. In fact, he referred to them as “zombies”. How are we expected to refer to Ministers who refuse to come to the House or even inform the Chair of their inability to come to the House for some reason as per the Standing Orders?

Mr. Deputy Speaker: Deputy Leader of Government Business, if the nurses were referred to as “zombies” by one of your colleagues, which is clearly a very unkind terminology, to say the least; what happens to Ministers who do not come to the House to answer Questions? As I clarified in the morning, the Standing Orders do not have any definitive position on calling somebody a “zombie”.

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, indeed, as you clarified in the morning, and as the Minister clarified further, his concern was not necessarily that the nurses are zombies or not, but they are people who are behaving as if they are not conscious of the patients who are dying. Their calling requires them to try and prevent loss of life. I am not sure that Ministers are in the same category.

I believe that hon. Members have their issues resolved in terms of Questions. There may be an odd day when an answer may not be available, but I am not aware of any Minister who is on strike or of any one of them refusing to come to work to punish the House as the nurses are doing.

Mr. Deputy Speaker: How do you explain their absence from the House today?

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, if you look at the Front Bench, you will appreciate that today is an unusual day. There is an overflowing presence of Members of the Front Bench.

Mr. Deputy Speaker: Yes, hon. Ekwe Ethuro.

Mr. Ethuro: Mr. Deputy Speaker, Sir, you will notice that the conduct of Government Ministers lately is wanting. Only this morning, one of them referred to professional Kenyans as zombies. Is it in order for the Deputy Leader of Government, whom I know is talking in his personal capacity, but who does not seem to have the capacity of his position to ensure that Ministers are available to answer Questions? Only yesterday, the entire membership of the House Business Committee from the Government side was missing.

Mr. Deputy Speaker: Hon. Elias Mbau, what is your point of order?

Mr. Mbau: Mr. Deputy Speaker, Sir, my point of order is prompted by the question that was answered by the Minister, where he actually confirmed and stated that it is a pity, and that he sympathises with members of the public and wished that those Ministries which have not been performing their duties should not have been getting funding from the public. So, in view of this, is he able to consider whether such Ministers can be surcharged in line with what the citizens of this country agreed in the Constitution when they said that the number of Ministries should be reduced from 44 to about 20, so that we do not continue to waste public resources on offices that do not deliver?

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, I believe that the law requiring the restructuring of the Office of the Minister will take effect after the next

elections. There is no choice about it. That is something which will happen. So, the worries and concerns of the hon. Member will be overtaken by events once we hold the elections.

In the meantime, as I was saying, the Minister for Energy has come. So, in keeping with my earlier promise, I believe that he will now respond to the issue that was raised. So, the Ministers are here. It is only that their timing has been different from the timing in the House.

Mr. Deputy Speaker: Fair enough! We will now go back to Question No.1878. Hon. Kiptanui will ask the Question on behalf of hon. Chepkitony.

Question No.1878

STALLING OF WORKS ON CHEPTONGEI/
KAPSOWAR TOWN TRANSMISSION LINE

Mr. Kiptanui, on behalf of **Mr. Chepkitony**, asked the Minister for Energy:-

- (a) whether he is aware that construction of power transmission line from Iten township to Cheptongei/Kaposowar Town has stalled for the last six years;
- (b) what plans the Ministry has to complete the project; and,
- (c) what the cause of the frequent power blackouts is in Iten township and its environs.

The Minister for Energy (Mr. Murungi): Mr. Deputy Speaker, Sir, I beg your indulgence. We had arranged with my Assistant Minister, hon. Amb. Mahmud, to answer this Question, but I do not seem to see him in the House. Could we give some time for me to find out where he is?

Mr. Deputy Speaker: Fair enough! This Question is deferred until tomorrow. I hope Mr. Kiptanui is in agreement. Mr. Kiptanui, is it okay if the Question is deferred to tomorrow? Minister for Energy, you had better have an answer tomorrow. Is the Minister for Forestry and Wildlife here?

Deputy Leader of Government Business, could you give an undertaking on behalf of your own colleague on when he can be available here to answer this Question No.1845 now that he is not here?

The Minister for Transport (Mr. Kimunya): *(Off record)*

Mr. Deputy Speaker: When do you want this Question to be listed on the Order Paper?

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, on Question No.1845 and Question No.1850, there was an undertaking earlier that the Minister will be here tomorrow to answer them.

Mr. Deputy Speaker: No. We have too many Questions that have been deferred to tomorrow both in the morning and afternoon Sessions. It can only be the next sitting day after tomorrow. I mean the next day when the House will sit after tomorrow.

The Minister for Transport (Mr. Kimunya): Could I ask that we put the two Questions together when they next appear?

Mr. Deputy Speaker: I direct that these two Questions be put together on the same day.

Question No.1845

REARING OF MONKEYS IN PRIVATE RESIDENCE
IN NG'ETHU VILLAGE

(Question deferred)

Question No.1850

CRITERIA FOR PREQUALIFICATION/AWARDING OF
HARVESTING TREES FROM MAU FOREST

(Question deferred)

Next Question by Mr. Peter Kiilu!

Question No.1815

LACK OF SCHEME OF SERVICE FOR VILLAGE ELDERS/HEADMEN

Mr. Peter Kiilu has communicated with my office. This Question will be listed on the Order Paper on a day he will be present to prosecute it.

(Question deferred)

Next Order!

Mr. Imanyara: Mr. Deputy Speaker, Sir, as you can see, I am looking directly at the Attorney-General who is also looking at me. I am wondering whether he is ready to issue the Statement regarding the four Bills that were enacted by this House, but have, up to date, not been returned either as gazetted laws or with reasons they have not been made laws despite the clear provisions of Article 115 of the Constitution of Kenya.

MINISTERIAL STATEMENT

ENACTMENT OF BILLS

The Attorney-General (Prof. Muigai): Mr. Deputy Speaker, Sir, I am the bearer of good news. The Opinion Polls Act has been actually been published. It is one of those that Mr. Gitobu Imanyara had expressed concern about. It is available now in the House. I think the Clerk of the National Assembly will be able to avail it to Members.

Mr. Temporary Deputy Speaker, Sir, on the IDPs Act, the vellums have been released this afternoon and will be presented to His Excellency the President tomorrow before Cabinet for signing. Therefore, we have made some progress.

Mr. Imanyara: Mr. Deputy Speaker, Sir, as I have just pointed out, there were four Bills in respect to which the Attorney-General was supposed to respond; the Statutory Instruments Bill which he has not said anything about.

More importantly, I brought to the attention of the Attorney-General the provisions of the Article 115 of the Constitution of Kenya which gives time lines within which he should deliver Bills to the President for signing. Why did it take so long, until this afternoon, to convey to His Excellency the President Bills that were passed as far back as September this year?

The Attorney-General (Prof. Muigai): Mr. Deputy Speaker, Sir, I want to start by admitting that over the last two months or so, we have had a lot of business between this House, your office, the Clerk's office, my office and the Government Printer. There have been some delays, all of them occasioned by the volume of work. There has never been an intention to suppress or delay any Bill.

As the Chief Whip is aware, his Bill on consumer Protection took more than the requisite period. For Mrs. Millie Odhiambo-Mabona's Bill, I am waiting for vellums from Government Printer. However, I assured them at the time, as I would like to assure Mr. Imanyara now, that we are doing everything possible to get the Government Printer to respond on time.

Mr. Deputy Speaker, Sir, I intend to put out an inquiry to my office about the status of the Statutory Instruments Act. I believe this is one of those that will be available to His Excellency the President to assent to tomorrow morning.

Mr. Deputy Speaker: Order, Mr. Attorney-General. You cite volume of work and a lot of work to be done as the cause of the delay. But there are clear constitutional time lines. Article 115 is express. It says:-

“Within 14 days after receipt of a Bill, the President shall assent to Bill or refer the Bill back to Parliament for consideration by Parliament noting any reservations that the President has concerning the Bill.”

There is no room for being busy or anything else for that matter. That is the beauty of having a Constitution. A Constitution is cast in stone in a sense; in as far as conforming to it is concerned. In amending it, it is not cast in stone.

So, what do you have to say? I think that is not right. You are out of order, Attorney-General. But proceed and give an explanation that is better than that.

The Attorney-General (Prof. Muigai): Mr. Deputy Speaker, Sir, I will be the first to admit that we have not been able to comply with very strict constitutional time lines. The reason I have given is an honest one and it is a truthful one. In my view, no constitutional harm has been caused because the President has not, by the exercise of his veto, written to your office indicating that he does not wish to assent to those Bills. So, we are within a safe constitutional zone. I appreciate your concern that in a happy world, we should do it dead on time. I hope that next year and after we have institutionalized our new constitutional provisions, this will be the case.

Mr. Deputy Speaker, Sir, but for now, take my personal assurance that every Bill that the House has passed, for which you have not received a memorandum from the President, it will be presented to His Excellency the President as soon as the vellums have been made available by the Printer.

Mr. Ethuro: Mr. Speaker, Sir, while I appreciate the candid manner and the confessions the Attorney-General of the Republic has made, it is important for him to realize that the reason the Constitution removed his predecessor and brought him is so that we get a professor of law who understands the rule of law and constitutionalism.

Mr. Deputy Speaker, Sir, you have quoted Article 115 of the Constitution. We went further to give effect to that Article in our Standing Order No.125 where the Clerk of the National Assembly is under obligation of 14 days after the House has passed the Bill, to take it to the Attorney-General. The Attorney-General is also under a 14 days obligation to take it to the President.

Now it will take 28 days for the IDP Bill that was passed by this House on 12th October. We spent resources. We took the time of this House. The plight of the IDPs does not seem to be a priority to this Government.

In the event that we fail to observe Article 115 and Article 125, then Article 116 should be operationalized. Failure by the Head of State to assent to a Bill within 14 days means that the law automatically takes effect unless he has brought it back to the House in a form of a memorandum. Could the Attorney-General spare himself since he seems to have been too busy in the last few months, extra unnecessary efforts, and make sure the Bill becomes law by operation of Article 116?

