

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 26th November, 1996

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

Annual Report and Accounts of Rural Electrification Scheme for the year ended 30th June, 1994 and the Certificate thereon by the Auditor-General (Corporations)

*(By the Assistant Minister for Lands and Settlement
(Mr. Sumbeiywo) on behalf of the
Minister for Energy)*

Annual Report and Accounts of Bomas of Kenya for the year ended 30th June, 1995 and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of Kenya Tourist Development Corporation for the year ended 30th June, 1995 and the Certificate thereon by the Auditor-General (Corporations)

*(By the Assistant Minister for Lands and Settlement
(Mr. Sumbeiywo) on behalf of the Minister
for Tourism and Wildlife)*

Annual Report and Accounts of Industrial and Commercial Development Corporation for the year ended 30th June, 1995 and the Certificate thereon by the Auditor-General (Corporations)

*(By the Assistant Minister for Lands and Settlement
(Mr. Sumbeiywo) on behalf of the Minister
for Commerce and Industry)*

NOTICES OF MOTION

IRREGULAR ALLOCATION OF PUBLIC PROPERTIES

Mr. Raila: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motions:-
THAT, this House, in view of the fact that public properties in urban centres have been and have continued to be irregularly allocated to individuals; considering the housing needs of public servants; cognizant of the need to protect and conserve public utilities and environment in the management of public affairs, this House urges the Government to stop the practice forthwith and to take urgent remedial measures including repossession of such properties and punishment against the offenders.

POLICY PAPER ON FOOD PRODUCTION

THAT, in view of the fact that it is the Government's pronounced policy to increase food

production for its ever growing population and in order to attain food self-sufficiency and surplus, this House urges the Government to take urgent steps and prepare a comprehensive policy paper on food production.

STREAMLINING REGISTRATION EXERCISES

THAT, in view of the significance of the identity cards in the voter registration exercises; realising the importance of having all the legible Kenyan citizens issued with identity cards before the commencement of the next voter registration; and considering the difficulties currently being experienced by people in obtaining the second generation identity cards in some parts of the country, this House urges the Government to streamline the on-going national registration of persons.

ORAL ANSWERS TO QUESTIONS

Question No. 793

POSTING OF SPECIAL BRANCH OFFICERS

Mr. Shikuku asked the Minister for State, Office of the President whether he could tell the House when the Special Branch officers serving in Butere and Khwisero Divisions were posted to these divisions.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Deputy Speaker, Sir, I beg to reply. The officers of the Directorate of Security Intelligence were posted in Butere and Khwisero in March, 1995, and November, 1996 respectively.

Mr. Shikuku: I would like to inform the Assistant Minister that I have not received a written reply from the Ministry and I do not know why this system is being ignored these days.

Is the Assistant Minister aware that one of the officers in Butere has been there since 1988? When was the officer in Butere first posted there?

Mr. Awori: The officer in Butere was posted there in 1986 and the one in Khwisero was posted in 1992.

Mr. Shikuku: Arising from that reply, would the Assistant Minister deny that the officer in Butere has overstayed there and it is now time he was moved elsewhere?

Mr. Awori: Mr. Deputy Speaker, Sir, he has been moved out of that place.

Mr. Shikuku: Mr. Deputy Speaker, Sir, I do not think the Assistant Minister is serious. I stay there and I have heard complaints from the people of Butere. This man has overstayed there. Will the Assistant Minister make sure that this officer is moved to another place? He cannot stay in one place for over ten years. **Mr.**

Awori: Mr. Deputy Speaker, Sir, the man has been moved out of Butere. If this weekend hon. Shikuku goes back to Butere, he will find that this officer has been moved away.

Question No. 160

INTRODUCTION OF DROUGHT-RESISTANT CROPS

Mr. Gatabaki asked the Minister for Agriculture, Livestock Development and Marketing:-

(a) how many drought-resistant grain varieties and dryland crops have been introduced and are in production in marginal land areas; and

(b) what plans there are for irrigating these lands in order to ensure better yields.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Maundu): Mr. Deputy Speaker, Sir, I beg to reply.

(a) A number of drought-resistant grain varieties have been developed over the years by K.A.R.I in collaboration with my Ministry. These are maize varieties as well as sorghum varieties. Our extension services offices are encouraging farmers to plant these new improved varieties as they are not only drought-resistant, but also mature early and produce a higher yield.

In addition, we are continuing with our campaign of promoting production of drought-resistant crops

which include millet, sorghum, roots, tubers and so forth.

(b) My Ministry has over the last four years carried out comprehensive inventories of existing potential for irrigation and drainage in 44 districts countrywide. We are now in the process of completing the remaining districts profiles and, thereafter, we will prepare a national strategic master plan for irrigation development in Kenya with special emphasis on the dry areas.

Each district profile has a three year work plan that specifies which irrigation projects should be implemented.

Mr. Gatabaki: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for his comprehensive answer. In today's *Daily Nation*, no other than the Minister for Agriculture, Livestock Development and Marketing, hon. Nyachae, talked in a seminar yesterday, urging the African communities in Sub-Saharan Africa to think about irrigation as the most dependable form of agriculture, and not to be mainly concerned with rain-fed agriculture.

Mr. Deputy Speaker, Sir, I come from a region which is very arable and where water is sufficient. I am asking this question on behalf of a KANU dominated area, which is facing famine. This is the concern of those of us in the Opposition because people who give KANU support are facing famine. We in the Opposition are demanding to know---

Mr. Deputy Speaker: What is your question, hon. Gatabaki?

Mr. Gatabaki: What programme does this Government have for famine stricken areas which support KANU, in view of the fact that so little has been done about irrigation? The Minister is talking about irrigation, while here in Kenya, he is doing nothing.

Mr. Deputy Speaker: Do you expect another chance for a supplementary question?

Mr. Maundu: Mr. Speaker, Sir, I am not sure I have comprehended his question. If he could be a little more clearer, I would be able to answer.

Mr. Farah: Mr. Deputy Speaker, Sir, in view of the answer given, the Assistant Minister has told us the programmes they have for the areas which are drought-prone like North Eastern Province, the best of Eastern Province, parts of Rift Valley, parts of Nyanza and parts of Ukambani.

Can the Assistant Minister tell us what specific programmes he has initiated in any of these areas that are drought-prone?

An hon. Member: The answer is, none!

Mr. Maundu: Mr. Deputy Speaker, Sir, as I have stated in my answer, what we have carried out is a survey within 44 districts, to find out what irrigation programmes we can carry out. So far, a few small irrigation projects have been carried out in various places in the country. They are not of much consequence, but I think it is a good beginning for bigger projects.

One thing I would like to state is that the Ministry of Agriculture, Livestock Development and Marketing is not mandated to carry out large-scale irrigation projects. We have to do that in conjunction with the other Ministries that participate in water resourcing. Therefore, the Ministry is doing everything it can to make sure that areas that are drought-prone have irrigation programmes.

Prof. Muga: Mr. Deputy Speaker, Sir, if I understood the Assistant Minister properly, he has said something that will bring about food security in this country, if it is implemented. If I understood him to say that they are going to prepare a strategic master plan, then there is a strategic master plan for food security.

If I understood him correctly, can he tell us how high a priority is it for them, and when will that plan come about. This is because it affects 78 per cent of this country. Did I understand him correctly? If so, when?

Mr. Deputy Speaker: Put your question, Prof. Muga!

Prof. Muga: I have already put the question!

Mr. Maundu: Mr. Deputy Speaker, Sir, as soon as we have carried out the process of getting the right inventories within the 44 districts, we will now send this to the various DDCs for evaluation and prioritisation.

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

Mr. Deputy Speaker: Order! Order! Next Question!

Question No. 867

WATER SHORTAGE AT EMBU HOSPITAL

Mr. Nyagah asked the Minister for Health:-

(a) whether he is aware that water is constantly being disconnected at the Embu Provincial Hospital because of inadequate funding of Kshs35,000 monthly by the Government, whereas the

hospital has a monthly consumption worth Kshs140,000;

(b) whether the Government would allocate a higher budget to cater for water requirements and for the Government to pay the arrears accrued in water consumption since money allocated through cost-sharing is never enough to run the services of this medical institution; and,

(c) when he and his senior members of staff in Afya House will visit Embu Provincial Hospital to get for themselves first hand information about the hospital.

Mr. Deputy Speaker: Is there anybody from the--- I beg your pardon and I am sorry about this! Before I came here, I had received a request through a long-distant telephone call to have this Question deferred, by an Assistant Minister from the Ministry of Health, to either tomorrow afternoon or Thursday. So, I direct that this Question be put on the Order Paper either tomorrow afternoon, and if that is already too late, then on Thursday. Next Question!

(Question deferred)

Mr. Nyagah: On a point of order, Mr. Deputy Speaker, Sir. I do have a series of meetings in my constituency, and I am going to leave tomorrow.

Do you think there is any possibility that this Question could be brought in the course of tomorrow morning? This is because I have not had any of my meetings in Gachoka for the last four years.

Mr. Deputy Speaker: I am sure the Order Paper for tomorrow morning is already out. What about Thursday?

Mr. Nyagah: Mr. Deputy Speaker, Sir, I will be away.

Mr. Deputy Speaker: What about next week?

Mr. Nyagah: Mr. Deputy Speaker, Sir, next week on Wednesday will be fine.

Mr. Deputy Speaker: Okay, then. Next Question!

Question No. 451

COUNCIL EXPENDITURE ON PHOTOCOPYING

Mr. Sifuna asked the Minister for Local Government:-

(a) whether he is aware that Bungoma Municipal Council paid a total of Kshs19,701.00 for photocopying documents in the month of May, 1995, as per Payment Vouchers Nos. 001348 to 001354;

(b) whether he is further aware that the Council paid a total of Kshs33,785.00 for photocopying documents in the month of June, 1995 as per Payment Vouchers Nos. 001795, 001846, 001847, 001896, 001904, 001949 and 001969; and,

(c) whether he is satisfied with the rate of expenditure on photocopying services, given the size of the Council.

The Minister for Local Government (Mr. ole Ntimama): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware.

(b) I am aware, as well.

(c) I am not satisfied with the rate of expenditure. I think the Council should have purchased a photocopying machine.

Mr. Sifuna: Mr. Deputy Speaker, Sir, from that reply, is he aware that the Council has a duplicating machine? Even recently, the auditors from the Ministry of Local Government visited the Council and confirmed that the Council is spending a lot of money on photocopying, which is not existing anywhere at all. There is collaboration between the Clerk and the Treasurer of the Council. Would the Minister, therefore, take the necessary action to make sure that the Treasurer and the Clerk are disciplined for misusing public funds under the pretext that they are doing the photocopying?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, I admit that it is a bad business practise. But as for what the hon. Member is saying, we are going to consider that. Thank you.

Mr. Ndicho: Mr. Deputy Speaker, Sir, what is happening at Bungoma Municipal Council, is exactly what is happening in very many other councils in this country, especially Thika Municipal Council, where the chief officers, led by the Treasurer and the Town Clerk are misusing a lot of public money. Since this is an example of the misuse of public money by his officers, can the Minister tell this House what disciplinary action he

is going to take against the Town Clerk and the Treasurer of Bungoma Municipal Council, so that the Clerk and the Treasurer of Thika Municipal Council can learn that bitter lesson and stop misusing this money? Please, teach them a lesson, Mr. Minister!

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, we have always got teams of inspection going around our local authorities. I can assure the hon. Member that we are going to make sure that some of these financial malpractices are brought up to the surface. I can also assure hon. Members that the Ministry will take necessary action whenever we find that these officers have misused their authority or their positions. Thank you.

Dr. Lwali-Oyondi: Mr. Deputy Speaker, Sir, in view of this very serious expenditure in the local authorities, and bearing in mind that most local authorities are very poorly supplied with money, coupled with very poor revenue collection, could the Minister undertake to order these local authorities to make use of duplicating machines instead of photocopies?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, I will do exactly that.