Mr. Imanyara: Mr. Deputy Speaker, Sir, the Attorney-General admits that he did not submit the Bill to the President for signing within the time allowed; therefore, the provisions under which he is required to submit the Bill to the President have lapsed. If that is the position, what is the purpose of sending it to him again this afternoon if, indeed, the Bill has become law by operation of the specific provisions of the Constitution? Why is he not sending it to the Government Printer to publish it as a Bill that has taken effect because of failure by the President, or himself to ensure that it has been assented to? What is the purpose of sending to the President a Bill out of the time that the Constitution time limit set for sending it to him? What is the purpose? Could he tell us?

Mr. Deputy Speaker: Hon. Attorney-General, while you are responding to that, I want you to take note of Article 115(6). If the President does not assent to a Bill or refer it back within the period prescribed in Clause 1, or assent to it under Clause 5(b) the Bill shall be taken to have been assented to on the expiry of that period.

The Attorney-General (Prof. Muigai): Mr. Deputy Speaker, Sir, I share the concern of hon. Members and the passion around this Question, particularly because some of the Bills, like the IDP Bill, touch on a very emotional part of this nation.

We are where we are because there has been a system failure. That system is a large system. It starts in the Clerk's office. When we have finished debate in respect of any Bill the Clerk must go back, look at the HANSARD, look at the amendments and send those documents to the draftsmen and draftswomen in our office, who will then go through the proposed changes and return them to the Clerk to confirm that he concurs. They will then send it back to our office after which we send it to the Government Printer and the process continues in that form. In that chain sometimes there is failure and, definitely, in respect of these Bills there has been a system failure.

However, we are not in a situation where we would want His Excellency the President and Parliament to be pulling in two different directions over an issue which they are united. The President supports the passage of these Bills into law. That is why he has not sent to this House a memorandum to veto the law that the House has passed. What the President has done is to wait for the system to go through its motions, so that the vellums are finally presented to him as true and accurate copies.

I have undertaken that, that will be done tomorrow. I have fixed the failure of the system as at this afternoon. Tomorrow, these vellums will be available and will be signed. I would urge hon. Members to allow us to rest this matter there.

Thank you.

Mr. Olago: On a point of order, Mr. Deputy Speaker, Sir. I do not want to belabour this point, but you have heard in the last words of the Attorney-General he has tried to justify what he has done. Is it in order for him to try to justify what is clearly illegal when instead he can tell the House clearly that it is superfluous to take this to the President; instead it should become law by-

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Mr. Deputy Speaker: Order, Mr. Olago! If you heard the Attorney-General, he said there is a problem with the system. The Bills have not reached the President. He says that they took unduly long time to move from Parliament to his office. But the constitutional provision is very clear. It says if he does not assent to, he will not fail to assent to if it is not in his possession. I want him to clarify that bit. That is the understanding of the Chair but proceed.

The Attorney-General (Prof. Muigai): Mr. Deputy Speaker, Sir, in fact, I think this legal point needs to be clarified. Chapter 8 that Mr. Olago makes reference to is one of the suspended Chapters of this Constitution. I have taken counsel from a very senior counsel; I have become aware of this because I signed the Roll recently and found his name ahead of my name. He assures me that I am right in the opinion that this provision is inapplicable for this period, and will only come into force after the first election. So, no illegality has been committed at all at the moment.

Mr. Deputy Speaker, Sir, I am equally persuaded and supported by Mr. Wetangula, who is not yet a senior counsel, but in his opinion appears to be well-founded in law.

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. Did you hear the Attorney-General of Kenya say that a Minister of Government had advised him when the country knows that for Prof. Muigai to become the Attorney-General he went through a competitive process that deliberately found that he was competent. Now he is admitting that he is incapable of advising the Government. Could the Chair guide this House as to whether, indeed, this Government has got an official Government advisor?

Mr. Deputy Speaker: Mr. M. Kilonzo, the former Minister for Justice, National Cohesion and Constitutional Affairs, is a Minister in the Government of the Government of the Republic of Kenya. Indeed, he is part of the Government. He can give counsel; he can advise.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for Prof. Muigai to purport to act on the advice of Senior Counsel, Mr. M. Kilonzo, and mislead this House that, in fact, Chapter 8 is suspended when we know it is suspended only partially? If you read Schedule 6, Section 2 it says:-

“The following provisions of this Constitution are suspended until the final announcement of all the results of the first elections for Parliament under this Constitution---“

Then it goes on to say, with regard to Chapter 8, “except that the provisions of the Chapter relating to elections of the National Assembly and the Senate---“

Those are the only provisions that are suspended. Is it in order for him to tell us that he failed to submit the Bills to the President because these provisions of Chapter 8 are not in effect when that is not the position?

The Attorney General (Prof. Muigai): Mr. Deputy Speaker, Sir, there was a time when hon. Imanyara and I agreed almost on every legal controversy. Clearly, time is moving us apart.

I read the provision that hon. Imanyara has read out in the exact opposite direction. Everything is suspended, except the elections.

An hon. Member: What do you mean?

The Attorney General (Prof. Muigai): Mr. Deputy Speaker, Sir, I will read it, if I have your permission.

Mr. Deputy Speaker: Proceed!

The Attorney General (Prof. Muigai): Mr. Deputy Speaker, Sir, this is Schedule Six, Transitional and Consequential Provisions. It partly reads:-

“Suspension of provisions of
of this Constitution.

2. (1) The following provisions of this Constitution are suspended until the final announcement of all the results of the first elections for Parliament under this Constitution—

(b) Chapter Eight, except that the provisions of the Chapter relating to the election of the National Assembly and the Senate shall apply to the first general elections under this Constitution”.

Mr. Deputy Speaker: The Chair is not so sure whether you got the right counsel!

(laughter)

This particular bit is not suspended. The Attorney-General has to put up a case better than he has done on the suspension particularly on the assenting to Bills. There is no any other provision in the Constitution on the assenting to Bills by the President other than the provisions contained in this Chapter. That is basically how we have operated since the new Constitution came into force. I think this matter rests here. We will proceed on to Dr. Khalwale, who has a matter to raise with the Ministry of Local Government.

Dr. Khalwale: Mr. Deputy Speaker, Sir, I just wanted to remind the Chair that when we raised this matter in the morning and you captured the urgency of the issue, the Minister was not there. The Minister happens to be in the House and, probably, he could shed some light on it. Maybe he has a ready answer.

Finally, I also wish to seek your indulgence. This morning, a matter was concluded very well by the Minister for Medical Services concerning the strike by the nurses and we were happy to hear that they have returned to the hospitals. Unfortunately, following the remarks by the Minister on the Floor of this House this morning, the same nurses who had gone back to hospitals have come out and are on the streets. They are demanding that the Government, and not the Minister, apologizes to the nurses of Kenya because the Minister repeatedly convinced this House, although we did not agree with him, that all the nurses of Kenya are zombies. I am requesting that you allow the Government to make this apology. My worst fear is: Supposing the same Minister who called our nurses zombies was to go into the next Government. Today he is calling them zombies when he has half a loaf. When he has a full loaf, what will he call the professionals of this country? It is a very big shame. He must apologize and withdraw.

Mr. Deputy Speaker: Clearly, the Chair does agree with the sentiments on the use of the word “zombie” on fellow Kenyan professionals or any other human being, for that matter. It is only fair that the Leader of Government Business or the Deputy Leader of Government Business does something on the Floor of the House to control the situation. The Chair could not have acted in any other way than it acted this morning because in our Standing Orders, I did not find any possibility of calling that out of order. But nonetheless, it is a very unkind word.

(Prof. Anyang’-Nyong’o stood up in his place)

The Chair did not notice the presence of the Minister for Medical Services. But proceed, Prof. Anyang’-Nyong’o!

The Minister for Medical Services (Prof. Anyang’-Nyong’o): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for Dr. Khalwale to misrepresent facts? What I said this morning was that those nurses who are on strike illegally - and they are not all Kenyan nurses - go into Ministries, break doors, harass other nurses working in a hospital like Mbagathi, pulling them away from their duties and turn their backs on suffering patients, cannot, in any way, be

human. They can only undertake such activities if they have become zombies. I will repeat, if they have become zombies. I am not going to bend at all to any populist appeal to the sentiments of Kenyans based on falsehoods.

(Applause)

Mr. Deputy Speaker: Fair enough! Order, hon. Members!

Mr. Ogindo: On a point of order, Mr. Deputy Speaker, Sir. This is in connection with a Ministerial Statement---

Mr. Deputy Speaker: Order! We have not disposed of the matter of the Ministry of Local Government.

Hon. Nguyai, there is a Ministerial Statement that was sought on a matter that was essentially raised this morning that has to do with a piece of land in Plainsview, Nairobi. Could you, once more, listen to the issues that were raised in the Ministerial Statement and respond?

Dr. Khalwale, could you read verbatim the request for the Ministerial Statement that you sought this morning?

SECURING OF PUBLIC LAND BETWEEN
PLAINSVIEW ESTATE AND MOMBASA ROAD

Dr. Khalwale: On a point of order, Mr. Speaker, Sir. The background of the Ministerial Statement was that on 12th February this year, when responding to an issue I had raised through a Question by Private Notice regarding securing of public land between Plainsview Estate and Mombasa Road Highway, the Minister promised that he was going to allow the residents of Plainsview to plant flowers and put up a fence to protect the plot from land grabbers. Six months down the line, the Minister has not been forthcoming. So, I was seeking clarification on when he is going to allow these residents to erect the fence, put up flowers and also to clarify whether he is aware that following the Ministerial Statement that he provided in this House, the residents went and wrote a letter to the Town Clerk to give them a vehicle upon which he could convert the request into action.

Mr. Deputy Speaker: Hon. Nguyai, do you think you can respond to that now or you need more time?

The Assistant Minister for Local Government (Mr. Nguyai): Mr. Deputy Speaker, Sir, I remember giving that commitment. I do not have the answer at this particular point in time but it is possible that I will be able to provide guidance on that by tomorrow afternoon. I will consult further and make sure that I will give that information tomorrow afternoon.