Question No.430

ESSENTIAL SERVICES TO CITY WARDS

Mr. Ruhiu asked the Minister for Local Government:-

(a) if he is aware that Mihang'o Ward in Embakasi which incorporates among others Githunguri, Karagita Buru Buru Farmers ad Kibiku, has had no service rendered to it by the Nairobi City Council;

(b) if he is further aware that adjacent Ruai and Njiru wards are also denied services, and yet they all pay service charges and very high land rates; and,

(c) if the answers to "a" and "b" above are in the affirmative, what urgent action is he taking to bring essential services to these people.

The Minister for Local Government (Mr. ole Ntimama): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the infrastructural services, drains and street-lighting have not been adequately provided.

(b) Nobody has been denied any services, it is only that they are not adequate in these areas that the hon. Member is mentioning.

(c) Nairobi City Council is going to try and improve the services in Ruai area.

But I want to say very clearly here that while some of these areas are in the periphery of the boundaries of Nairobi City Council, were bought by companies and were supposed to be privately developed. This also included the development of the infrastructure like roads, drains and so on. So, as a matter of fact, Nairobi City Council does not have any immediate responsibility on the infrastructure on these areas until the developers have completed the job there.

Mr. Ruhiu: Mr. Deputy Speaker, Sir, the answer to this Question is misleading. In his first answer to this Question, he says, "I am aware that infrastructural services such as roads, drains and street-lighting have not been adequately provided in schemes mentioned there in." And in the second one, he repeats "adequate services." He says, "Residents of Ruai and Njiru wards have not been denied services by the City Council although, as I have mentioned above, those services are not adequate". "Not Adequate" imply that there are certain services, however small, that are not rendered. Can the Minister tell this House which services, however, small they are, since he has said they are not adequate although they are provided. As far as I know, not a single service either water, sewerage, street-lighting, roads or anything else is provided in these areas?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, I have said that the services are definitely inadequate as far as the City Council is concerned. But I also wanted to point out very clearly that the City Council is not empowered to spend funds in areas, where private developers are continuing with their own work.

Mr. Ruhiu: Mr. Deputy Speaker, Sir, here is a case of my residents paying taxes, rates and service charges to the City Council without services. Would I be in order or would it be interpreted as incitement if I direct my people in these areas; Ruai, Mihang'o, Karagita, Githunguri, Buru Buru Farmers and Kibiku not to pay rates or service charges to the City Council until such time when the Council will provide services? Could I be inciting people.

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, they will be breaking the law.

Mr. Farah: On a point of order, Mr. Deputy Speaker, Sir. The Minister must be misleading the House. If you pay for a service charge it means that you are paying for a service. How can you be breaking the

law if you are not receiving services that you are paying for? How can you be expected to pay service charge without receiving services?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, I think the hon. Member should understand that we are talking of infrastructure here and we are not talking of those people carrying on business within Ruai area. Whether the road is there or not, they are supposed to pay service charge to the Council within which they are working and doing business in that jurisdiction.

Question No.1085

CONSTRUCTION OF SLAUGHTERHOUSE

Mr. Mwaura asked the Minister for Local Government:-

(a) if he is aware that butchers in Kigumo Division are being charged Kshs160 for every cow they slaughter even though County Council of Murang'a has no slaughter houses anywhere in Kigumo Trading Centre, other than Mathioya in Murang'a which is not used by Kigumo people; and,

(b) why the Murang'a County Council has not constructed any slaughters house in Kigumo and Maragwa divisions, despite the fact that it collects fees of Kshs100 from every butcher in these two divisions.

The Minister for Local Government (Mr. ole Ntimama): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that the butchers are paying Kshs160 for every cow slaughtered in Kigumo Division.

(b) But I am aware that they are paying Kshs100 for every cow slaughtered within Kigumo Division.

Mr. Mwaura: Mr. Deputy Speaker, Sir, it is obvious that the Minister has agreed that the butchers have been paying Kshs100 and this has been going on for many years. Murang'a County Council, all the years, has undertaken to build abattoir for the Kigumo slaughters and it has not done it.

Can the Minister tell the House when exactly this project of building an abattoir at Kigumo and Maragwa will commence?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, there are some slaps in the market of Kigumo and Maragwa division which are used for slaughtering animals. But I can assure the hon. Member that the Council is trying its best to try and collect funds so that they can build good abattoirs in the divisional headquarters. In fact, I think, they have initiated that project already, but it is not completed.

Mr. Mwaura: Mr. Deputy Speaker, Sir, he says that the Council has initiated a slaughterhouse project at Kigumo. Can he be more specific and tell the House when will the project commence and how much money has been allocated to an abattoir for Kigumo?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, I have not got the exact figures of how much the Council is going to spend or when it is going to be completed, but I am very certain that the project is on-going.

Mr. Mwaura: Mr. Deputy Speaker, Sir, can then the Minister tell the House since Murang'a County Council has been collecting money from the butchers over the years, how has that money been used because, ideally, the money was being raised to help in building an abattoir which was never built? How has that money been used and how much of it has been collected over the years?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, my Ministry is not in control of the normal budgetary process of any Local Authority. Probably, that money is used to give services in other areas of the Council which probably require to be serviced.

Mr. Michuki: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister really in order to say that his Ministry does not control the estimates of the local authorities when, in fact, those estimates are approved and the Councils cannot spend money without the Ministry's approval? Is he in order to misrepresent the situation?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, we definitely approve the budgets of local authorities. Sometimes we know what items the council is going to spend money on. In this particular case, I do not know where the money was spent, but we approved the budget that covered only a small area. I would not know offhand, the budget of Kigumo Town Council.

Question No.848

TARMACKING OF MAYANJA-SIRISA ROAD

Mr. Munyasia asked the Minister for Public Works and Housing when the Ministry will complete tarmacking the 12Km Mayanja-Busunu-Sirisa Road.

The Assistant Minister for Public Works (Col. Kiluta): Mr. Deputy Speaker, Sir, I beg to give the following reply.

The Mayanja-Busunu-Sirisa Road is not under construction and as such the question of when it will be completed does not arise. However, the Ministry will continue maintaining this road to keep it motorable. The last grading and pot-patching was done in July, 1996, at the cost of Kshs180,000 and the next grading is scheduled for December this year.

Mr. Munyasia: Mr. Deputy Speaker, Sir, this Assistant Minister must have been misled by his officers. This Mayanja-Busunu-Sirisa Road was in the Bungoma District Development Plan for tarmacking for the period 1994/96. In 1989 this road was tarmacked for about three kilometres. The first section of 1.5 kilometres starts from 100 metres away from the Bungoma Kimilili Road then the other section passes across Toroso River. So, the truth of the matter is that the road was down for tarmacking. So, could the Assistant Minister tell us if this is the situation? When will the remaining 9 kilometres be completed since it was included in the Bungoma District Development Plan?

Col. Kiluta: Mr. Deputy Speaker, Sir, this road is not a priority for tarmacking this year as per Bungoma DDCs' recommendations. The bit that was tarmacked is a part of C33 which is known as Bungoma-Mayanja-Chelule-Kimilili road. That was the road that was being tarmacked, but the road in question branches off at Mayanja, but no money was set aside to tarmac the portion in question.

Mr. Munyasia: Mr. Deputy Speaker, Sir, how much money was spent on this senseless tarmacking of 1.5 kilometres of Mayanja-Busunu-Sirisa road if there was no intention of tarmacking it?

Col. Kiluta: Mr. Deputy Speaker, Sir, we were not tarmacking 1.5 kilometres of the road; we were tarmacking the whole road which is C33, Bungoma-Mayanja-Chelule Road. So, it was part of that road.

Mr. Wetangula: Mr. Deputy Speaker, Sir, it is obvious that this Assistant Minister does not know what he is saying. What hon. Munyasia has told him is true because this road was partly tarmacked for about 3.5 kilometres from Mayanja junction towards Sirisia. Why is he saying that he does not have any priority to tarmac it? Why in the first place did they start tarmacking it and then stop somewhere in the middle?

Hon. Shidiye: Very dangerous!

Col. Kiluta: Mr. Deputy Speaker, Sir, if they got 3 kilometres of tarmac, that is was a bonus and they should be very happy.

Dr. Kituyi: Mr. Deputy Speaker, Sir, this Assistant Minister has been told about tarmacking of a road that he did not know whether it existed or not. Can he tell us why this bonus tarmacking started more than 100 metres away from the tarmacked road? Why did the bonus not start on the main tarmac road, instead of leaving the first 150 metres before starting the work?

Col. Kiluta: Mr. Deputy Speaker, Sir, as I said, that was not in the plan. If they got a bonus, they should be very happy.

Question No. 774

HANDICAPPED PERSONS IN CIVIL SERVICE

Dr. Kituyi on behalf of **hon. Busolo** asked the Minister for Culture and Social Service:-

- (a) how many persons who have physical, visual, mental and hearing impairments were in the Government service on or above Job Group "H" as at 1st May, 1999, and;
- (b) what plans does he have to ensure that the handicapped are appropriately trained to enable them to be employed in all sectors of the Public Services.

Mr. Deputy Speaker: Is the Minister for Culture and Social Services in? The Question is deferred for the time being.

(Question deferred)

Question No. 623

CO-OPERATIVE SOCIETIES IN MAGARINI

Mr. Ndzai asked the Minister for Co-operative Development:-

- (a) if he could give a list of Co-operative Societies in the Magarini Division, and;
- (b) what assistance has the Ministry given to these societies.

Mr. Deputy Speaker: I understand that the hon. Minister for Co-operative Development, Kamwithi Munyi, had sought through a long distance telephone call to have the Question deferred until Thursday this week and there is no Assistant Minister here from the Ministry. So, the Question is deferred and I am sure hon. Ndzai will go along with this. Okay?

Mr. Ndzai: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: The Question is deferred to Thursday.

(Question deferred)

Question N.1059

COLLECTION OF VIEWS BY TASK FORCE

Mr. Mak'Onyango asked the Attorney-General:-

- (a) why has the Task Force on Public Order and Security not visited Nyanza Province for the views of the people of the area on the Public Order, Preservation of Public Security and the Chief's Authority Acts, and;
- (b) when will the Task Force visit the Province for the said purpose.

The Attorney-General (Mr. Wako): Mr. Deputy Speaker, Sir, I beg to reply.

- (a) The Task Force has not visited Nyanza Province due to financial constraints.
- (b) It is not possible to say when the Task Force will visit Nyanza Province in view of the answer to (a) above.

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, from the word "go", the Opposition did raise concern over the question of appointing Task Forces because we felt that it was going to impose unnecessary expenditure on the part of the Government and now the Attorney-General is confirming our fears. Could he, as a result of this, then consider banning all the existing Task Forces?

Mr. Wako: Mr. Deputy Speaker, Sir, with regard to all the Task Forces, I would answer the question tomorrow because there is a question listed tomorrow on all the Task Forces. As for this particular Task Force, I will not consider withdrawing it because it is doing a very good job.

Dr. Otieno-Kopiyo: Mr. Deputy Speaker, Sir, in view of the finance constraints that the Attorney-General's office is experiencing, what alternative mechanism he will employ to solicit the views of the people in Nyanza Province who have been hitherto variously detained?

Mr. Wako: Mr. Deputy Speaker, Sir, that is a very good question. It is not just the views of the people of Nyanza Province that we are interested in because we are here concerned with the views of the entire Republic. I confined my remarks to this particular Task Force, because there is a Question listed for tomorrow respect of all the Task Forces. First, this particular Task Force has, I am informed, at least, approached a number of leaders soliciting their views by way of issuing out a memorandum. Secondly, this particular Task Force particularly with regard to certain legislations, I think, is aware of the general feelings of the people and political leadership. Here I am referring specifically to Acts such as the Public Order Act. I think, this particular Task Force know through the statements of various political leaders and Motions passed in this august Assembly what are the views of the people are on those legislations. Therefore, they are proceeding, in fact, to do exactly what this august assembly has done by passing various Motions.

Mr. Murungi: Mr. Deputy Speaker, Sir, I had the honour to appear before the Task Force on Public Order and Security about one year ago. The impression that I got is that they had covered quite a bit of ground as far as Public Order and Public Security Acts were concerned. It has been my impression all along that these Task Forces are mere delaying tactics to preserve repressive laws in this country and remove the pressure from the Attorney-General. Could the Attorney-General give a definite date when this Task Force on Public Order and Security will present its report to this House because we believe that it is not going to do so?