Mr. Deputy Speaker: Fair enough! It is so directed that this information will be delivered by the Assistant Minister tomorrow afternoon.

Mr. Mureithi: On a point of order, Mr. Deputy Speaker, Sir. There was a Ministerial Statement I had requested from the Minister for Lands before we went on recess. I had even discussed with him and this is in respect to the grabbing of the institute land in Nyandarua and also grabbing of dispensaries by individuals. It came up two weeks ago. The Temporary Deputy Speaker who was in the Chair, hon. Imanyara, directed that it comes the following Tuesday. Now, it is the third week and it has not come. I have talked to the Minister about the issue of land grabbing.

Mr. Deputy Speaker, Sir, I would like to get your direction on when it should appear or whether the Minister is ready with the Statement.

Mr. Deputy Speaker: Minister for Lands!

The Minister for Lands (Mr. Orengo): Mr. Deputy Speaker, Sir---

*(Mr. Orengo tried to address
the House from the Back Bench)*

Mr. Deputy Speaker: Order! You must understand the basic rules of the House. You are in the Front Bench and you can only address the House from the Front Bench. Whether you stand next to your friend or you look for a chair, you can only address from the Front Bench. Proceed to the Dispatch Box.

The Minister for Lands (Mr. Orengo): Mr. Deputy Speaker, Sir, I am so sorry about this but I never got the information about the request for the statement. We had a discussion with hon. Mureithi and with your indulgence, I can issue that Ministerial Statement on Thursday next week. I would have liked to do it tomorrow but I will not be there.

Mr. Deputy Speaker: So, when will you issue it?

The Minister for Lands (Mr. Orengo): Mr. Deputy Speaker, Sir, on Thursday next week and I want to do a good job on it. He gave me a lot of information and so I want to do a good job.

Mr. Deputy Speaker: Is that okay with you, hon. Mureithi? Are you going to be available on Thursday next week?

Mr. Mureithi: Mr. Deputy Speaker, Sir, I will be available but the Question had been put in through the Clerk's office before we went on recess. I do not know why it did not reach the Minister but we have been talking with him. So, I am agreeable on Thursday next week.

Mr. Deputy Speaker: Mr. Deputy Speaker, Sir, the Chair directs that this be listed on Thursday next week. Hon. Imanyara!

REASONS FOR LATE ARRIVAL OF HIS EXCELLENCY THE PRESIDENT

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. You recall that yesterday we were informed that at 4.00 p.m. this afternoon, this House will be addressed by His Excellency the President. If you notice on the Order Paper, we have reached Order No.8. While this business is going on, a document has been circulated to each one of us showing that the President will be in the House by 4.15 p.m. Has he been caught up in the Nairobi traffic jam or what is the position given for this lack of business in the House on account of His Excellency the President not being in the House after he informed us that he will be here?

Mr. Deputy Speaker: Order! The House is transacting its normal business and the presumption of the Chair that whatever the reason for the inability of His Excellency the President to be sharp on time is no provision either in our Standing Orders or any other written rule for the Chair to give a direction on that. The President will come in at his own pleasure but in the meantime, we have business to transact as a House and we will transact this business until the rise of the House.

PENDING BILLS FOR CONSTITUTIONAL IMPLEMENTATION

Mr. Ruto: On a point of order, Mr. Deputy Speaker, Sir. We are lucky today that the President has indicated he is coming here. So, the Ministers have all come here and some of whom we cannot recall their names.

(Laughter)

They have never been in Parliament for the last several months but I intend to report that to the President when he walks in. However, I would like to get a Ministerial Statement from the Leader of Government Business to tell us when this Government intends to lay before the House several Bills that are required for the proper functioning and implementation of the Constitution. One is the County Budget Estimates Bill. Two, is the Transition to County Allocation of Revenue Bill, three is the Transition to County Appropriation Bill and, four, National Planning Authority Bill. Does the Government intend to respect the constitutional provision that at least 15 per cent be availed for the county governments for the last quarter of this financial year?

Mr. Deputy Speaker, Sir, I would like probably the Deputy Leader of Government Business to give us his clarification unless he intends to wait until the President comes.

Mrs. Odhiambo-Mabona: On a point of order, Mr. Deputy Speaker, Sir. On the same issue, could the Minister also clarify whether they are trying to frustrate devolution because despite the fact that this House prioritised certain Bills and we agreed that we will pass them this morning? One of them was in the Order Paper and the Minister was not around to even move the Bill. So, could he clarify whether they are trying to frustrate devolution so that when governors take up their positions, they will already have been set up against the public? So, could they tell us whether they want devolution to fail and my good friend, hon. Isaac Ruto, will be evicted as a governor within one month of taking up his seat?

Mr. Deputy Speaker: Assuming that he wins the elections.

Mr. Duale: On a point of order, Mr. Deputy Speaker, Sir. The Deputy Leader of Government Business must come out very clearly because it touches on one of the fundamental reasons why Kenyans voted for the new Constitution which is devolution and tell the nation when he is going to bring the Revenue Bill, County Allocation of Revenue Bill and County Appropriation Bill.

Mr. Deputy Speaker, Sir, this Government must tell the country that as we go to recess, the county governments will be given the allocation of Kshs68 billion between the months of March 2013 and June 2013. This will come out very clearly from the Government.

Mr. Deputy Speaker: Hon. Attorney-General, I hope you are taking note of the contentious Bills that are of question.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, indeed, if the President could be with us every day so that he could be with the Ministers but on the same issue, my good friend here, hon. Oparanya, has been missing in action for some time and in the morning we were dealing with the Bill on the Constituencies Development Fund (CDF) after having looked for him all over. Could he also be of help to this House and tell us when he will be releasing the balance of money before this term expires?

Mr. Deputy Speaker: Hon. Attorney-General!

Hon. Members: Mr. Oparanya!

Mr. Deputy Speaker: Hon. Oparanya will respond on the issue raised on the CDF. Could you allow the Deputy Leader of Government Business to respond on the other Bills that were raised?

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, indeed, Members of this House are aware that all the Bills that were scheduled within the Constitution to be passed by this House have all been passed. I want to thank the Members for the effort they put in passing all those Bills within the time stipulated in the Constitution. In addition, the Government has identified other Bills that are necessary to be passed before this House goes on break to facilitate the smooth transition from this dispensation to the new constitutional dispensation. All those Bills are either on the Order Paper or will be coming on the Order Paper shortly. Some will come tomorrow and some in the next sittings of Parliament, certainly before we break. So, there is no law that has been published that will not appear on the Order Paper, so long as the Members are here and willing to transact business so that we can pass them for the benefit of our country.

I also want to confirm that this Government has been more committed than is popularly peddled around at times to the issue of devolution. It has gone the extra mile in creating the structures for devolution and bringing the necessary legal and institutional frameworks to support it when we get there following the elections on 4th March, 2013. So, I just want to clarify that nobody wants to frustrate devolution. Indeed, the Bill that was brought by the Minister for Finance to facilitate the smooth transition of the financing mechanisms as they currently exist to the new financing mechanisms that will support devolution ahead of the full implementation in the next financial year is an initiative of the Government that was not even prompted by anyone else except this Government. So, that Bill will be coming and will be debated by the House in its Second and Third Reading. Once the House passes it plus all the others in terms of devolution, division of revenue and allocation and all those others that are required, we will be here.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. I appreciate the issue that hon. Odhiambo-Mabona raised. I was on the Chair this morning when the House gave leave to the Government to introduce The County Governments Public Finance Management Transition Bill and none of them was there. That business was removed from the Order Paper after the House had given leave for the Mover to move the Bill. Where were they? That is the question that Members want to know.

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, yes, the Minister for Finance was here this morning and he moved even the Procedural Motion to facilitate that move, but he also had to be at the Treasury to conclude all the other issues that are required.

(Loud consultations)

There is so much happening. Even to generate those Bills require sometime in the office. I want to thank the House for giving leave to fast-track those Bills. Those Bills will be on the Order Paper and will be passed before we go home. So, have some patience. The most important thing is that this Government is committed to the full implementation of the Constitution

particularly to the devolution of power and resources to all the structures that were created in the Constitution. I would like to appeal to the Members to let us create the time---

(Loud consultations)

Mr. Deputy Speaker: Do you wish to raise points of order to hon. Kimunya or you wait for Mr. Oparanya? That is where your problem was, I thought.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. The great English Poet, David Frost, said that the “the taste of the pudding is in the eating”. So, you cannot allow hon. Kimunya to continue misleading this House on the seriousness of the Government. We have demonstrated that only this morning, after the Back-Bench gave leave of the House, a day which is ordinarily for Private Members’ Business, so that this Government can transact business, they squandered even that opportunity.

(Applause)

How are we supposed to trust and believe all the things he is talking about? He has even gone ahead to say that the Government is “identifying”. We are not asking him to scratch his head. We are asking him to read the Constitution and The Public Finance Management Act and come up with those things. They are there in law. He does not need to search for them.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. You have heard the Minister say that the Minister for Finance went for other engagements yet we have the Assistant Minister here, Dr. Oburu. Unless, he wants to tell us that his wing of the Government is not dealing with the other wing of the Government, it is not a good reason to tell us that when a Minister is away, the Assistant Minister cannot take over. Is he in order?

Mr. Deputy Speaker: Fair enough! Do you wish to respond? You probably should not have just taken note of the concerns of the Members and left the matter to rest at that.

The Minister for Transport (Mr. Kimunya): Mr. Deputy Speaker, Sir, as I take note of the concerns, I want to assure the Members that all these Bills, plus many others, will be coming to the House. I want to ask the Members to be here between tomorrow and the time we finally get disbanded on 14th January, 2013. We will have passed all these Bills to facilitate the smooth transfer from this dispensation to the next dispensation.

Mr. Deputy Speaker: Mr. Oparanya, could you respond to the matter that was raised on the CDF?

The Minister for Planning, National Development and Vision 2030 (Mr. Oparanya): Mr. Deputy Speaker, Sir, I am aware that we have not transferred Kshs12 billion to the constituencies. I have been putting pressure on the Minister for Finance to release this money. I also know that this morning, this issue was raised with the Minister for Finance and he has promised to make a Statement. I can confirm that this money will come---

Hon. Members: When?