The Attorney-General (Mr. Wako): Mr. Deputy Speaker, Sir, I am glad that, at least, the hon. Member has taken an interest in the work of the Task Force and is able to tell this House that that Task Force had done some considerable work on various legislation. I, in fact, want to confirm what the hon. Member has said and to go further and state that as far as--- Of course, the various reviews are at various stages of consideration. But, I

can tell this House that as far as the Public Order Act is concerned, that Task Force has, in fact, finalised that aspect which is now on my desk. Very soon the Government will be considering the recommendations of the Task Force on the Public Order Act.

Mr. Deputy Speaker: Question No. 774, for the second time. This is the Question by hon. Saul Busolo.

Question No. 774

HANDICAPPED PERSONS IN THE CIVIL SERVICE

Dr. Kituyi, on behalf of **Mr. Busolo**, asked the Minister for Culture and Social Services:-

(a) how many persons who have physical, visual, mental and hearing impairments were in Government service on or above Job Group "H" as at May Ist, 1996; and,

(b) what plans does he have to ensure that the handicapped are appropriately trained to enable them to be employed in all sectors of the Public Service.

Mr. Deputy Speaker: Is anyone here from the Ministry of Culture and Social Services? The Question is deferred.

(Question deferred)

Question number one by Private Notice.

Mr. Orengo: On a point of order Mr. Deputy Speaker, Sir. Could we be given a date when that Question will be answered or when it will appear on the Order Paper?

Mr. Deputy Speaker: It is deferred due to the absence of the Government Minister who is supposed to answer it. However, it will be put on the Order Paper as early as possible.

Question number one by Private Notice by Mr. J.P. Mutere.

QUESTIONS BY PRIVATE NOTICE

EVICTED FROM CITY COUNCIL HOUSE

Mr. Mutere: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Local Government the following by Private Notice.

(a) Is the Minister aware that the Nairobi City Council evicted the widow of the late Waswa Luhami from her late husband's House No. AD 18-5714 at Jericho Estate without any justification whatsoever?

(b) Since, the lady is now spending nights in the cold with her children, could the Minister order for her reinstatement in to the House since she paid her rent up to September, 1996?

The Minister for Local Government (Mr. ole Ntimama): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware.

(b) I am pleased to inform the hon. Member that I have directed the City Council of Nairobi to reinstate the widow of the late Waswa Luhami to her late husband's house No. AD 18-5714 at Jericho Estate within one week's time.

Mr. Mutere: While I appreciate the Minister's action on that particular House, is he also aware that there are other houses which have also been taken away by Nairobi County Council under similar circumstances and whose owners are still suffering lamenting in the cold?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, I am not aware.

Mr. Mutere: Mr. Deputy Speaker, Sir, I would like to inform the Minister that the owner of House No. P18 Door No. 3432 Jericho Estate, ---

Mr. Deputy Speaker: Mr. Mutere, that is a different question. I do not think that we will take it this way. I think, you will be most welcome to ask a question involving that one. When the Minister says that he is not aware, he means that he is not aware for the purpose of answering the question today. I do not think that can be considered as a basis to make him aware.

Mr. Shikuku: Arising from that rare positive reply from the other side of the House, we must admit that we are very happy about that. He said that he would act on that case within a week. But taking into account the rain and the cold we are experiencing even in this House, could the Minister not have just said "Mara moja" or immediately?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, when you consider the fact that somebody else must have occupied that House, "Mara moja" is really about a week.

Mr. Deputy Speaker: Question number two by Private Notice. The Member for South Imenti, Mr. Kiraitu Murungi.

MONEY OWED TO CITY COUNCIL BY LAWYERS

Mr. Murungi: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that councillors of Nairobi City Council recently almost came to blows over amounts owed by lawyers to the Council?

(b) What are the names of the advocates who have collected debts on behalf of Nairobi City Council and refused to remit the same to the Council to-date?

(c) How much money has each lawyer collected for the City Council?

(d) What urgent steps are being taken to ensure that these lawyers pay all the amounts they have collected promptly to the said Council?

The Minister for Local Government (Mr. ole Ntimama): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware.

(b) Nairobi City Council has got a total of 30 legal firms which collect rates and rents on its behalf.

I want to say here very clearly that the word "refuse" only applies to a small number of the 30 legal firms that are collecting money for Nairobi City Council. In fact, some of them have only been given the contract only five, six or seven months ago. So, the word "refuse" does not apply to all of the 30 firms of advocates that we use to collect rent.

(c) Mr. Deputy Speaker, Sir, it is very difficult for me at this juncture to give the total amount of money that is owed by these legal firms and lawyers because our officers have found it very difficult to check some of these documents that are owned by the lawyers and, in fact, on many occasions our own officers and the rate payers have not been very co-operative.

(d) Mr. Deputy Speaker, Sir, the City Council of Nairobi in the meantime has formed a Task Force to investigate all accounts of the referred legal firms to establish the unremitted monies collected on its behalf. Thank you Mr. Deputy Speaker.

Mr. Murungi: Mr. Deputy Speaker, Sir, I thank the Minister for this answer. As a matter of fact, I know some of these lawyers and they are a disgrace to the legal profession. Some of the lawyers on your list like Mereka and Company Advocates and Musyoka and Company Advocates are KANU officials. For example, Mr. Mereka is a KANU Locational Secretary in one of the locations in Murang'a and he regularly appears in harambees in Baringo District to appease his godfathers. The reason why no action has been taken against these lawyers is because they are protected by powerful KANU barons. Maybe, the Minister does not know, but we have a body called the Advocates Complaints Commission which is in Maendeleo House. Could your Ministry report all these lawyers to the Advocates Complaints Commission so that they are struck off the roll of Advocates and so that they are also compelled to pay the money to the Nairobi City Commission?

Mr. Ntimama: Mr. Deputy Speaker, Sir, Parliament is the supreme authority. I think by reporting this thing to Parliament would be just appropriate, other than reporting it to other organizations.

Mr. Orengo: Mr. Deputy Speaker, Sir, the Minister has not answered part (b) of this Question, which demands for the names of the advocates who have collected debts and refused to remit. Not all the names, but the names of those who have collected and refused to remit. Could he remit that information?

Mr. Ntimama: Mr. Deputy Speaker, Sir, at this juncture, I am very cautious about mentioning the names, but I can only give you the 30 names of the official lawyers who collect money for the Nairobi City Council. But, I can promise to bring to this House, a list of lawyers who have refused to pay the money collected. But for now, it is very unfair to mention the whole list, especially when there is a probability of the Press twisting this issue and---

(Several Members stood up in their places)

Mr. Ntimama: Let me finish! Mr. Deputy Speaker, Sir, can you protect me please? I want to finish this one.

Mr. Deputy Speaker: Order! Order! That definitely will not be the last supplementary question. Let him

finish answering.

Mr. Ntimama: Let me finish, then you can raise your points of order. I am particularly cautious in mentioning the names of 30 legal firms that are collecting money for the Nairobi City Council, because I want to give this House the real names of the people who have refused to remit the funds.

Dr. Otieno-Kopiyo: On a point of order, Mr. Deputy Speaker, Sir. Part (b) of the Question is demanding exactly what the Minister is claiming that he wants to give. It seeks to know who have collected debts on behalf of the Nairobi City Council and refused to remit the same to the Council to date. We do not want you to give the names of the 30 people and you said they are a few.

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, part (b) reads:-

"What are the names of the advocates who have collected debts on behalf of Nairobi City Council and refused to remit the same to the Council to date?"

I am promising this House that I will bring the list of names of those who have refused to pay next week.

Mr. Deputy Speaker: Mr. Minister, did I hear you say you will bring the list next week?

Mr. ole Ntimama: Yes, Sir. On Tuesday next week, I will bring the list of the names of those who have refused to pay.

Mr. Deputy Speaker: Very good! You will revisit the Question then. Next Question by Private Notice!

SALE OF COUNCIL ESTATES

Mr. Raila: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice:-

(a) Is he aware that the Kisumu County Council is about to lose two of its estates, namely: Joel Omino and Opiyo Oguma estates, to unscrupulous businessmen through irregular auction?

(b) If the answer to "a" above is in the affirmative, could he take immediate action to stop the sale and arrange for the rescheduling of the loan to the Council?

The Minister for Local Government (Mr. ole Ntimama): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Joel Omino and Opiyo Oguma estates were auctioned on 8th July, 1996.

(b) My Ministry is unable to take any action since the houses have already been legally auctioned. Therefore, the answer in part (b) is definitely not in the affirmative.

Mr. Raila: Mr. Deputy Speaker, Sir, the Minister is giving the same answer that he gave to this House on 31st October, 1996. He has only added the word---

Mr. Deputy Speaker: Is the Question the same?

Mr. Raila: Yes, it is the same Question. This Question has been deferred three times.

Mr. Deputy Speaker: Why was it deferred?

Mr. Raila: Mr. Deputy Speaker, Sir, the first time, the Minister was ordered to go and get a better reply. He promised to do that within a week. When he came back a week later, he said he was not happy with the answer he had, and he requested for two more weeks. He was given two weeks up to Thursday, last week. When he came here last Thursday, he still had the same answer and then, they promised to investigate and bring a satisfactory answer today. The answer he is giving is the same answer that was given on 31st October.

The Question talks about irregular auction but the Minister has not addressed himself to the question of the irregularity of that auction. This estate was valued at Kshs130 million. It was sold to this Asian by the name Gilani, at Kshs24 million and there was no auction at all. This land was sold by private treaty and that is why I am saying that this sale was irregular. The Minister is not bringing that information to the House. They also said that the Provincial Commissioner is being given one of the blocks in that particular estate and that is why there is that collusion. They also said that when the President visited Kisumu two weeks ago, he had a meeting with a delegation from the Council led by the Chairman and the President directed that this sale be cancelled and that, the property should revert back to the Council and this Asian be refunded his Kshs24 million.

The Minister is not telling us what has happened to the Presidential directive or whether this was just a cosmetic exercise.

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. When we reached that stage, the Assistant Minister in the same Ministry asked for assistance from the Minister and I stood on a point of order and informed the House that we have never had such history made where you have two Ministers replying to one Question. And the Speaker, ruled that he was not going to allow that history to be made, and therefore, the Question should be deferred for the Minister to give what he was trying to assist his Assistant Minister with. Since he is repeating the same reply, he should tell us what he was trying to assist his Assistant Minister with and not to read the same

reply.

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, history is being made every day and there is nothing wrong with history being made in this House. So, here is a question of coming to answer.

I want to say very emphatically here that I am not aware of any discussion that took place between the delegation of Kisumu County Council and His Excellency the President. I am neither aware really, of the orders that were given by His Excellency the President on this issue. I think this has to be known very clearly.

Prof. Anyang' Nyong'o: Mr. Deputy Speaker, Sir, I think the Minister for Local Government should take this Question very seriously because it has a long history.

Mr. Deputy Speaker, Sir, in this Government, it has been said that local authorities are starved of revenue and the Minister for Local Government is on record of saying that his Ministry is going to ensure that local authorities are empowered so that they can run their services properly. The Minister knows that the County Council of Kisumu District has on various occasions made proposals to Savings and Loans Kenya Limited, to reschedule the loan so that they can have more time to pay that loan. Secondly, the Minister knows that Kisumu County Council has made proposals to Savings and Loans Kenya Limited that they pay Kshs3 million down-payment for the loan to be rescheduled and then sell their property and pay another Kshs7 million so that the rent from this estate can go directly to Savings and Loans Kenya Limited, to the extent that after a few years, the loan can be cleared.

Under those very reasonable proposals, is it in order for the Government to sit pretty and see the Kisumu County Council letting assets to some speculating Asian businessman, who is in no doubt acting in cahoot with some hon. Members in the Front Benches?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, I want to say very clearly, that this is one of the situations where we have let the Local Authorities to do their own business in their own way and empowered them to deal with their own businesses as it were. Here is a case of a County Council going straight to Kenya Savings and Loans, a group of finance, and borrowed money commercially. This was signed and agreed upon between the Kisumu County Council and the Kenya Savings and Loans. The County Council defaulted very, very badly to the extent that they did not service that loan. They never even made an attempt to raise the rents of those tenants who were living in those houses, so that, at least, whatever they were going to pay to the Kenya Savings and Loans, balances with what they are collecting from the said estates. They allowed the tenants to pay low rents, while the County Council was paying a lot of money to the bank, and definitely, they were not able to service the loan. The Kenya Savings and Loans went to court and got an order from the court to sell the estates through a public auction. I can say here very clearly that this auction was publicised in the newspapers, and there was no secret about it. We feel that the auction was legal and regular. But, if there was any cahoot, it must have been done locally and not anywhere else.