The Minister for Planning, National Development and Vision 2030 (Mr. Oparanya): It will come one day.

(Applause)

Hon. Members: When?

The Minister for Planning, National Development and Vision 2030 (Mr. Oparanya):
Mr. Deputy Speaker, Sir, let me assure this House that we have agreed with the Minister for Finance that this money will come before the end of this year. I can tell the Members that---

Mr. Deputy Speaker: Order, Mr. Oparanya! Order, hon. Members! Can we welcome the President of the Republic of Kenya and the Commander-in-Chief of the Kenya Defence Forces?

ARRIVAL OF HIS EXCELLENCY THE PRESIDENT

*(The Clerk announced the arrival of His Excellency
the President, the Hon. Mwai Kibaki, MP)*

*(His Excellency the President, the
Hon. Mwai Kibaki, MP, took the seat of State)*

Mr. Speaker: Hon. Members, we shall now proceed from Order No. 7.

PRESIDENTIAL ADDRESS TO PARLIAMENT

Mr. Speaker: Hon. Members, please, be guided that we are proceeding under Standing Order No.16 and we will commence as follows:-

Your Excellency the President and Commander-in-Chief of the Defence Forces of the Republic of Kenya, Hon. Mwai Kibaki, hon. Members, it is my privilege, honour and pleasure to, on behalf of all hon. Members, welcome Your Excellency the President to the House this afternoon. This day is set to go into the annals of history of our country as of most worthy significance as one on which Your Excellency formerly delivered your final address fully so as a Member after 49 years of uninterrupted service. It has been a long race but unlike in all races including the ones Kenyans are famous for winning the world over, it is not so much your running mannerisms that matter but it is how you finish the race. I am persuaded, and I believe that I speak for all of us, your finish is splendid and deserving of grant accolades.

Your Excellency as all the hon. Members are no doubt aware, your political career started in Makerere University when you became the chairman of the Kenya Students Association and the vice-chairman of Makerere Students Guild yet still attained a first class honors degree in Economics.

With your permission, Your Excellency, allow me to cite a few salient features in your illustrious political career and moreso as a legislator. In March, 1960, you were involved in founding the KANU party and in the month of---

(Applause)

Order hon. Members! Even if I started with Kenya, it would be Kenya African National Union (KANU). In the month of December the same year, you left your lecturer's job at Makerere University and returned home to be the Executive Officer of the party. In Kenya parlance as a way of under-scoring the work the founding membership of the party did for more than 30 years thereafter KANU was *Baba na Mama* in this country's political arena.

Your Excellency, you were first elected to Parliament in 1963 as Member of Parliament for Donholm Constituency starting a long career here that saw you serve as Parliamentary

Secretary to the Minister for Commerce and Industry, Minister for Finance and Economic Planning, 1970-1978, Member for Othaya Constituency, 1974 to date, founded the Democratic Party (DP) in 1991. In 1978, Vice-President of the Republic of Kenya and to illustrate your checkered political career, Leader of the Official Opposition and finally the President of the Republic of Kenya beginning 30th December, 2002.

It is no wonder, Your Excellency, that the World Bank President Robert McNamara described Your Excellency thus, and I quote:-

“One of the greatest economic brains to have emerged from Africa”

(Applause)

Your Excellency, you will allow me to pause so that the hon. Member for Kisumu Rural and Mr. Nanok do not suffer for too long.

(The hon. Members entered the Chamber)

Very well! There is the addition of the hon. Member for Ugenya on the list.

Your Excellency led this House from the front to the enactment of the new Constitution in the year 2010. In this regard and generally, I wish to acknowledge and appreciate the unfailing and continuous support that I, as the Speaker, and, indeed, the whole of the National Assembly have received from you. The Parliamentary Service Commission, which I am privileged to Chair, has accessed all the requisite funds to carry out all the programmes in this institution. It has been a major challenge to prepare for the bicameral Parliament but with your wise counsel and guidance, we will be ready come March, 2002. This really as a matter of fact and, in fact, is your day and I do not desire to say anymore but on an occasion such as this, will not come again in the foreseeable future, allow me to conclude by highlighting the achievements of the 10th Parliament during your tenure.

(a) Adoption of new Standing Orders that among other things makes Parliament more robust in its operations particularly parliamentary committees.

(b) Enactment of the Fiscal Management Act that has seen Parliament take a central role in national budget making in line with the Constitution.

(c) Oversaw the Constitution review process, the passage of the proposed Constitution and now its implementation.

(d) Oversaw the creation of independent commissions meant to safeguard democracy.

(e) Enacted over 45 statutes intended to implement the new Constitution.

(f) Introduced live broadcast by television and radio of parliamentary proceedings in the Chamber and in Committees beginning from June, 2009.

(g) Started a media centre within Parliamentary premises to enhance interaction with the media and to enhance access to information in the month of May, 2009.

(h) Set up a Centre for Parliamentary Studies and Training (CPST), to be a centre of excellence in parliamentary training in Kenya and beyond and, in fact, the first in East and Central Africa.

(i) Rationalized staff establishment encompassing job evaluation and skills audit to ensure that we have the requisite and competent staff to effectively support the work of Members of Parliament.

(j) Revamped the Budget Office, Research Department and Information and Technology Department.

Your Excellency, as Members of the 10th Parliament and the entire Parliamentary Service Commission and indeed I personally, wish to place on record our sincere gratitude to you for all these achievements.

Finally, may I with utmost humility invite Your Excellency the President of the Republic of Kenya and Commander-in-Chief of the Defence Forces to address the House.

The President (Mr. Mwai Kibaki): Hon. Speaker, hon. Members, I am pleased to join you for the Special Sitting of Parliament. The life of the Tenth Parliament is about to come to an end and as we look back at the last five years, there is plenty to be grateful for.

This House has been one of the most active in our nation's history in terms of legislations passed together with the Ninth Parliament. The last ten years have, indeed, seen one of the highest number of Bills passed in our nation's history. Indeed, Parliament has passed over 227 Bills in the last ten years. The year 2012 alone will go down in history as the busiest legislative calendar with over 90 Bills passed.

Mr. Speaker, Sir, when this House was inaugurated our country was recovering from one of its most challenging times since Independence. The first pieces of legislation that were passed were the Constitution of Kenya (Amendment) Bill and the National Accord and Reconciliation Bill of the year 2008. These two laws set the foundation for the establishment of the Grand Coalition Government as well as the efforts to bring about healing and reconciliation in our country. When the Grand Coalition Government was formed, many skeptics doubted that it would serve its full term.

I am grateful that we have not only served our full term but we have also significantly improved the lives of Kenyans. I thank the Right hon. Prime Minister, Raila Odinga, for his dedication and commitment.

(Applause)

Despite the challenges we faced in the last five years, we were able to stay focused on the goal of transforming the socio-economic and political spheres of Kenya.

I commend the Vice-President and Minister for Home Affairs, hon. Kalonzo Musyoka, for his stewardship as Leader of Government Business. I also thank the two Deputy Prime Ministers, Uhuru Kenyatta and Musalia Mudavadi, and all Members of Parliament for their hard work. I would also like to thank you, Mr. Speaker, for your leadership and wisdom through which you have guided this august House. Kenyans will remember you fondly for your significant non-partisan and landmark rulings.

(Applause)

Moreover, I commend this House for supporting the work of the Grand Coalition Government through passing most legislation presented by the Executive. Of this, the most significant was our Annual Budget.

The Budget is the most important policy document for a Government as it spells out how development programmes will be managed and financed. I am pleased that this House passed all the five Budgets presented by the Government and this enabled us to implement our capacity building and development initiatives across the country.

This House will go down in history for the key role it played in the Constitutional Review Process that led to the promulgation of our Constitution in 2010. The Constitution of Kenya Review Act which was passed by this House in 2008 provided a legal framework for the review of the Constitution and established the key organs that facilitated the process.

These organs included the Committee of Experts and the Parliamentary Select Committee. These bodies led by Senior Counsel, Nzamba Kitonga and hon. Abdikadir Mohammed engaged Kenyans and worked hard to deliver a Draft Constitution. This was approved by this House and adopted by the people of Kenya in a referendum. After more than 20 years, we were finally able to achieve our goal of a new constitutional dispensation. Thereafter, this House has met all the laid out timelines and enacted the legislations required by the Fifth Schedule. Kenyans are very proud of your achievements in this area.

Indeed, you have set an example to the incoming Parliament which will have the responsibility of enacting the remaining laws that will give full effect to the Constitution by the year 2015. The implementation of the Constitution has radically changed our Government structures and led to significant reforms in the Judiciary and our electoral process. Parliament has played an active role in this reform process.

On the Judiciary, Parliament enacted the Supreme Court of Kenya Act, the Judiciary Service Commission Act and the Vetting of Judges and Magistrates Act, among others.

Mr. Speaker, Sir, on electoral reforms, this House passed legislation on elections, political parties and the Independent Electoral and Boundaries Commission (IEBC). As result, Kenyans now have significant faith in the Judiciary, as well as the electoral process in the country. In addition to passing these laws, the National Assembly has expeditiously overseen the vetting and approval of the constitutional office holders. Moreover, holders of independent offices, the Auditor-General and the Controller of Budget were approved by this House. These developments have ushered in a new era of accountability and confidence in public appointments. Parliament has also enacted the prerequisite laws to implement devolution. These include:-

1. The Public Finance Management Act,
2. The County Government Act,
3. The Inter-Governmental Relations Act,
4. The Transition to Devolved Government Act
5. The Urban Areas and Cities Act.

These laws provide a legal framework to anchor our transition from a central Government to a devolved system as our Constitution provides. Devolution will bring Government closer to the people, and will also facilitate the involvement of wananchi in decision-making at all levels of governance.

Mr. Speaker, Sir, one of the National Assembly's most critical roles is oversight over the Executive. The Tenth Parliament has performed this function with distinction and has been a faithful watchdog on behalf of the people of Kenya. The Parliamentary Committee system has been exceptionally active during the life of this Parliament. For the first time in Kenya's history, Kenyans have watched members of the Executive as well as other institutions account for their actions before people's representatives. The oversight on expenditure has been particularly impressive with the Public Accounts and the Public Investment Committee's being able to clear the backlog that had accumulated from the past.

(Applause)

It will be the responsibility of the Eleventh Parliament to continue with these efforts of making the Executive accountable. It is important, however, that this process is conducted in an atmosphere of mutual trust and decorum.

Mr. Speaker, Sir, it is the responsibility of the Government to provide security for its citizens and protect them from any internal or external threats. For sometime, Kenya has suffered attacks from hostile elements based in Somalia who have links to internal terror networks. In an effort to protect our territorial integrity, we pursued these terrorists into Somalia. The Executive sought the approval of Parliament for this action. Our defence forces have made significant achievements in Somalia and they are now part of the African Union Mission in Somalia. As we celebrate their success, it is important for us to appreciate the role played by Parliament in this military operation.

Mr. Speaker, Sir, I have been honoured to serve my country as a Member of this House since 1963. I thank God for his guidance through this long period. I also thank my constituents, both in the then Donholm in Nairobi and Othaya, for their faith in my leadership. In my different roles in Parliament, as a Member of various Parliamentary Committees, Leader of Opposition and Leader of Government business, I have developed the conviction that Parliament holds in its hands the ability to determine the destiny of our nation. Members of this House have the potential to radically improve the lives of the people of Kenya. Our Constitution, as well as the impressive legislative efforts of this House have put in place a significantly different governance structure.

After the elections next year, Kenya will have a two-tier Government at the national and county level, a bicameral Parliament, increased accountability for elected officials and greater involvement by the public in governance at all levels. It is critical that Kenyans are led by competent leaders with high moral standards. I, therefore, call upon all Kenyans to vote wisely for the men and women who will sit in this House next year. Let us vote for leaders who put the interest of the people first, and who are hardworking and visionary. For the first time in nearly 50 years, I will not be on any election ballot paper.

(Laughter)

However, most Members of this august will be running for election either as President, Senator, Governor, Member of Parliament or Women Representative. I wish you all the very best. I also call upon you, together with all other aspirants, to promote peace and national integration during and after the election period. Our full potential and destiny as a nation will be achieved when we live in harmony with each and experience true unity in our diversity.

In conclusion, I would like to once again thank this august House for its support to the Grand Coalition Government over the last five years that enabled us to serve the people of Kenya. Your contribution has been invaluable in our development effort. Most importantly, your legislative and oversight achievements have earned you a place in our nation's history.

Mr. Speaker, Sir, I also thank Members of the Ninth Parliament for their great contribution. I would also like to salute all those Members of Parliament who have served our country since our Independence. I take this opportunity to wish you success in all your future endeavours. Indeed, even those who will not be elected to any political offices during the next election will have opportunities to contribute to national development in other capacities.

To the Eleventh Parliament, I extend my best wishes and God's blessings. Let me also wish you a Merry Christmas and a Happy New Year.

Mr. Speaker, Sir, finally, I am glad to be launching a book with some of my contributions during my time in Parliament. It is my pleasure to present to you a copy of that book, which I will do later on so as not to interfere with Parliament.

Thank you very much, Mr. Speaker, Sir.

(Applause)

Mr. Speaker: Hon. Members, I think it is worthy of going on record to thank His Excellency the President for his generous gesture to donate to Parliament a book that he has written, to give an indication of his thoughts. It will be available to all hon. Members, from what I understand. There will be adequate supplies.

What is it, Leader of Government Business?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I rise on a point of order because of the exemplary and exciting presentation by His Excellency the President yet Standing Order No.16 says as follows:

“16. The President, while occupying the Chair of State-

(a) may on any day after disposal of all matters other than business and between or by way of interruption of any Orders of the Day (but not in relation to any Order of the Day), make a Presidential Statement, which shall be heard in silence and not followed by any comment or question---“

Mr. Speaker, Sir, this Standing Order is prohibitive to the need for us to take the opportunity, as the Tenth Parliament, to appreciate His Excellency the President for his exemplary contribution to the well being of this nation. Therefore, I wanted to invite you to consider invoking the provisions of Standing Order No.1, so that we are not seen to be going contrary to the Standing Orders; and allow this House to make a few comments in response to what His Excellency the President has said.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Order, hon. Members! Indeed, I am awake to the provisions of Standing Order No.16. I did cite it even as we started this session, in which His Excellency the President made his Address. One of the elements that the President has picked out of my performance as your Speaker is that I have been straight with the law. I have been non-partisan. I intend to tenuously stick to it but I will say the following so that we all follow – that Standing Order No.16 provides as follows, in *extenso*:

“16. The President, while occupying the Chair of State-

(a) may on any day after disposal of all matters other than business and between or by way of interruption of any Orders of the Day (but not in relation to any Order of the Day), make a Presidential statement, which shall be heard in silence and not followed by any comment or question---“

So, the position is clear. I want to commend you for having complied by hearing His Excellency the President in total silence. After that, the address is not supposed to be followed by any comments or questions. That means we cannot put the Address by the President to question so that we say: “As many as are of this opinion say Aye; as many as are of a contrary opinion say Nay”. That one, we cannot do.

Neither shall we comment on the President's address but there is something you can do, which I am going to allow: That, if Members feel inclined to appreciate the service of the President, both to the Legislature and to the nation, you will be at liberty to do so but you cannot edit or censor or question the President's address. That is how we will proceed. So, those of you who may wish to appreciate or acknowledge the President are at liberty to do so.

Yes, hon. Amos Kimunya.

The Minister for Transport (Mr. Kimunya): Mr. Speaker, Sir, I rise to record my special thanks to His Excellency the President for finding time to be with us in the House and congratulate him for being the longest serving Member of this House. Indeed, he will hold the record for being the longest serving Member of the august House for a long time to come. I would also say special thanks to the people of Othaya for the steady support they have given him from 1974, and for allowing him to accumulate this amount of experience and knowledge, which has been evidenced with his management of state affairs over the last 10 years.

His Excellency the President has taught us the values of patience, humility and focussing on the goal despite the usual challenges. I hope and trust that we have all learnt to take these vital lessons as we take Kenya forward.

With those words, I beg to record my special thanks for the exemplary service that the President has given to this country. I hope that we have all learnt a thing or two that we can use as we move forward into the future.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Yes, Member for Garsen.

Mr. Mungatana: On a point of order, Mr. Speaker, Sir. You are the Head of this Parliament. You have given a very elaborate opinion of this House as a representative of this House. You have said what needs to be said to His Excellency the President. Any other Member of Parliament who is speaking will diminish what is already there.

(Applause)

Mr. Speaker, Sir, even trying to answer what the President is saying is diminishing what we all know. Let us leave this, end this session and proceed to other business.

Thank you.

Mr. Speaker: Very well. I have heard you Member for Garsen. Indeed, I have heard your sentiments. They still accord with the directions that I have given. However, we will still hear one or two Members and it depends on how they speak to the matter.

Hon. Members: No! No!

Mr. Speaker: I will want to ensure that we have gender parity and so, I will take Ms. Wavinya.

The Assistant Minister for Youth Affairs and Sports (Ms. Ndeti): Mr. Speaker, Sir, I would like to take this opportunity, first of all, to thank you for thanking His Excellency for his work, on our behalf.

As a Member of Parliament and an Assistant Minister in this Government, I would also like to take this opportunity to really thank him for what he has done for the Republic of Kenya. He has given the young people of this country opportunity. We want to say thank you.

I said it very well in Syokimau when he was there; you do not have to say thank you to someone when he is gone. It is good to appreciate them when they are there. Your Excellency, we appreciate you for the good work that you have done for this country. You became a Member

of Parliament before I was born. I am very happy and pleased to have worked with you at my age.

Thank so much and God bless you. *Ahsante sana.*

Mr. Abdikadir: Mr. Speaker, Sir, may I thank His Excellency the President for his support to the constitutional review process. I have been fortunate, on behalf of this House, to lead both the review of the Constitution and the implementation. In both processes, the President, Office of the President, the Prime Minister and the Office of the Prime Minister have been exceptionally co-operative. Most times, this House has not had much co-operation from the Ministers. But the President and the Prime Minister have been exceptionally co-operative as far as the implementation of the Constitution has been concerned. Indeed, a number of times, decisions of His Excellency were reversed either by the courts or this House. But His Excellency has had the humility and the sense of leadership to accept those difficult decisions which most chief executives may not have to take the country forward.

Mr. Speaker, Sir, it is for that humility and that sense of dedication that this House extends its gratitude to His Excellency the President for the 50 years of service to this nation and to this House.

Thank you.

Mr. Kabogo: Asante, Bw. Spika. Mhe. Rais, kwa niaba ya watu wa Juja, nataka kukushukuru kwa kazi yako njema kwa nchi hii. Ukistaafu, nakuombea maisha marefu. Mungu akubariki.

Asante.

The Minister for Medical Services (Prof. Anyang'-Nyong'o): Mr. Speaker, Sir, I rise to add my voice to those who have appreciated the speech by His Excellency the President.

I just want to add two things which His Excellency was too humble to mention in his last years as the President of this country. One, it is not easy to preside over a transition from an authoritarian rule to democratic one. In many countries, it has always been a very turbulent period. However, we must thank His Excellency for having presided over this transition and made it possible for us now to build a democratic society.

Secondly and finally, when I was the Minister of State for Planning, National Development and Vision 2030 and this country had had negative growth, Mr. President was capable of giving room to new thoughts so that new teams could be put in place to guide this country into rapid economic growth. The results of that accomplishment can now be seen in Kenya marching towards being a Second World.

Finally, His Excellency, in that first five years, made it possible for our economic and social council to be established for the first time in this country and, therefore, for the initiation of Vision 2030 to start. These are no minor accomplishments in the history of a nation. I would like to commend His Excellency for those accomplishments and for the inheritance that he has given Kenyans.

Thank you.