Mr. Omino: Thank you, Mr. Deputy Speaker, Sir. The "Joel Omino" that is referred to here, is, in fact, my father. So, I am speaking on this matter with a very heavy heart. But councils have found themselves in this poor situation, because of the mismanagement by this Government, that thinks that the duty it has is to Indians, but when they are seeking votes, they go to Africans. This Minister has no business telling this House, that this auction was done legally when this same Government came here asking us to take over a debt of Kshs4.2 billion from Kenya Airways in order to make KLM buy shares in Kenya Airways. They cannot now save a Local Authority for only Kshs32 million! It is a crime. Can the Minister tell us why the grants-in-aid which this Government is supposed to give to Local Authorities is no longer given? Can the Minister tell us why they stopped the Joint Alleviation Fund (?), from which Local Authorities used to borrow money to build houses which is no longer there, because they have used it to buy commercial buildings from which they get kickbacks? Can the Minister tell us why Local Authorities can no longer borrow from the Local Government Joint Loans Board, because there is no longer money from there before he tells us that the Local Authorities have been left to stand on their two feet?

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, we are concentrating entirely on the two estates belonging to Kisumu County Council and I do not want to enter into a debate, that is generating into other areas of the economy of this country. I want to say very clearly, that I do not want the Ministry of Local Government, or the Government in general, to be made a scapegoat where the members of Kisumu County Council have been irresponsible for not servicing the loan.

Mr. Deputy Speaker: Next Question by Private Notice.

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

Mr. Deputy Speaker: Order! Order! I have called for the next Question.

NON-COMPLIANCE WITH COURT ORDERS

(Mr. Badawy) to ask the Minister for Lands and Settlement:-

(a) Is the Minister aware that in October, 1996, the District Land Registrar, Kilifi, frustrated four of the five shareholders of combined plots 410 and 412 Kilifi/Jimba by refusing to allocate and register the four peoples' rightful share entitlements in the said plots, as determined and awarded by the Land Disputes Tribunal, Malindi, on 16th February, 1996, and subsequently confirmed by court orders dated 23rd May, 1996?

(b) Is he further aware that the said District Land Registrar issued a title on 14th October, 1996 and that the entries therein complied with the terms of the said award and court orders, and that later on the same day made similar entries, but with different share appropriations and yet claiming to be in compliance with the same award and court orders?

(c) Could the Minister direct the said Registrar to strictly comply with the said court orders and awards as regards this issue?

Mr. Deputy Speaker: Pursuant to a request to that effect from hon. Badawy, his Question is deferred to Thursday.

(Question deferred)

Mr. Deputy Speaker: Next Order.

POINT OF ORDER

UNFAIR SLUR ON MEMBER BY VICE-PRESIDENT

Mr. Michuki: Mr. Deputy Speaker, Sir, I rise---

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

Mr. Deputy Speaker: Order! Order! Hon. Raila Odinga, are you on a point of order on the question?

Mr. Raila: I am on a very serious point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order! I take it that every hon. Member who rises on a point of order is serious.

We have one hour for Question Time and we are already five minutes past the time allowed by the House. I allowed the House sufficient latitude to ventilate on that Question and you ought to respect the decision of the Chair to call for the next Order. We have already moved from Question Time to the next order. Hon. Michuki, proceed.

Mr. Michuki: Mr. Deputy Speaker, Sir, I rise on a point of order following the remarks made when I was contributing to the Appropriation Bill, and in particular, with regard to what appears in the HANSARD as words attributed to the Vice-President and Minister for Planning and National Development. The Vice-President and Minister for Planning and National Development did refute my assertions that Kenya had been given 111 conditions by both the IMF and World Bank. He even went further and said:- "I know hon. Michuki does not normally put in things which incidentally are reliable".

Mr. Deputy Speaker, Sir, I feel that my name has been slurred and I would like to table a copy of the article I was quoting which is written by Jeffrey Sachs, who is the Director of Harvard Institute International Development, and who is currently doing research on 20 African countries in matters of development and thought towards development. Prof. Sachs says:

"It was, alas, par for the course when the bank set 111 conditions in its 'policy-framework paper' on Kenya."

Mr. Deputy Speaker, Sir, therefore, I table this fact, because I do feel that it was unfair that the Vice-President and Minister for Planning and National Development should have slurred my name when I was quoting authority and facts which were correct according to this article. The implication that whatever he may not have read could not be read by somebody else is erroneous. I thank you for giving me this opportunity.

(Mr. Michuki laid the article on the Table)

Mr. Deputy Speaker: Next Order!

BILL*Second Reading*

THE CENTRAL BANK OF KENYA (AMENDMENT) BILL

*(The Minister for Finance on 20.11.96)**(Resumption of Debate interrupted on 21.11.96)*

Mr. Deputy Speaker: Prof. Anyang'-Nyong'o was on the Floor.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, when the House rose last time, I was on the Floor and the hon. Nicholas Biwott had just raised a point of order trying to justify the fact that the Opposition's contention and the poor performing projects as being part of our problem of underdevelopment in the absence of a strong fiscal and monetary policy, was not founded.

He tried to quote the Turkwell Gorge Hydroelectric Power Project as an example, but I think it was a poor example. This is because this project was meant to produce 103 megawatts of electricity when the two turbines are working. Ever since it was established, only one turbine has been able to work. That turbine can only produce 53 megawatts of electricity. That is one of the reasons why we have energy problems in this country. A lot of capital was sunk into the Turkwell Gorge project but at best, it can only produce at 50 per cent capacity. Usually, even that 50 per cent is not reached.

Further, Mr. Deputy Spaker, Sir, the downstream irrigation projects that were meant to be started using the waters of River Turkwell cannot work. This is because the dam collects all the water, which is even not enough and so, we cannot have proper irrigation. So, the people of the area have not benefited from this project. Therefore, I think that hon. Biwott is not only ignorant of the Ministry which he was running, but is also trying to mislead Kenyans by saying that what the opposition is saying is not correct.

Be that as it may, I would like to make a few more points about the Central Bank of Kenya (Amendment) Bill, 1996. First, I will summarise what I said last time. One of the things I said - I do hope that the Attorney-General is listening instead of gossiping behind me - was that in writing the memorandum of objects and reasons justifying the amendments currently before the House, the Attorney-General argues that the main purpose of this Bill is to redefine the objects of the Bank under the Central Bank of Kenya (CBK) Act, in order to give it more independence in controlling money supply, which is the main source of inflation. I was trying to point out to the Attorney-General the fact that the main source of inflation is not money supply. The main sources of inflation are the things that lead to excess money supply. We can point out two aspects of those things that lead to the excess of money supply. One, is the excessive borrowing by the Government locally, which has been going on. The Government has been selling Treasury Bills at high interest rates. This has involved the Government in a spiral cycle of indebtedness.

The other source of increasing money supply is, of course, external indebtedness. This is the last point that I was making when I was interrupted by hon. Biwott. External indebtedness is something that, in my opinion, the CBK can do very little about. The only body that can do something about it is the Government of the Republic of Kenya. It can do something by adopting a module of development which will be less dependent on external borrowing. Secondly, it can adopt a module of development which, if dependent on external borrowing, will borrow only for projects that perform and not for projects which will lead Kenya into increasing indebtedness.

I would like to remind the Attorney-General and the Minister for Finance of a few facts. One, the latest issue of the Economist Intelligence Unit (EIU), puts our total external debt in 1994 at \$7.27 billion and our external debt service ratio at 33.3 per cent. Those figures might not make sense to the Ministry unless they are accompanied by yet, another figure. Our external debt, as a per cent of gross domestic product (GDP), in 1996 stands at 74.7, and in 1997 it will be 68.1. In other words, if we collected all the wealth that this country makes, from both internal and external production and exports, and use it to pay the debts next year, we would have to use 68.1 per cent of what we will have worked for. That would leave us with only about 32 per cent of what we make.

In other words, we are a thoroughly mortgaged nation, and this is so because of the members of the Government sitting in front of us. For the last 18 years, those in the Government have been running down the economy of this nation. Because they have been discouraging domestic investment, they have had to borrow money to invest. Yet they do not invest the borrowed money properly. So, they have involved us in a spiral cycle

of indebtedness and inability to create wealth domestically. To ask the CBK to come up with a mission for fiscal and monetary affairs before this Government deals with a major issue of a relevant development module, which will take us out of paying 68.1 per cent of our GDP for external debts, is really asking too much of the Bank. In other words, this Government must not abdicate its responsibility to any unit or institution under it. It must face squarely, the responsibility of getting this nation out of the present quagmire of under-development.

If you read the *East African* newspaper, you will realise that Uganda has started doing this. Uganda approached the Paris Club to write off its \$3.3 billion but the Club refused to do that. It refused because the World Bank has come up with a policy called: "A Policy to Deal with the Heavily Indebted Poor Countries (HIPCs)". Uganda features as one of the HIPCs. And 33 out of a total of 41 HIPCs are to be found in Africa. Fortunately, Kenya is not among the HIPCs. According to world statistics, Kenya is not meant to be poor, but those of us who live in Kenya know that we are poor. This is because only about three per cent of our population control about 70 per cent of our wealth. Some of the people who constitute that three per cent of our population are sitting opposite me. They are looking at me very innocently, but they are, indeed, the source of our problems.

Mr. Deputy Speaker, Sir, in order for a country to be forgiven its debts, the World Bank has put the following conditions. I will quote from the EIU as follows:-

"The Heavily Indebted Poor Countries Debt Initiative is a framework proposed by the IMF and World Bank to address the external debt problems of the HIPCs. It is based on the following guiding principles:-

1. The objective is to target overall debt sustainability on a case by case basis, focusing on the totality of a country's debts".
2. Actions should be envisaged only when the debtor has shown through a track record, ability to put to good use the exception of support provided.
3. The new measures should build as much as possible, on existing mechanisms.
4. Additional action should be co-ordinated among all creditors involved, with broad and equitable participation.
5. Action by the multi-national creditors should preserve their financial integrity and preferred creditors status.
6. New external finance for the intended countries should be on appropriately concessional terms."

Mr. Deputy Speaker, Sir, those of us on this side of the House have appealed to the Government to discuss with our creditors, so that we can be forgiven our debts. We have also reminded the Government that they are not going to put a good case, unless they put their house in order.

One of the reasons why Uganda was not listened to in appealing for its debt to be forgiven was that, it was still fighting a war in the north of her country. So, those who have given Uganda money do not want to forgive its debt - so that the money that Uganda gets is not used to fight its own people.

The other reason why Uganda was not forgiven its debt was because they were told that to date, their process of privatisation and the management of public enterprises is not being done transparently and accountably.

We have always reminded the Government that for this country to develop, especially if it is going to be forgiven its debts - and that is a necessary condition for rapid economic growth - they should clean their house. Corruption, mismanagement and grabbing of land should stop. The Kitchen Cabinet that exists in the Government should be removed and this Government should be seen as doing a job that can be supported internally and externally. But when we say this, they turn a deaf ear and put on dark glasses. We are reminding the Government that our responsibility is to the nation and not people in power.

Mr. Deputy Speaker, Sir, it is known the world over, and indeed, Lord Apton said: "Power corrupts and absolute power corrupts absolutely." I would also add another saying that: "Staying long in Government, corrupts and staying too long corrupts absolutely." This Government has been in power for too long. If one becomes a President for 10 years, that should be enough but if you go for another four years, that is terrible; if you continue for another 18 years, you are putting your country in the intensive care unit of political instability and economic mismanagement. One of the problems which we have in this country in spite of all these Bills that come to Parliament, is that this Government has been in power for too long. They are complacent, incestuous, they cannot listen to anything new, they are old dogs who cannot be taught new tricks and therefore, the best service which they can give this country is to prepare to leave power for people who can think in a fresh way. Thinking in a fresh way is useful to this nation, because when one sits on that seat where hon. Nassir has been sitting for 18 years, one will forget that there are other seats in this country where one can seat.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Jambo la Nidhamu Bw.

Naibu wa Spika.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, you see, I told you!

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu wa Spika, mhe. Nyong'o amesema kwamba mimi nimeketi hapa kwa kiti hiki kwa miaka 18, lakini mimi nafanyia watu kazi. Yeye amekuwa hapa kwa miaka mitano, amefanyia nini watu wake? Is he in order to say that people like me have been in this House for 18 years? I have been serving and helping the people of this country for those many years. Is it better to have many people with beards who do not do anything to the public?

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I did not need to wait for one minute for what I was saying to be demonstrated live. You do not need to go to Kenya Cinema to see what is happening. You only need to come to Parliament and you will see the scene acted from act one to act 10, lock-stock-and barrel.

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): On a point of order, Mr. Deputy Speaker, Sir.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, there rises another one!

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): Mr. Deputy Speaker, Sir, is it in order for hon. Nyong'o to keep repeating this issue of Kitchen Cabinet, when we know that there is only one Cabinet in this country which is appointed by His Excellency the President under the Constitution of this Country?

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, it might not be in order but I would like to inform hon. Sumbeiywo that he might not be in the Kitchen Cabinet, but he is definitely in the Dinning Hall Cabinet.

I was saying that it would be very useful for Kenya to strive to be forgiven its debts. Take for instance, the case of Uganda which was in the *East African* newspaper issue for today. Uganda needs US\$1.6 billion for a 10-year-road programme to fully rehabilitate its roads. So far, Uganda has managed to raise a substantial sum of that money and it has a shortfall of only US\$610 million to fulfil a 10 - year programme of proper rehabilitation of its roads. If you look at that US\$610 million, it is equivalent to 2 per cent interest which Uganda pays in its external debts and that is only on arrears. In other words, were Uganda to be forgiven its external debts, it would not have the burden of using close to US\$750 million to service its external indebtedness and that is just 2 per cent of the total debts.

Africa must realise that we are spending more and more of our GDP, merely servicing our external debts.

If we do a calculation for the last 10 years, we will find that by merely servicing the external debts, we have actually paid the principal. So, in actual fact, the Western world, is doing us a great deal of de-service by not forgiving Africa its external debts. But once we know that these people have the power, and once they have come out with such simple conditions which I have read out, for us to engage in a discourse for external debt forgiveness---

(Mr. Deputy Speaker left the Chair)

(The Temporary Deputy Speaker

(Mr. Wetangula) took the Chair)

I am wondering why our Government should not take that step. Instead of taking that step, they are much more interested in putting their own people in debt domestically by grabbing all the assets that are available for the people for development, for example, land. You know that land is a very fundamental asset in Africa. It is the source of our tourist industry, the source of housing development and also the source of agricultural development. When it is misused and when people are discouraged from investing in land because of the disease of *grabiosis* that has caught the people in power, then indeed, you cannot expect external debt forgiveness. So, I am appealing to this Government that while they expect us to support the Central Bank Amendment Bill that is giving the Central Bank power to play a critical role in fiscal and monetary policy, they must realise that in the final analysis, good fiscal and monetary policy will not be seen in this nation, until and unless the Government adopts a sound development model that will encourage economic growth, and that economic growth will not come about until and unless we are forgiven our debts.

Mr. Temporary Deputy Speaker, Sir, Mr. James Fallenson(?) the current President of the World Bank, in giving an address to the Board of Governors of the World Bank on the 1st of October, 1996, which I believe our Government attended, said the following, and I quote:-

"I have visited over 40 countries in these past 16 months. I have met with Governments, business and non-governmental groups. But it is the people, the poor and disadvantaged, who have made the biggest impression on me. I have learned that they do not want charity, they want opportunity.

They do not want to be lectured to, they want to be listened to. They want partnership. Like all of us, they want a better life for themselves and for their children. What I have seen in country after country is that when they are given a chance, the results are truly remarkable."

We are asking our Government to give the Central Bank a chance and to give the people of Kenya a chance. This chance will not come until and unless the institutions of this nation are given the full democratic opportunity to help the people of Kenya develop. For example, a lot of "hooaha" has been made about the high interest rates that commercial banks and mortgage institutions are charging on borrowed money. When the interest rates given by the banks on the money deposited in the banks are compared to the rates the banks charge those who borrow money from the banks, the difference is too wide. You will find that there is a huge gap between the interest rate paid to you when you put your money in the bank on a fixed deposit account and the interest rate you pay when you go to the bank to borrow money. Indeed, people have complained that this so called "spread" is too wide. We are told that the Central Bank should do something about this spread. I want to submit that, that bank has no power whatsoever to do anything about the spread. The body that has the power to do something about the spread is the Government. Those interest rates will only narrow depending on the level of confidence investors have in our economy. The more investments that come into this country, the more people are put to work, the more people want to consume, the more goods will be sold, the greater the circulation of goods that will enter in circulation and with a booming economy, there will be competition among banks to lend money. When there is a greater competition among banks to lend money, this spread will, *ipso facto*, come down. But to think that the Central Bank can sit down and work out a miracle to reduce the spread, is day-dreaming. Therefore, I come again to that point, that proper fiscal and monetary policy can only exist in this nation if this Government adopts an appropriate and proper model of development, that will encourage investments, make people have confidence in our economy, increase consumption and increase work. That is when banks will compete and interest rates will come down. If you have watched the history of other countries, that is how it works.

Mr. Temporary Deputy Speaker, Sir, in pursuing its policy and making objectives, the new Section 4(b) of the Bill, is a vast improvement on the previous Act. That new Section 4(b) stipulates that the bank will, after publishing its policy statements, lay every statement before the Appropriate Committee of the National Assembly, not later than the end of the subsequent Session of Parliament after the statement is so submitted. I applaud this amendment. However, what follows after that amendment is a little bit unfortunate. Sub-section Four of that Section says, and I quote:-

"In Sub-section Two, the expression "Appropriation Committee" means the Committee of the National Assembly appointed to investigate and inquire into matters relating to monetary policy."

If that Section is left like that, Parliament will be turned simply into an inquisitor. I would rather that, that Appropriate Committee of Parliament was given the powers, not simply to inquire into matters relating to monetary policy, but also to review those matters and make appropriate recommendations regarding monetary policy. If that is the case, then I would propose an amendment that, that particular sub-section reads as follows:-

"In Sub-section Two the expression "Appropriate Committee" means the Committee of the National Assembly appointed to superintend, investigate into and deal with matters relating to monetary and fiscal policy as stipulated in the Standing Orders of the National Assembly and relevant Acts regulating the functions of the National Assembly."

If it is put like that, it will make it possible for this National Assembly, rather than the Bill establishing the Central Bank of Kenya, to decide where the matters of Central Bank of Kenya are discussed in the National Assembly. I would, subsequently, submit that amendment appropriately to the Ministry.

It is Sub-section Two of---I am reading from my notes, but I can---

The Temporary Deputy Speaker (Mr. Wetangula): It is Sub-section Two, Clause Four, page 426, down the line.

Prof. Anyang' Nyong'o: Yes, Mr. Temporary Deputy Speaker, Sir, it is page 426, down the line. But I will give the hon. Minister my rendition of that amendment. Further---

The Temporary Deputy Speaker (Mr. Wetangula): Prof. Anyang'-Nyong'o, what you do is that you commit to submit an amendment at the Committee stage.

Prof. Anyang'-Nyong'o: I will do that, Mr. Temporary Deputy Speaker, Sir. The other point I had referred to last time and I do not want to go to it again, let me just make one last point.

This point relates to the security of tenure of the Governor of the Central Bank. I did make the point last time, but I was interrupted before I concluded by hon. Biwott's point of order.

Mr. Temporary Deputy Speaker, Sir, Section 11 of Cap.491 which is currently replaced by Section 5 of the published Bill, states among other things as follows:-

"Provided that in the case of a person who is not a citizen of Kenya, the appointment shall be at the

pleasure of the President."

It goes further to state:

"The directors shall be appointed by the President for terms of four years and shall be eligible for re-appointment."

The new section 5(2) states as follows: "

"The Governor, Deputy Governor and the directors appointed under paragraph (d) of subsection (1) shall be appointed by the President and shall hold office for terms of four years each but shall be eligible for re-appointment".

Now, what has happened is that the words in Caps 491, "appointment shall be at the pleasure of the President" have been deleted and hence argues the Attorney-General, security of tenure has thereby been secured. I do not think this is the case. Just by deleting the phrase "appointment shall be at the pleasure of the President" you have not secured the tenure of the Governor and Deputy Governor. The Attorney-General had two options; One, to seek a constitutional amendment making the position of the Governor of the Central Bank secured in the Constitution as that of the Attorney-General and the Controller and Auditor-General, of which he will be afraid to do. This Government is so afraid of bringing any constitutional amendment to this House because they think that if they do that, the rest of the lousy Caps of the Constitution, which they know, shall then be amended. That is the problem. That is why, even when it is necessary to amend the Constitution to enable the Central Bank to work properly, they are scared. But this is what the Attorney-General should have done. Since he did not do that, I am proposing a more secure and easier amendment to the Bill.

Rather than give the Governor, the Deputy Governor and members of the Board four years renewable, he would give them eight years term appointment. This is because you have no security of tenure whatsoever. Knowing the culture in our Government and the people sitting opposite me know it better than I, where all the powers have been taken and put in Harambee House and if they are not there they are in State House or Kabarnet Gardens or a little bit renewed in the Rift Valley, you would know that you are putting the Governor of Central Bank in a very insecure position by telling him to be a good boy for four years and after this period he stands to be reappointed. I think that it would have been much better to give the Governor of Central Bank eight straight years and then let that Committee in Parliament make sure that during those years, the Governor of the Central Bank performs well.

Finally, I would like to make proposals about the composition of the Board. I do not see in the Bill, an active role played by those who have more concern and more knowledge about monetary and fiscal policies in our nation. I would have wanted a more active advisory role by the financial professionals; people who are running insurance companies, non-banking financial institutions and so on. I would have wanted a more active advisory role by people who are actually investing in the economy. They should be mentioned in the workings of the Board of the Bank because this really, is the community which makes monetary affairs work in this nation. When we are re-looking at the Central Bank Act, we should think of the constituencies which are critical in ensuring that, that very critical institution called the Central Bank works properly in our nation.

I hope that with those remarks, the Minister will look afresh at the Bill and amends those aspects of it which are not quite with it so that when the House finally passes this Bill, we do not have a lame Bill which will not make the Central Bank work effectively. Thank you.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika wa Muda, nimefurahi sana kupata nafasi hii ili nizungumze juu ya nchi yetu, mapato yetu and jinsi tutakavyoongoza Serikali yetu kwa sababu ni ya Wakenya wote.

Mswada huu umeletwa ili kurekebisha mwenendo wetu sisi Wanakenya. Binadamu ni binadamu. Akipata nyama anasema kwamba ina mafuta mengi. Pia akipata nyumba ya kulala anasema kwamba nyumba hiyo ina mbu wengi. Ninataka kuchukua nafasi hii kuwashukuru watu wa Kenya kwa kuishi kwa usalama na wenzetu ijapokuwa kuna watu wengine wanatukosoa. Sisi tunamshukuru Mwenyezi Mungu kwa kutusaidia kuishi salama. Nchi yetu ina watu kutoka makabila 58 na sote tunaishi kama ndugu na dada. Tena tunapendana na kama unataka thibitisho enda ukachunguze ni nani anaoa nani na anatoka kabila gani. Jambo kama hili halifanyiki nchi zingine. Hata katika dini ni lazima uambiwe kwamba mtu fulani ni Mkristo au ni Mwislamu ndio upate kufahamu kwa sababu sisi wote tunapendana. Tunasaidiana sana kwa kuzikana, harusi na mambo mengi. Binadamu ambaye hana makosa atakufuru; atajifanya yeye ni Mungu. Hakuna binadamu asiyekuwa na makosa. Ningeomba tuendelee kupendana na Mungu atubariki. Hata mtu akitaka ukubwa kiasi gani na watu wa Kenya wana ile imani kwamba Mwenyezi Mungu amesema tuwape wale watakaojaliwa ukubwa, damu haitamwagika katika Kenya. Tumezungumza juu ya mambo ya kurekebisha Kenya katika Mwasada huu ili tuendelee kuishi kwa usalama na kumwomba Mwenyezi Mungu. Binadamu kule kwetu Pwani anapoalikwa harusi, sisi hupika biriani. Yule atakayekushukuru zaidi kabisa atasema: Sisi tulikula biriani tukashiba lakini ilikuwa na samji nyingi sana.