Mr. Twaha: Thank you Mr. Speaker, Sir, for affording me this opportunity to also express my personal gratitude and the gratitude of the people that I present - the people of Lamu West - for the excellent work that His Excellency has done during his ten years as the Head of State and Head of Government.

We are particularly grateful in Lamu for the title deeds that His Excellency the President was instrumental in getting for our people. We are also grateful for rural electrification, free education, Lamu Port, improved security and so many things that other Kenyans also enjoy.

Your Excellency, we have learnt a lot from you with regard to tolerance, being magnanimous as a leader, being a leader who is focused on issues and not a malicious one. We have seen a big contrast between your leadership and the leaderships that we have seen in the past.

Thank you very much. We wish you a happy retirement and long healthy life.

The Assistant Minister for Co-operative Development and Marketing (Mrs. Kilimo): Thank you Mr. Speaker, Sir, for giving me this opportunity to sincerely thank His Excellency the President for embracing me and my constituents when I came to Parliament. I thank him because since he took leadership as the President of this country, my constituents who slept in caves can now sleep in houses.

I want to thank you for the security that we have enjoyed during your tenure. You did write about your agenda for Marakwet. Although it is not yet complete, the people of Embobut have seen light at the end of the tunnel; soon they will be resettled. On behalf of the Marakwet constituents famously referred to as *Othaya Ndogo*, I want to thank you.

Mr. K. Kilonzo: Mr. Speaker, Sir, I wish to join my colleagues in congratulating His Excellency the President. I joined this Parliament ten years ago when he started his presidency. As he leaves the presidency to go on retirement, I will be leaving this Parliament to go and start my new job as the Governor of Kitui.

Mr. Speaker, Sir, the President will be remembered for the infrastructure in this country. The few days that Mr. President will be in office, just to complete his job on the infrastructure, I think he will remember the road from Kibwezi to Kitui which he promised to do as he proceeds on retirement.

I thank you, Mr. President.

The Assistant Minister for Foreign Affairs (Mr. Onyonka): Mr. Speaker, Sir, I stand here to congratulate a great man. I happen to be a son of a man who worked with the President. On several occasions, when we would ask him how he would rate the people he worked with, my father once commented and said President Kibaki is the President Kenya would never have and is always much deeper than you see him. I am glad that Kenyans made him the President of this country.

Finally, Mr. Speaker, Sir, on behalf of the people of Gusii County, I appreciate and we will always honour the fact that the President constantly visited Gusii County. Your Excellency President Kibaki, thank you and retire well.

The Attorney-General (Prof. Muigai): Mr. Speaker, Sir, I want on behalf of those people who sit in this House who are un-elected, unlike my colleagues, to thank most sincerely His Excellency the President.

I would like to thank the President for bringing to the people of Kenya, restoring to this nation and its people, self respect, dignity, self confidence and pride. For that, we are eternally grateful.

The Minister for Energy (Mr. Murungi): Mr. Speaker, Sir, I have had the luck and privilege to serve the President for 20 years in this House out of his 49 years in it. Our most humorous days were our days in the Opposition.

Mr. Speaker, Sir, we all remember the wit, humour and eloquence which the President addressed the various debates we had in the Opposition when he was the Leader of the Opposition between 1997 and 2002. I am sure some of those speeches will appear in that book, and I want to sincerely thank and congratulate him for those days.

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, I just want to make brief remarks. I want, through the Chair, to remind His Excellency the President that I agree with Mr. Murungi that those who were in this House when the President was an active Member of the House in debate, know that most of the time when he was speaking the House would be in total silence. I remember when I was a new Member of this House--- I hope that is not in that book because it did not put me in very good light. I stood up on a point of order and the President stood up and said:-

“The hon. Member who has stood on a point of order was obviously not listening to what we are saying. If he was listening, he probably would not have understood what we are talking about.”

(Laughter)

I was completely floored. When I stood on that point of order, it was not to contribute to the debate. It was for purposes of mischief. By sheer wit and retort, which sometimes we miss in this current House--- I think there was a time in this House when debate was so full of myth and wit, of which the President and very few other Members in this House could reach that standard of debate. I very much miss his contributions in the House, whether as Leader of Government Business or as Leader of the Official Opposition.

I join my fellow Members of Parliament to wish you a long life, but continue to give service to this nation, because Kenya has truly come up with a Statesman who will help this country in the process of transition which must occur.

Ms. Leshomo: Asante Bw. Spika kwa kunipa hii nafasi ili niungane na wenzangu kutoa shukrani kwa Mhe. Rais kwa ile kazi yote amefanya katika Kenya. Nimefurahia, na hasa natoa shukrani za Wasamburu na Maa community kwake kwa kutupatia nafasi ya kuingia katika Bunge hili; ni nafasi ambayo hatukupata kwa miaka mingi. Uhuru upatikane; tunashukuru sana. Hii ni rekodi ambayo haitasahaulika katika Maa community. Asante.

Mr. Farah: Mr. Speaker, Sir, I also want to join my colleagues, because I had the pleasure of serving with His Excellency the President in the Seventh Parliament. He was very much a mentor along with the late Mr. Sagini and the late Jaramogi Odinga. They had a lot of influence on our political thought and patriotism. When we came out as a radical Opposition of young people, who were prepared to tackle the system, I really appreciated the way he respected the law, the Standing Orders, the Constitution and he calmed the young radicals and asked them not to break the law.

I remember one time there was fracas here and James Orengo remembers it very much. People from the Opposition tried to take the mace. His Excellency told us we could not do that. He told us we had to respect the law and the institution. We had to respect the rules of democracy. So, the magnanimity, humility, respect for law, respect for Standing Orders are things that we picked up in those early days.

He never referred to any notes when he was contributing in the House. The other one who was exceptionally brilliant like him was the late Onyonka. I can never forget. The late Deputy Speaker, Dr. Bonaya Godana, was on the Chair and His Excellency made a comment while he was contributing from the Floor. There was a direction given by the late Dr. Godana which the Members of Parliament in the Opposition did not take kindly. So there was uproar. He called us and said the Deputy Speaker was doing the right thing. I remember one or two Members from the Democratic Party (DP) and others who were young; he told us that was

exactly what the rules said, and we had to respect the Chair. These are the kind of things that I will remember him for all these years; he had wisdom and tried to mentor us in the common room there.

Thank you Your Excellency for all the good things you have done in this country. I am sure the nation will remember you.

Mr. Imanyara: Mr. Speaker, Sir, on behalf of the people of Central Imenti and the larger Meru in general who have overwhelmingly supported him with their votes over the last ten years, I want to record my appreciation to the President for an exceptionally meritorious parliamentary service.

As the President enters the history books as the longest serving Member of Parliament he will go home a happy man, in the sense that he has achieved what many of us thought was not possible within our life time, that is the promulgation of the new Constitution.

Mr. Speaker, Sir, I had the privilege of serving under the President when he was the Leader of the Official Opposition, and I remember those days hon. Orengo and hon. Murungi have talked about; we recall them for the manner in which he set the pace for bringing the Government to account.

As the President goes home, we also would like to appreciate that one of the greatest contributions he has made as the President and as a politician is to add on to our political lexicon. Let me conclude by borrowing from that political lexicon by telling the President “*ujienjoy* in your retirement.”

Thank you.

The Minister for Environment and Mineral Resources (Mr. Mwakwere): Mr. Speaker, Sir, first and foremost, I would like to thank His Excellency the President, and also join my colleagues in congratulating him for what he has done for this country. We, as politicians, would like to emulate great politicians so that we also become equally great. But it will be extremely difficult for us to achieve what you have achieved. I am a very ambitious man. I have tried that. When I learned that you served as the Executive Officer of KANU, I made sure that years later I became one; that I did. Then I said but this gentleman is a Member of Parliament. I was elected ten years ago and I thank you very much for having appointed me a Minister for all these years. But then I will not break your record.

I do not think I will do 50 years as a Member of Parliament. If I happen to do that, then I will set the world record as the longest living human being.

(Laughter)

Mr. Speaker, Sir, I also have ambition to be the President of this country. However, I am ready and have already declared where my interest is. So, I have given up on that. Your Excellency, you have served us very well. We, people from the Coast Province, are proud of what you have done for the country and we remain as one country.

Mr. Chanzu: Thank you, Mr. Speaker, Sir. At least, you have now taken into account regional balance.

(Laughter)

I want to thank His Excellency the President for one major achievement. This being a developing country and education being key to what we want to achieve, what he has put in

place on the free primary and secondary education is a milestone. I only hope that whoever takes over from him will improve on it and even make education at primary and secondary level free, so that as many children in this country can access basic education. Thank you, Your Excellency, and all the best in your retirement.

The Assistant Minister for Roads (Dr. Machage): Mr. Speaker, Sir, allow me to appreciate and thank His Excellency the President, Hon. Mwai Kibaki, for the services he has given to this country. On behalf of the minorities and hitherto marginalized communities of this country, allow me to show just a little example of what he has done. My community, the Kuria people, for the first time in the history of Kenya, was given the opportunity to serve in the Cabinet as full Cabinet Minister. We also had an ambassador albeit briefly. That will not be forgotten in the history of Kenya. Thank you and God bless you.

Eng. Maina: Mr. Speaker, Sir, I stand to thank the President. We have a testimony that he inspired some of us and that is why we are in this House. He remains, to my constituency and the Nyeri County, one of the best examples of leadership. One interesting thing is that the President has hardly changed since we knew him as a Member of Parliament, Vice-President and now as the President. He has remained natural. It is not very easy. We should all emulate that kind of humility to remain yourself, natural and committed to the ideals and virtues that you hold.

I want to assure His Excellency that the people from his home area know that there has been a President. I believe that with prayers, there will be another one in the future from the same area. It is a great inspiration. His Excellency will be most welcome and even in retirement; we will call upon him for counsel. May God bless him as he goes on retirement.

Mr. Konchella: Mr. Speaker, Sir, let me also appreciate His Excellency the President for his service to this country. I want to remember a day when he was the Leader of the Opposition and I was a military colonel. On three occasions, we played golf together. He did not care who was playing with him. It was just a member. Indeed, I appreciate that. When we sat down after the golf, I eased myself out when politicians started coming and went to my Barracks. I am looking forward to the day when I can look for him to play golf.