Dr. Otieno-Kopiyo: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Ni haki kwa mhe. Nassir kuendelea kuhutubu juu ya Hoja hii, bila kugusia jambo lolote juu ya Benki kuu ya Kenya?

Mr. Nassir: Bw. Naibu Spika wa Muda, mimi ninafurahi wakati wenzangu wanazungumza juu ya mambo mengine. Lakini mimi nafurahi kila mara ninapotajwa. Lakini watu wa magazeti wana madharau sana na Mungu awabariki. Hawaandiki jina langu katika magazeti. Hata nikisimama mpaka asubuhi hapa, hawataandika chochote ninachokisema. Mimi nafurahi na ninawaomba waendelee kuandika wale wanaowapenda.

Lakini jambo la muhimu ni kwamba, hata tukitia uchafu namna gani, Wakenya wenyewe wanajua ikiwa tunapeleka mambo sawasawa. Waliofanya Hoja hii wanaweza kufikiriwa ni wa zamani. Sasa hivi, kuna mhe. mmoja alisema mambo yanayohusu ardhi. Watu wengine hata ikiwa ni warefu na wamesoma kizungu sana, lakini ni wadogo kwa umri wa kisiasa. Hawakuyaona yaliyotokea zamani.

Bw. Naibu Spika wa Muda, ni kutokana na Serikali hii ya leo ambapo watu wanapata ardhi, hata wakiitwa wanyakuzi au la. Afadhali uitwe mnyakuzi lakini upate kuliko zamani ambapo hakukuwa na wanyakuzi lakini kulikuwa na wamiliki wa mashamba. Leo hii, unaweza kusikia mtu fulani ana ardhi Mombasa, Kisauni na Nyeri, lakini inafanywa sawasawa. Huu si wakati wa zamani ambapo watu walijigawanyia ekari nyingi za ardhi, hata mpaka wakawaacha wenzi wao hawana ardhi. Nilifikiria huyu mhe. angezungumza wakati ule.

Leo, kuna watu wengine hata wakilima barabarani, wanafukuzwa. Wanaambia kuwa sehemu hiyo ya barabara ni karibu na shamba la wenye mashamba makubwa. Hapa Kenya, hasira huenda zikatokea vibaya kwa sababu ya ardhi.

Lakini katika Serikali ya leo, watu wako kwenye maeneo waliotengewa, wako Lamu, Kwale na kila pahali. Wanaishi kama ndugu. Siyo wakati ule ambapo mtu hangeweza kupata ardhi sehemu hizi. Lazima awe katika ile daraja kubwa sana.

Lakini nasema tunafanya mambo haya ili Benki Kuu iweze kuchunga pesa zetu, na iweze kutafutia watu wetu kazi. Maneno yote yanayozungumzwa na wanasiasa wenzangu hayasemi Serikali ni mbaya. Hayasemi vile Serikali itafanya ili watu wapate kazi na mikopo. Wanasiasa wanakopa kivyao na wanakubali kuna ufisadi Serikalini. Wanapopata njia nzuri ya kujisaidia, mbona hawaelezi wenzao? Wakenya wako katika Kenya nzima na wengine wako katika Bunge hili. Taabu walio nayo ni nyingi. Hawataki siasa. Wanataka kutafutiwa njia ya kuishi. Sisi tunazungumza hapa lakini kuna mwenzetu aliyetoka mbali kuja hapa na hana chai ya kunywa. Watu wanazungumza ni nani atakayekuwa mkubwa na awe na bendera.

Bw. Naibu Spika wa Muda, kuna mambo mengi ya kufanywa, na ni lazima sisi Wabunge, badala ya kuonyesha uhodari wa kutoa makosa, tuonyeshe uhodari wa kuwafanya wenzetu wawe na kazi, mashamba na mikopo ili waweze kujisaidia.

Bw. Naibu Spika wa Muda, wanasema Serikali haifanyi chochote na wanaposema inaposema inakusanya pesa ili wale ambao hawana kazi waweze kujisaidia ni uongo, wangoje kesho kutwa pesa zitakapotolewa na ikiwa watu wao watakosa, utaona wakisema: "Unaona! Mimi ni FORD au DP na sikupewa". Na sasa unapoambiwa uje utoe pesa hapa zisaidie maskini, wewe hutaki lengo hilo.

Bw. Naibu Spika wa Muda, kulikuwa na wakati wa siasa lakini leo, ni wakati wa vitendo. Nampa shukrani mhe. Raila. Anajaribu kuinua kiwanda cha sukari nguru. Lazima ajue watu wa Kisumu wana taabu ya kazi. Ajaribu ainue kiwanda hicho ili watu angalau wapate kitu cha kula. Asiwape siasa peke yake.

Bw. Naibu Spika wa Muda, viongozi wa Kenya wana uzito mkubwa katika vichwa vyao. Kazi yao si kuwambia Wakenya ni nani atakayekuwa rais, lakini ni awaambie watakula wapi asubuhi.

Dr. Otieno-Kopiyo: On a point of order, Mr. Temporary Deputy Speaker, Sir. According to Standing Order No. 87, which says that:

"Mr. Speaker, or the Chairman of the Committees, after having called attention to the conduct of a Member who persists in irrelevance or tedious repetition either of his own arguments or the arguments used by other Members in debate, may, after having first warned him, direct him to discontinue his speech."

Mr. Temporary Deputy Speaker, Sir, I am requesting the Chair to inform hon. Nassir that he is a very good speaker of Kiswahili, but he is not debating the Central Bank of Kenya Amendment Bill. He has not said a single word about the Bill.

Mr. Nassir: Bw. Naibu Spika wa Muda, nathani Dr. Otieno-Kopiyo afahamu ikiwa marekebisho haya yanagusia mambo yote.

The Temporary Deputy Speaker (Mr. Wetangula): Mhe. Nassir!

Mr. Nassir: Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Wetangula): Mswada huu unahusu marekebisho ya sheria za Benki kuu ya Kenya. Sasa tunataka kusikia maoni yako kuhusu marekebisho haya.

Mr. Nassir: Bw. Naibu Spika wa Muda, mimi nafurahi kutoa maoni yangu. Maoni yangu ni sawa. Lakini mimi nilifuata mwenendo wa rafiki yangu, mhe. Shikuku. Akifika hapa, husema yake na kuazima mengine kutoka baharini ni maji ya tamu. Leo hii, mimi ninaposema kidogo, ninaambiwa niseme hivi. Mswada huu uko wazi ili watu wote watoe maoni yao.

Mr. Shikuku: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Huyu mhe. Nassir anajitafutia matata bure. Mimi ninapozungumza hapa, hata mhe. Nassir anajua ninanukuu kurasa na vifungu fulani. Ni haki kwa mhe. Nassir kusema mimi husema maneno yoyote tu ninayoyataka hapa, au anafikiri hapa ni Mwembe Tayari?

Mr. Nassir: Bw. Naibu Spika wa Muda, mimi nafurahi wakati mhe. Shikuku anazungumza mambo ya Mwembe Tayari. Kuna wakati tulipokuwa chama kimoja cha Mwembe Tayari, lakini leo maskini amegeuka na kwenda kwingine. Na huko kwingine, pia maskini huyu pia hatafikani.

Mimi ninapozungumzia Mswada huu, nataka kuwaelekeza wengine kwenye njia nzuri ya kwenda. Nataka tupitisha Mswada huu ili Benki Kuu ya Kenya iwe na nguvu za kugeza mambo. Lazima Benki hii iwe na amri. Tumeendesha nchi hii karibu miaka 26/27, kutoka wakati mimi na mhe. Shikuku tulikwa na nywele nyeusi, na leo tumekuwa na nywele nyeupe. Tunafundishwa nini? Kwa hivyo, yangu ni kuwafahamisha ndugu zangu hali ilivyo mbaya. Watu wanataka marekebisho haraka, ili tuweze kuwasaida watu wetu. Hata tukiwa na chai nyingi, kusoma vitabu vyote vya sheria au kufanya vitu vingine, lakini ikiwa watu wetu wanakabwa na taabu, lazima tupitisha Mswada kama hii ili kazi ifanyike kwa uzuri.

Kwa hayo machache, naunga mkono.

Mr. Shikuku: Bw. Naibu Spika wa Muda, asante sana kwa kunipa nafasi hii ili nizungumze machache kuhusu Mswada huu---

The Temporary Deputy Speaker (Mr. Wetangula): Mhe. Nassir amedai wewe hurudia maoni yako katika Mswada na ukifanya hivyo, nitakukatiza.

Mr. Shikuku: Bw. Naibu Spika wa Muda, wewe unanijua mimi ni mjuzi katika Mswada. Nimechangia Mswada mingi kutoka mwaka 1963 hadi sasa. Mhe. Nassir alinikuta hapa na ataniacha hapa.

Bw. Naibu Spika wa Muda, Mswada huu umeletwa katika Bunge hili ukiwa umechelewa na kama wasemavyo Waingereza ya kwamba "you close the door when the horse has already been taken."

Bw. Naibu Spika wa Muda, pesa zimeibiwa na zimekuwa zikiibiwa kupitia kwa Benki Kuu ya Kenya. Kwa mfano, tuna Bw. Kamlesh Pattin ambaye amenyakua pesa za nchi hii mpaka tukawa watu maskini sana. Wewe unasoma katika magazeti na unaona ya kwamba ameanzisha chama cha kujaribu kuwasaidia watoto maskini. Msaada huu ni baada ya kuwafanya wazazi wa watoto hao kuwa maskini. Watoto hawa wakatoka nyumbani na kwenda kurandaranda barabarani na yeye ameanzisha chama cha kuwasaidia watoto maskini nchini. Hii ndio "dhambi" ambayo tunataka kuzungumza juu yake katika Mswada huu na imetokana na Benki Kuu ya Kenya.

Hapo awali, Mswada kama huu uliletwa na Bunge hili likaukataa. Lakini, Mswada ambao umeletwa sasa ni mzuri kidogo kuliko ule ulioletwa hapo mbeleni kuhusiana na Benki Kuu ya Kenya. Tofauti ya Mswada wa awali na huu utaona katika sehemu ambako wameandika Memorandum of Objects and Reasons, wamesema wazi kwamba wanataka kufanya Benki Kuu ya Kenya iwe na uhuru. Gavana wa Benki Kuu ya Kenya awe uhuru na uwezo ili aweze kufanya kazi bila wasiwasi wa kufutwa au kufanya kazi akiwa na nia ya kumpendeza mtu fulani aliyempa kazi hiyo. Hili ni jambo la nzuri sana na ninaliunga mkono.

Lakini ningependa Mkuu wa Sheri alete marekebisho ya Katiba ya kufanya Benki Kuu ya Kenya iwe huru na Gavana wake awe na security of tenure kama Mkuu wa Sheria mwenyewe, Mhasibu Mkuu---

QUORUM

Dr. Toweett: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is there a quorum in the House?

The Temporary Deputy Speaker (Mr. Wetangula): No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Wetangula): Order! We have a quorum now. You may proceed, Mr. Shikuku.

Mr. Shikuku: Asante, Bw. Naibu Spika wa Muda.

Nilikuwa ninasema jambo la kwanza ambalo Mkuu wa Sheria angefanya ni kuleta hapa marekebisho ya Katiba ya Kenya ambayo itaipa uwezo Benki Kuu ya Kenya na Gavana wake awe na security of tenure kama ile ya Mkuu wa Sheria, Mhasibu Mkuu na kadhalika. Uzuri wa security of tenure, kwa mfano, Mhasibu Mkuu akipata pesa zimetumiwa vibaya katika Ofisi ya Rais, Ofisi ya Makamu wa Rais au Wizara yoyote katika Serikali, yeye huandika ripoti bila kusitasita na kusema hizi pesa zimepotea au zimetumiwa vibaya na zimekwenda hivi na hivi. Yeye hajali kwa sababu anajua yeye yuko na security of tenure na hawezi kuingiliwa au kutishwa na Ofisi ya Rais au Wizara nyingine yoyote katika Serikali hii. Kwa hivyo, itakuwa heri kama tutafanyia Katiba yetu marekebisho ndio iweze kumpa Gavana wa Benki Kuu uwezo au security of tenure.

Jambo la pili ni kuhusu kuchaguliwa kwa Gavana wa Benki Kuu ya Kenya. Katika Mswada huu tunasoma ya kwamba atachaguliwa na Rais. Mswada wa zamani ulikuwa ukisema atachaguliwa na "President under Pressure." Katika Mswada huu wanasema atachaguliwa na Rais wa nchi hii, hata mimi nikiwa Rais nitamchagua. Tunataka achaguliwe na kuchunguzwa na Bunge hili kwa sababu hizi ni pesa za wananchi na lazima Bunge hili limkubali na kuchunguza kama kule Marekani ambapo Gavana wa Benki Kuu anachaguliwa na Rais na kuchunguzwa na Bunge.

An hon. Member: Hon. Biwott is consulting with the Governor of Central Bank!

Mr. Shikuku: Mhe. Biwott, angojee Gavana wa Benki Kuu nje ya Bunge hili kwa sababu ninamtaka Gavana asikie maoni ya watu wa Butere kuhusu Mswada huu.

Mr. Biwott: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is on record as being one of the champions of freedom of speech and freedom of movement. That is exactly what I was doing. Therefore, I think he is out of order to question me on my own consultations.

Mr. Shikuku: Bw. Naibu Spika wa Muda, Mhe. Biwott hajui anasema nini. Gavana wa Benki Kuu ya Kenya amekuja hapa kusikia maoni na kuyaandika. Hawezi kuandika ikiwa anazungumza na Mhe. Biwott.

An hon. Member: Ambaye hana nyadhifa yoyote!

Mr. Shikuku: Bw. Biwott amngojee kule nje amtafutie chai wanywe; lakini hapa tuko kazini.

An hon. Member: Biwott ndiye mkubwa wake!

Mr. Shikuku: Mkubwa gani? Bw. Biwott, ni mkubwa namna gani?

Mr. Biwott: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Shikuku in order to indulge in something which is frivolous and also irrelevant? If we are going to contribute to this Bill, we should clarify one or two things that are written in this Bill in order to be clear with the people who will be affected. I think in that sense consultation was perfectly in order. He cannot tell me to go and have a drink so that will be irrelevant and out of place at the particular time.

Mr. Shikuku: Bw. Naibu Spika wa Muda, unajua hilo silo jambo la nidhamu na amekaa hapa kwa miaka mingi. Waingereza wanasema kuwa: "You cannot teach an old dog new tricks" na huyu ni mbwa wa zamani.

An hon. Member: He is a toothless bulldog!

Mr. Biwott: It is Mr. Shikuku!

The Temporary Deputy Speaker (Mr. Wetangula): No personal exchanges. Carry on with the debate on the Bill. There are no dogs and bulldogs in the Bill. Carry on with the debate on the Bill.

Bw. Shikuku: Bw. Naibu Spika wa Muda, niko katika Mswada. Nitaendelea na kazi yangu. Sikusema habari ya "Bull"; huyo ni a Mhe. Biwott. Nilisema "mbwa mzee". Jambo la pili ambalo nilikuwa nataka kuwambia ni kuhusiana na Mswada huu. Ningetaka Hoja ya kutoa uwezo huo baada ya uteuzi, iletwe katika Bunge ili Bunge liipitishwe. Itafanya mambo mawili la kwanza, huyo Gavana atakuwa na imani kwamba anaungwa mkono na Bunge hili. Hiyo itamsaidia katika kazi yake.

Jambo la pili atajua kwamba uteuzi wake sio kwa Rais tu, ambaye akikasirika siku moja na akiamukia upande moja wa kitanda, aseme, nimefuta. Hapana, itakuwa vigumu mpaka ifike hapa tena. Hicho ndicho kitu ambacho kinaweza kumfanya mtu afanye kazi bila wasiwasi kama vile tuna huyu Bw. Njoroge ambaye ni Controller and Auditor-General wa nchi hii. Ni mtu ambaye jina lake litaenda katika historia ya nchi kama ni mmoja wa wale watoto wa nchi hii ambaye amefanya kazi yake bila wasiwasi wala kuogopa anaandika. Sisi tukifika kwa PAC, tunakaa na matako mawili na kuendelea mbele na kazi ya Bw. Njoroge. Tunashukuru na tunataka wananchi wengi wa aina hiyo watusaidie ili tujiondoe katika utumwa tulionao kwa sababu hatuwezi kuangalia fedha zetu. Tunapopata kodi kutoka kwa watu hatuzilindi kwa njia nzuri ambayo inaweza kuleta maendeleo kwa watu wetu. Hakuna Serikali ambayo inaweza kuenda mbele bila fedha. Kwa hivyo, hili ni jambo la muhimu sana; tukitaka kuwa na maendeleo na kusaidia watu wetu ni lazima fedha ambazo tunazozitoa zilindwe hata ndururu ikienda nje, tujue imeenda wapi.

Haiwezekani ikiwa wakati huu tuna ufisadi katika nchi hii. Nilipokuwa nikizungumza habari ya ufisadi katika nchi hii zamani kuanzia mwaka wa 1963, watu wengi hawakuwa wanasikia lakini sasa wanajua. Ni ufisadi kutoka juu hadi chini, kutoka Mashariki hadi Magharibi na kutoka Kazkasini hadi Kusini. Tuna ugonjwa wa ufisadi. Na ufisadi ukiwako hakuna maendeleo au haki. Kuna umaskini kwa sababu watu wachache wanachukua mali yote ya umma wakati ambapo wengine maelfu na maelfu hata hawajui watakula nini kwa siku moja.

Bw. Naibu Spika wa Muda, hiyo ndiyo taabu tulionayo. Ufisadi umeleta ukusefu wa kazi. Kama fedha zetu zingelindwa vizuri, hatungekuwa na upungufu wa kazi. Sasa tunaambiwa tusaidie watoto wasome; ndio, tunatoa fedha zetu, tunatoa kile tunacho, tunauza chochote. Lakini mtoto akishamaliza shule hata Chuo Kikuu, anarudi nyumbani. Na huyu mtoto akirudi nyumbani ni mtu mkubwa sasa. Mimi wangu wote wametosha kuvaa viatu vyangu. Ukitoka kidogo, joshi moja limechukuliwa na ukiuliza ni nani amechukuwa, unaambiwa ni Jacob. Ukitoka kidogo, wembe wa kunyoa ndefu umechukuliwa. Ukiuliza mama; "Wembe uliokuwa hapa uko wapi?" Anakwambia kuwa Francis amechukuwa. Kwa sababu hana kazi anachukuwa wembe wako kunyoa ndefu zake. Wasichana ni vivyo hivyo. Hawana nguo, mama akiacha nguo wanavaa; akiacha sindiria, pia wanavalia. Ni kwa sababu hatutunzi fedha zetu.

Bw. Naibu Spika wa Muda, ukiwa katika Public Accounts Committee, ukiona mabilioni ya shilingi ambazo zinangia katika mifuko ya watu utalia, na hali watu hawana kazi. Halafu wao wanakuja na kutuambia kuwa wanataka kuwasaidia wananchi. Baada ya kula fedha hizi, wanatupa kidogo in the name of Harambee.

Tunataka kuiambia Serikali hii kwamba, sisi kama Wabunge wa Bunge hili, kazi kubwa yetu siyo kusema habari ya Harambee, ni kuangalia sheria za Bunge hili, na kuangalia fedha za nchi hii. Hiyu ndiyo kazi tulipigigwa kura kufanya. Siyo kuja kuiba halafu unatupa kidogo kwa Harambee na unatafuta makofi ya kilo baada ya kuwaibia wananchi.

Bw. Naibu Spika wa Muda, jambo la tatu katika huu Mswada ni kwamba--- Ijapokuwa tulikataa Mswada wa aina hii katika mwaka wa 1995, umeletwa tena lakini umerekebisha. Sasa tunataka kuzungumzia ni mahali gani tunaweza kutengeneza ili Mswada huu tukiufikisha katika kiwango cha Kamati ya Bunge Nzima, Waziri aliye hapa, anaweza kuleta hayo marekebisha ili tutengeneze Mswada ambao utasaidia nchi hii.

Kuna kifungu kimoja hapa ambacho sisi kama Wabunge hatuwezi kuweka katika Mswada huu. Hii ni kwamba kusikuweko na mkopo wowote ambao utafanywa na Benki Kuu ya Kenya bila idhini ya Gavana wake na idhini ya Bunge hili. Lazima hicho kifungu kiwekwe katika huu Mswada kwamba hakuna kukopa bila idhini ya Governor wa Benki Kuu ya Kenya na idhini ya Bunge hili. Hii ni kwa sababu Kenya katika wakati huu iko na madeni ya kiasi cha juu sana. Madeni yametushika na ni mengi kushinda zile fedha tulizonazo. Tunaweza kupigwa mnada saa yoyote. Juzi nilioana picha moja ya katooni; karibu tuuzwe.

The Assistant Minister for Finance (Mr. Keah): Jambo la ufahamisho, Bw. Naibu Spika wa Muda. Ninamshukuru Mhe. Shikuku. Hivi sasa tunapozungumza, mikopo yote ya nchi hii huidhinishwa na Bunge hili. Kwa hivyo, nilitaka tu nimkumbushe na nimweeze kuwa ni Kikatiba kwamba mikopo yote itokayo nje ya nchi, inaidhinishwa na Bunge hili. Hilo ndilo jambo nililotaka kumkumbusha.

Mr. Shikuku: Bw. Naibu Spika wa Muda, sikuzungumza kuhusu habari ya mikopo kutoka nje. Hata akiangalia HANSARD kesho, ataona sikuzungumza kuhusu habari ya mikopo kutoka nje. Nilisema "mikopo". Sasa ninajua kile kitu kinachoitwa Treasury Bill ambayo rate yake ikojuu sana.

An hon. Member: Kshs 81 billion!

Mr. Shikuku: Imesemwa hapa kuna Kshs83 billion ambazo ni mikopo ya nchi hii. Hii mikopo iko juu ya fedha tulizonazo.

Kuomba mikopo imefanya riba kupanda kwa kiwango cha juu sana. Ukitaka kukopa itakubidii kutoa riba ya 30 per cent. Na ukiweka pesa katika benki wanakupatia 13 per cent. Ukikopa wanakukata riba ya 30 per cent. Hii ndiyo kitu nakataa. Imefanya watu hawawezi kukopa mikopo. Kwa hivyo hatutaki Bw. Gavana aone kwamba vitu kama hivyo havifanyiki bila idhini yake na idhini ya Bunge hili.

The Temporary Deputy Speaker (Mr. Wetangula): Bw. Shikuku, unakopa pesa au unachukua mkopo?

Mr. Shikuku: Mkopo huo ambao unaitwa Treasury Bills hutolewa na benki kwa riba ya juu. Kwa hivyo, watu wa benki wanaitisha riba ya 30 per cent kutoka kwa mkopaji. Na ukiweka pesa katika benki, wanakulipisha riba ya 15 per cent. Kwa hivyo, mtu hawezi kukopa pesa kutoka benki. It is very hard. Na ndio sababu uchumi wa nchi hii umezoroteka. Hatuwezi kuendelea kwa riba hii ambayo ni ya juu sana. Kwa hivyo, kabla ya hizo Treasury Bills kupelekwa, ni lazima Gavana na Jumba hili wakubaliane juu ya riba hii ya juu sana.