Lastly, when you visited there, indeed, you told them that there will be two projects – a highway road going through hon. Machage’s place to the Southern Corridor and the local airport in Kilgoris. So, we appeal to you to come and inaugurate them before you retire.

Thank you.

The Assistant Minister for Medical Services (Mr. Kambi): Asante sana, Bw. Spika kwa kunipatia nafasi mwanzo kukushukuru na kumshukuru Mheshimiwa Rais. Ni mengi yale ambayo ameyafanya. Tukianza kuyasema ninafikiri usiku utaingia lakini watu wa Kaloleni wanamshukuru na wanamuita profesa hasa wa mabarabara kwa sababu walipata mabarabara na maendeleo kwa wakati wake na nchi kwa jumla. Sitasema mengi. Mheshimiwa Rais, tunakuombea maisha marefu na Mungu akubariki.

Asante.

The Minister for Trade (Mr. Wetangula): Mr. Speaker, Sir, when we were in this House in the Seventh Parliament, one day when the President was on the Floor and an hon. Member from across the Floor heckled him, he just said: “Obviously that man does not belong here.”

(Laughter)

That is the kind of Parliament we are expected to have without hecklers – people with dignity.

Mr. Speaker, Sir, finally, I think the best summation of the President and his conduct was recently given by the President of Tanzania, Jakaya Kikwete. He told the President and I quote in Kiswahili: “Mr. President, I like your style. Watu wanasema maneno mengi na wewe unanyamaza tu. Hiyo ndio staili mimi napenda na Wakenya wanasema maneno zaidi. Endelea kunyamaza na kuwaongoza.”

(Laughter)

I think that was one of the best summations from your brother Kikwete on what you have been. On behalf of the people of Sirisia, Bungoma County, I also wish you well in your retirement and I hope that in the remaining period for all the work you have done for this country and the support you have enjoyed, you will take an opportunity to visit the former eight provinces and say *kwaheri* to the people of this country.

Thank you.

The Minister for Higher Education, Science and Technology (Prof. Kamar): Mr. Speaker, Sir, thank you for giving me this opportunity to join my colleagues in thanking His Excellency for the wonderful service he has given this country for 49 years which is longer than the age of some of our colleagues. I want to thank Your Excellency for your commitment and dedication to this nation and I want to thank you on behalf of the education sector, in particular, for the reports that you have made starting from Free Primary Education (FPE) and Free Secondary Education (FSE) and the improvements that you have put in the university sector.

Your Excellency, I want to thank you most sincerely for assenting to the Universities Bill a week ago and also for informing hon. Members that you will be going around to do the offering of the charters of 15 new universities. I want to thank you again for accepting to open up the sector so that we have more universities. Hon. Members should know Your Excellency that you are not finished in your programmes yet until you go to Pwani University College, Mombasa Polytechnic, Kisii, Bondo, Kabianga, Meru, Chuka, Seuco in Eastern, Chepkoilel, Karatina, Multimedia, Kenya Polytechnic, Narok and Laikipia. We want to thank you that you have just started an agenda with us which is going to enable you to talk to the nation as was said by hon. Wetangula and we believe as a sector that you are actually going to leave a very strong legacy.

We thank you. We wish you well and God bless you.

Mr. Mureithi: Mr. Speaker, Sir, I want to take this opportunity to join my colleagues in thanking our President for the wonderful job he has done. Maybe he does not know that to us who come from that area, he is our mentor. When we were young, we used to hear of Makerere University and we read very hard, so that, at least, we could go to Makerere. We used to hear that he went to London University. We all looked forward also to go to the University of London. He has been a mentor and even to come to Parliament, it was a way of following our leader who has done well. I take this opportunity, on behalf of the people of Nyandarua, to thank him for having remembered us and given us a road that has opened Nyandarua. Our foodstuffs can now be transported to Nairobi. I welcome the President to Kieni West, which is also our place, so that we can slaughter one or two goats and we eat together as he enjoys his retirement. May God bless him and endow him with long life. God bless you!

The Minister for Fisheries Development (Mr. Kingi): Bw. Spika, asante kwa kunipatia fursa hii angalau pia na mimi nitoe shukrani zangu. Kwa niamba yangu binafsi na kwa niamba ya watu walionileta hapa Bunge, watu wa Magarini, ningependa kupeana shukrani zangu kwa Rais wetu kwa kazi njema aliyofanya. Ikiwa kuna kitu ambacho nimejifunza kama kijana kutoka kwa Mzee wetu Rais wetu, ni nguvu ya maneno machache ama nguvu ya kimwa. The power of silence. Mhe. Rais ni mchache sana kwa maneno. Lakini kama tujuavyo, mtu yeyote ambaye ni mchapakazi hatumii kinywa chake wakati mwingi. Na kwa sababu ya yale aliyotufanyia, kusema kweli kama Wakenya na Wabunge wa Bunge hili la Kumi, tunaweza kuweka kifua mbele na kumwambia Mhe. Rais asante na kumwomba, akielekea kule kustaafu, Mwenyezi Mungu ampatie maisha marefu yasiyokuwa na bughudha. Asante sana, Mhe. Rais.

Mr. Samoei: Mr. Speaker, Sir, thank you for giving me this opportunity to join my colleagues in congratulating His Excellency the President, on his final Address to this House as he goes into a well deserved retirement.

I had the privilege of serving in the Eighth Parliament when the President was the Leader of the Opposition. I was then aged 31 when I first came into this House. His Excellency the President, who was the Leader of the Opposition then, after the Presidential Address by the Former President, made the following comments. He said “Mr. Speaker, I wish to support this general statement that has been made by the President”. I was really angered. When everybody said it was a great statement of exposition of Government policy, as the Leader of the Opposition, even though recognizing that it was a statement made by the President, he had his opinion and he made it very clear. From that day, I have watched and although I have never had occasion to vote for His Excellency, I must say that I appreciate the exemplary performance that he has shown and demonstrated to this country.

(Applause)

I had occasion to serve in the Coalition Government and I must admit that working with His Excellency the President was the best thing that I can remember of his legacy. He encouraged me as Minister and, in fact, I remember on one occasion he asked me: “Mr. Minister, are you sure the fertilizer that is subsidized has actually got into the country?” and I said: “Yes, Sir”. He told me that he wanted to launch that programme himself and he actually honoured the appointment and did exactly that. As you go on retirement, know that the rest of us whom you have left behind have learnt truly the slogan of “*kusema na kutenda*” from you and we will follow in your footsteps in making sure that leadership matches what they say with what they do.

Thank you, very much.

Mr. Muthama: Bw. Spika, nakushukuru kwa nafasi hii nami niweze kuungana na wenzangu kumshukuru Rais kwa mambo mengi ambayo amefanyia taifa hili. Mwishowe nataka kutaja mambo mawili ambayo Wakenya hawatasahau katika maisha yao. Jambo la kwanza ni kwamba Rais ametoa elimu ya bure kwa watoto wa maskini ambao kila siku kila mzazi anamuomba Rais kwa kuona kwamba mtoto wake anasoma bila taabu. Jambo la pili, namshukuru Rais kwa sababu amewaondolea wazazi maskini mzigo wa kuitishwa pesa ya harambee ya kujenga shule. Kwa hivyo, ametoa elimu ya bure na vile vile pesa ya kujenga shule ili watoto wasome bila kuhangaika. Kwa hivyo, ningependa kutoa shukrani zangu na hivi leo unapoanza kuondoka ukumbuke ya kwamba Wakenya wote na haswa maskini ambao Mungu anasikia maombi yao wanakuomba siku nenda, siku rudi. Kwa hivyo, Mungu akujalie na akuongeze nguvu zaidi za kuweza kutumikia taifa na vile vile kuwasaidia katika uongozi kwani

uongozi wako hauna masengenyo, chuki na tumekaa hapa tukifanya kazi yetu bila kutushurutisha na maneno ya kutishia.

Mungu akubariki.

The Assistant Minister for Public Works (Mr. Kiunjuri): Mr. Speaker, Sir, let me thank my colleagues, more so thank and congratulate His Excellency the President whom I have worked with for the last 15 years. I am among the few Kenyans whom His Excellency attended their wedding. I thank him for the bull that he gave me during my wedding where he participated from morning to evening.

Thank you, Your Excellency.

Mr. Speaker, Sir, I am also among the very few whom His Excellency paid for college fees. When I came to Parliament as a teacher with a Bachelor of Education, I decided to pursue a bachelor's degree in law and His Excellency paid my fees for three years but I am sorry Your Excellency, I did not clear. Now that you are retiring and there is no much involvement, I will be requesting that next year you pay for the extra one year so that I can graduate. The people of Laikipia will never forget you. By the time you were being elected there was no single road in Laikipia but today, the area is completely opened up.

Mr. Speaker, Sir, today, the area has completely opened up. The issue of insecurity in Laikipia East is a thing of the past. In fact, Nyeri is not any secure. Therefore, the people of Laikipia will remember the President. I will also remember him. The President is definitely retiring in my neighbourhood. I want to assure him that I will be visiting him now and then so that we can continue comparing notes now that I am the party leader of GNU which originated from DP. This was a real encouragement to all of us. I have learnt a lot about life from His Excellency the President.

Your Excellency, we have taken your footsteps and I believe that most of the young people in this country will never forget you.

Lastly, when I was nominated to run on a DP ticket in 1997, very many people challenged my ticket. Were it not for His Excellency, I would not be seated here today. He was very categorical that even if that young man comes from a poor family, he should be given an opportunity to serve the people of Laikipia.

Mr. Speaker, Sir, I thank His Excellency the President.

The Minister of State for Public Service (Mr. Otieno): Mr. Speaker, Sir, in conveying our appreciation to the service of His Excellency the President Kibaki, I would like it to go on record on one or two statements which he has made that have greatly influenced my thinking.

At one time, the party used to employ a number of individuals literally to harass His Excellency the President in his backyard in Nyeri. It passed out slightly in anger that the challenge in our political practice at present is that amongst us there are a few small brains with great expectations.

In private conversations, there were light moments that we had great things to learn from His Excellency the President. He used to say, definitely, there is something good in you. Please, use that which is good in you for the benefit of the people.

As a fellow economist, I know that most people ignore these little things but they are great when said by a great man. If you spent your life continuously reviewing and assessing what is good in you; the gift that God made of you amongst us and strive to use it for the benefit of our people, the sum total is progress for everybody. It means, therefore, in my thinking that each of us has the good and the bad; the normal dynamics in society. The more you use the good in

you, the better for the whole political economy. The more you do the opposite without thinking, as hon. Orenge testified, the more you are dragging the country backwards.

I would like it to be on record that in your experience with us; for very many decades in political practice, we have learnt that each one of us has something good in us. The more of our good side that we apply in the management of our public affairs, the better for our society. If we do the reverse, we are doing a disservice to our society.

Please, retire well. We record this and we will remember it all.

Thank you.

Mr. Affey: Mr. Speaker, Sir, thank you for giving me this opportunity to also congratulate the President and wish him well on behalf of the party that has nominated me, that is the Wiper Democratic Movement, now in the Coalition for Reforms and Democracy (CORD), for all practical purposes.

Mr. Speaker, Sir, I want to thank the President. When I came to the Eighth Parliament first, I happened to be one of the young Deputy Ministers. At that time, I was Assistant Minister for Foreign Affairs. The President was always concerned about peace in the region. Many times, he asked me to brief him about the situation in Somalia. I am now very happy that he has achieved the vision he had for peace in this region. I want to wish him well. I know he has a lot of energy and desire to make peace, not only in Kenya but also in Africa and East Africa.

Mr. Speaker, Sir, I wish to say that President Kibaki should be utilized as a diplomat and a special envoy to get peace in the parts of the world that have experienced hostilities.

As you retire, Mr. President, please, instruct the Minister for Roads to complete the road works from Garissa to Mandera; in that way then you will link up Garissa to Kismayu and the region will then be opened.

Thank you for giving me this opportunity.

The Minister for Information and Communications (Mr. Poghio): Mr. Speaker, Sir, I want to thank you for recognizing Kacheliba. On behalf of the people of Kacheliba and on my own behalf and Pokot Community, I want to say my congratulations to His Excellency the President. I first met him in the Fifth Parliament, when I came in as a young graduate. I shook his hands as the Vice-President outside this House. I got the determination to join this House as a Member. In The following Parliament, Sixth Parliament, I sat with him in this House. Although my stint in the House was cut short---

Mr. Speaker, Sir, for the record, probably I was the shortest serving Member of the Sixth Parliament because three months into my membership of the House, I was expelled from the *Chama Cha Mama na Baba* at the time. I am very sure the President was not party to my expulsion at that time.

Mr. Speaker, Sir, His Excellency has opened up the otherwise impossible northern Kenya. That is something we will never forget. When we hear of a road going from Isiolo all the way to Marsabit--- These are things which have been next to impossible and we must congratulate him. As he goes into retirement he knows that he has made Kenya one country through the infrastructure programme that he has implemented. I think for me, I would just want to thank him. May God bless you, and please continue to be of service to your country.

I want to thank you. God bless.

The Assistant Minister for Transport (Mr. Joho): Asante, Mhe Spika kwa nafasi hii muhimu ya kuweza kumuombea na kumshukuru Raisi wetu. Sisi Waswahili husema viongozi ama binadamu hukumbukwa kwa matendo yake. Itaingia katika kumbukumbu za nchi hii kuwa matendo Rais aliyotutendea, hasa wakenya kwa jumla---

Kwa niaba ya watu wa Kisauni na Mombasa County kuwa jumla, ni hivi juzi tu, tuliweza kuwa na Mhe Rais katika bandari ya Mombasa akianzisha mradi wa kuongeza uwezo wa biashara katika County ya Mombasa. Niligundua kwamba mara ya mwisho mradi ulifanyika katika County ya Mombasa na bandari ya Mombasa ilikuwa ni mwaka wa 1980; yeye pia alishugulika kama waziri wa fedha siku hizo kuhakikisha kwamba mradi huo ulifanyika.

Vile vile ninaamini kwamba kabla Mhe Rais aende nyumbani kupumzika atakwenda kuweka jiwe la msingi Dongo Kundu bypass, ambayo tumezungumzia kwa siku nyingi; nina hakika itakuwa sasa.

La mwisho ni kuwa ninataka nimjulisha Mhe Rais kwamba pale Nyali Golf Club kumetengenezwa ili awe akiji-enjoy wakati wa retirement atakapotembelea Mombasa. Sisi kama vijana tuko tayari kuendeleza sera njema ambayo Mhe Rais ameanzisha.

I thank you na nakuomba kila la heri.

The Minister for Water and Irrigation (Mrs. Ngilu): Mr. Speaker, Sir, I stand to congratulate His Excellency the President as he retires. It has been a pleasure for me to work with him for the last 20 years in this House. When I was first elected on a Democratic Party (DP) of Kenya ticket, almost the only Opposition person in the then KANU zone of Ukambani; during the first meeting of the DP parliamentarians, I said to him how difficult it was to be in the Opposition in that area. He said to me: "It will be okay. This is going to be a long struggle."

First of all, that was very encouraging. Secondly, I expected him to say that he was going to be part of the struggle with me. The other thing I noticed about him was that every time you wanted to take little political gossip to him, he would not allow himself to be part of any political gossip. I would like to encourage all other Members of Parliament to emulate his example and leadership style. Anybody who becomes the President of Kenya should never accept any political gossips because political gossips can be very costly.

Mr. Speaker, Sir, I want to wish His Excellency the President all the best. Indeed, as he retires, there is going to be a lot more work for him to do in politics, especially in helping young politicians to do well in what they know how to do best. I wish you all the best, Your Excellency. I thank you so much for having worked with us.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Yes, Member for Rarieda.

Eng. Gumbo: Mr. Speaker, Sir, I thank you for noticing me. Like hon. Wavinya Ndeti, I was not yet born when the President was first elected to this House. By the time he became the Vice-President of Kenya, I was in Standard Seven. When he became President, I was a practising engineer.

As one of only 200 Kenyans privileged to be registered consulting engineers and Member of Parliament for Rarieda, I want to thank His Excellency the President more sincerely for what we have seen under his leadership. When he took over the leadership of this country in 2002, we did not have a single metre of tarmac road in Rarieda but by the time he is leaving, we have over 100 kilometres of tarmac road, 90 kilometres of which were done in the last four years. Your Excellency, I thank you.

Mr. Speaker, Sir, I note that His Excellency the President did all these things as a human being with human failures like all of us. As Kenyan and someone who deeply believes in this country and, of course as someone who has children for whom I expect a secure future, there are issues that concern me and all Kenyans: The issue of security, youth unemployment, national cohesion and societal conviviality among the different groups in Kenya.

As His Excellency the President goes to retirement, I would request him to reflect upon these issues because, in my view, these four issues have been responsible for holding back the promise of Kenya. I wish to pray to the Almighty God that whoever shall get the privilege of succeeding His Excellency the President shall not only tackle these four issues head-on, but do it with absolute zeal.

Mr. Speaker, Sir, I pray to God to bless His Excellency the President and our country which, in my view, is the most beautiful place on earth, and also to bless all of us.

Mr. Speaker: The Member for Dagoretti, please, use just two minutes. We still have 27 more requests, but we will see how to deal with them.

The Minister for Public Health and Sanitation (Mrs. Mugo): Mr. Speaker, Sir, let me also join my colleagues in congratulating and thanking His Excellency the President for a job well done. He is leaving Kenya far much better than he found it.

Your Excellency, you have especially been very sensitive to affirmative action. When you led the DP, the party brought to Parliament four women against one woman of the ruling party at that time. Since then, we have seen the number of women increase in this House. Not only that but in your Cabinet, there used to be just one woman or two. We now have several. We thank you for the affirmative action on behalf of women.

On behalf of Dagoretti people and on my own behalf and the Ministry that I serve, we thank you and wish you a peaceful, prosperous long life as you retire. I also thank you on behalf of the greater Nairobi.

Mr. Speaker: Let us have the Member for Mwingi North in his capacity as the Leader of Government Business.

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, clearly we can go on and on in trying to thank God for the life and times of President Mwai Kibaki. Going down the memory lane, I remember that when he felt greatly offended as Mr. Dalmas Otieno has tried to point out, he actually went the extra mile and said--- Those days, rigging was becoming the order of the day. President Kibaki was quoted saying: “Even rigging requires some intelligence.”

I recall Your Excellency, as the Leader of the Official Opposition, one time we all came to this House and the chanting was: “No reform, no budget!” Now see how far you have brought this country. That is because you are onto solid reforms because of our new Constitution and future holds bright.

Your Excellency, in Africa, leaders leave office when they are least popular. If today a genuine opinion poll was carried out, I think Your Excellency would score over 90 per cent. This is truly phenomenal if one comes to think of it. Therefore, as we wish you well, God’s blessing into happy retirement, one of the things Members of Parliament had requested me to mention was that during this year’s Presidential Awards, it was only the Member for Vihiga, Mr. Yusuf Chanzu and Mr. Abdikadir who were honoured, for which we are grateful. However, the way this House; the Tenth Parliament, has applied itself, in fact, I dare suggest that if there is any Member who is not actually honoured to date, a way could be found to get all of them appropriately honoured.

That is because they have delivered a new Constitution, they are truly deserving they have actually been your co-labourers in making this country better.

We thank you and we wish you God’s blessing.

Thank you Your Excellency.

Mr. Speaker: Hon. Members, we have to bring this to a close. The time essentially brings us to the end of business today.

Please, hon. Members, all be upstanding. Please, remain standing until His Excellency will have left after adjournment.

ADJOURNMENT

Mr. Speaker: Hon. Members, the House now stands adjourned until Thursday, 20th December, 2012, at 2.30 p.m.

The House rose at 6.25 p.m.