Bw. Naibu Spika wa Muda, juzi tuu fedha zilitolewa katika Consolidated Fund na sheria 99 au 109 ya Katiba inasema kwamba hakuna ruhusa ya kuchukua fedha kutoka kwa Consolidated Fund bila idhini ya Bunge. Lakini hawa wameshafanya hayo. Wameshachukua fedha kutoka kwa Consolidated Fund bila idhini ya Bunge

hili na Katiba inasema kwamba kodi yetu iliyowekwa katika Consolidated Fund isiondolewe bila idhini ya Bunge hili. Na jambo hili lishafanyika. Ni lazima tuwe na kifungu katika Mswada huu kinachosema kwamba mtu anayetoa pesa katika Consolidated Fund bila idhini ya Bunge, basi huyo mtu amevunja sheria na awekwe korokoroni. Na wakati Treasury Bills zikiendolewa, ni afadhali liwe jambo la lazima. Bunge ikikubali, basi ni sawa. Lakini hizi Treasury Bills zikiendelea bila idhini ya Bunge, basi aliyetoa idhini hiyo na ashtakiwe kotini kwa kuvunja sheria.

The Assistant Minister for Finance (Mr. Keah): On a point of order Mr. Temporary Deputy Speaker, Sir. Hon. Shikuku is, in fact, misleading the House to the extent that at the moment, under the Internal Loans Act, the Governor of the Central Bank of Kenya, in fact, does approve, as an agent, the issuance of the Treasury Bills. I wanted to make that emphatic because, from the way hon. Shikuku is going on, he is really misleading the House.

The Temporary Deputy Speaker (Mr. Wetangula): I think he is talking about section 99 of the Constitution.

Mr. Shikuku: Yes, I am talking about section 99 of the Constitution. Nimesema kwamba fedha haziwezi kuondolewa katika Consolidated Fund na pia nataka mageuzi yafanywe kuhusu Treasury Bills kwamba haziwezi kuondolewa bila idhini ya Gavana wa Benki Kuu na Bunge hili. Na ikitoka bila idhini ya Jumba hili na ile yake, basi inapaswa aliyetoa ashtakiwe kwa kuvunja sheria na afungwe.

Bw. Naibu Spika wa Muda, mhe. hajui nasema nini. Nasema Jumba hili ni amri ya juu katika nchi hii. Tukisema katika jumba hili kwamba mhe. Keah anyongwe na tupitisha hiyo sheria, basi itabidi anyongwe.

The Minister for Finance (Mr. Keah): On a point of order, Mr. Temporary Deputy Speaker. Is it in order for hon. Shikuku to allude and, in fact, insinuate improper motives that if this House passes that I be hanged, then I will be hanged? Ni koti pekee yake ambayo inaweza kupitisha ninyongwe. Yeye si koti. Jumba hili si koti. Is he in order?

Mr. Shikuku: Bw. Naibu Spika wa Muda, mhe. Keah hajui kwamba sheria hupitishwa na Jumba hili. Na koti ---

The Temporary Deputy Speaker (Mr. Wetangula): Lakini Jumba hili haliwezi kumhukumu mtu kifo, Bw. Shikuku.

Mr. Shikuku: Bw. Naibu Spika wa Muda, mimi nimesema tunaweza kupitisha sheria kama hiyo hapa.

The Temporary Deputy Speaker (Mr. Wetangula): Ndio, tunaweza kupitisha sheria kama hiyo. Na pia kuna sheria ya kunyonga watu.

Mr. Shikuku: Na tunaweza kupitisha na tukafutulia mbali ile ya zamani na tukaweka ile sheria ya kibinafsi ya kumnyonga mhe. Keah na ikafanyika.

(Laughter)

We can repeal that law.

The Assistant Minister for Finance (Mr. Keah): On a point of order Mr. Temporary Deputy Speaker, Sir. Huyu ananichokoza. Pointi yangu ni kwamba je, ana haki ya kusema na kupotosha nchi hii na Bunge hili kwamba Jumba hili linaweza likapitisha sheria ya kwamba Shikuku anyongwe?

Hon. Members: Ndio!

The Temporary Deputy Speaker (Mr. Wetangula): Order! It can be passed but it will be a bad law.

Mr. Shikuku: Ndio, inaweza kufanywa na inaweza kufanyika. Hata Jumba hili likipitisha kwamba mhe. Shikuku anyongwe na ile sheria ya zamani ifutiliwe mbali ili anyongwe, basi itafanyika.

Mr. Maore: There is Ngei's case here.

Dr. Lwali-Oyondi: On a point of information Mr. Temporary Deputy Speaker, Sir. Mimi nilikuwa nataka kusema asante sana kwa kunimpa nafasi hii kwa kumpa habari. Hapo kitambo kulipitishwa sheria na Bunge hili ya kwamba mtu akishikwa na makosa wakati wa kupiga kura, asigombee kiti chochote kwa muda wa miaka mitano. Lakini siku moja mtu fulani ambaye anajulikana sana, aliwekewa vikwazo na koti. Baadaye, sheria ilipitishwa hapa ambayo iliwezesha mtu huyo pekee yake arudie uchaguzi huo na akarudia na akachaguliwa kama Mbunge hapa. Sasa hili jambo linawezekana.

An hon. Member: Anaitwa Paul Ngei!

Mr. Shikuku: Asante sana kwa habari hiyo.

The Temporary Deputy Speaker (Mr. Wetangula): Actually, that is misleading information. Carry on, Mr. Shikuku.

Mr. Shikuku: Bw. Naibu Spika wa Muda, nilikuwa nataka kusisitiza kutopingwa kwa

Jumba hili. Na kama kuna mtu mwenyewe anakataa kwamba Bunge hili linaweza kupingwa ---

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Shikuku, you have made your point. Talk about the amendment.

Mr. Shikuku: That is correct. Hiyo ndio nilikuwa nataka ukubali, kwamba Bunge hili haliwezi kupingwa. Watu wengine ambao wanachezea Bunge wajue kwamba Bunge hili ni sauti ya watu. Ukisikia Shikuku anazungumza basi jua ni maelefu wanazungumza. Lakini Katibu wa Kudumu akizungumza sio maelefu ya watu ambao wanazungumza. He is only known to the President and his family. Lakini Shikuku akizungumza, basi ni watu wanaozungumza.

Bw. Naibu Spika wa Muda, wanasema hapa kwamba Mswada huu unataka kuipa Benki Kuu uhuru. Pili, Mswada huu unasema ---

Mr. Orenge: On a point of information Mr. Temporary Deputy Speaker, Sir. I just wanted to give hon. Shikuku information that, in fact, in the past there have been Acts of Parliament which have been enacted personal to the individual. For example, in 1956 there was the Cavendish Bentick Pension Act. Then in 1960, there was the Vaspen(?) Pension Act. In 1963, there was the Isaac Okwiri Pension Act. So, what hon. Shikuku is actually proposing which is an act to execute hon. Keah, is right, and particularly when KANU "B" is dying.

Mr. Shikuku: Bw. Naibu Spika wa Muda, jambo la pili ni kwamba Mswada huu una nia ya kuipa Benki Kuu ya Kenya uwezo wa kuangalia hali ya fedha kikamilifu, bila kuingiliwa na siasa au mtu yeyote na pia kulinda uagizaji wa pesa. Ningependa kuongezea kwamba inafaa Bunge hili lipitishwe. Ili tuwe na uaminifu, yafaa mambo yote yafanywe wazi wazi. Hata katika Public Accounts Committee Report ambayo nimeshatoa notice kuihusu, kwa vile inaitwa Public Accounts Committee ama Public Investments Committee, yafaa viombo vya habari kama vile magazeti yakubaliwe katika kamati hizi. Ili maswali yanapoulizwa waweze kusikia moja kwa moja kwa sababu ni ya raia. Pia tungependa kuazima ule mtindo wa Malawi katika kupata mkopo kwa serikali. Ambapo ukitaka mkopo kwa serikali kwa fedha za umma, ni lazima majirani wako wakubali, ili ukishindwa kulipa huo mkopo, wale wakulima walioko karibu nawe wataulizwa walipe. Kupitia njia hiyo imekuwa rahisi kwa wananchi kulipia ile mikopo waliochukua. Mikopo karibu asili mia tisini na nane au tisa hulipwa na wananchi kupitia kwa njia hiyo. Kwa sababu, kwa mfano, hapa Kenya, mtu anapewa mkopo wa AFC ambao ni mali yetu, kisiri. Lakini kule Malawi, ni lazima raia wenzako wajue ili usije, kwa mfano, ukao bibi wa pili ama ununue Mercedes Benz ilhali hawajui ulipata wapi pesa. Ukianza kununua vitu ambavyo havikuwa kwa mpango wakati wa kuchukua huo mkopo, wale majirani wako watapeleka ripoti ili pesa hizo zirudishwe. Kwa hivyo, huo ni mfano mzuri ambao tunaweza kuazima kwa watu wa Malawi, kwa sababu hao hulipwa mikopo yote wanayotoa kwa wananchi. Maanake ukianza kunywa pombe, watatambua kwamba unalewa na pesa za kodi yao. Kwa hivyo inambidi yule mtu atumie ile fedha kwa njia ambayo alizihitaji.

Bw. Naibu Spika wa Muda, hiyo ndio tunayoita transparency. Lakini hapa, wale wafisadi walioko katika upande wa Serikali hawataki transparency. Hata wakati huu wanataka wawe wengi katika PAC na PIC ili wafunike uchafu ulioko. Kwa sababu katika PIC na PAC walio wengi ni wabunge wa Upinzani na kazi yetu ya Upinzani ni kuondoa uvundo ulio chini, ili dunia iweze kuona. Katika kamati hizi, tukija kwa kura, tunapigia kura ule ukweli. Na wale wanaotaka kufunika uchafu wa KANU, wanapinga na tukipiga kura tunawashindia kura moja. Hii ndio maana wanatoa mapendekezo haya. Lakini wakiwa wengi katika kamati hizi, uvundo ule hauwezi kujulikana. Hivi sasa, wanataka wawe na wingi wa Wabunge katika kamati hizi ili wawe wakifunika uvundo huo, na watakuwa wakitushinda na kura moja katika PAC na PIC. Hiyo siyo maendeleo, ni kuua. Pesa za raia zitakuwa zinachukuliwa na zinapotea na hakuna yule atakayepinga. Na inafaa raia wajue hivyo. Wale walioko upande wa Serikali watapitisha hoja hiyo kwa sababu ya wingi wao, lakini, sisi tulioko upande wa Upinzani, hawatatuona katika kamati hizo. Kwa sababu, ukienda katika kamati hiyo, watakuwa wakisema, hata fulani alikuweco tukipitisha. Tunataka tuwaache wapote mali ya umma na siku moja, wananchi watawaonyesha kiliomfanya punda asimee pembe.

Mr. Mak'Onyango: On a point of information, Mr. Temporary Deputy Speaker, Sir. I would like to inform hon. Shikuku that, Public Accounts Committee and Public Investments Committee, were by the very spirit meant to be for the Members of the public. This is why they are not called either Parliamentary Investments Committee or Parliamentary Accounts Committee. They are Committees which were meant to be accessible for members of the public so that they can participate effectively in the public affairs of this country through Parliament.

Mr. Shikuku: Bw. Naibu Spika wa Muda, transparency should also include that. Ndipo wananchi wajue ni nani "anayekula" pesa zao na kufanya lile na lile. Ili Wabunge tusiwe tunalaumiwa, kwa mfano, ni kwa nini daraja au hospitali fulani haijajengwa ama ni kwa nini hakuna madawa, ilhali sisi hapa tunapitisha pesa za miradi hiyo. Kama hazipatikani ni Mbunge anayelaumiwa, kwamba amekaa kule bure, maanake hakuna maendeleo na

wanakutoa na kuleta mwingine. Ilhali wale wanaonyonya wanakaa starehe. Wakati ule tunapiga kura, wao wanakunywa kahawa wakingojea redio itangaze ni nani hakuchaguliwa. Wanauliza: Has that baggar gone through again? Na huku wanakunywa kahawa. Wanaposikia matokeo ya Butere, kwamba hon. Shikuku amechaguliwa wananung'unika: Aah, that baggar is back again! Tunataka transparency. Hivyo ndivyo mambo hufanyika. Watu wengi hawapigi kura, wanangojea tu kusikia matokeo mikahawani na wengine wakinywa whisky wakingojea kusikia ni nani hakuchaguliwa. Lakini sisi hatuanguki kwa kura, tunajua mchezo huo, tutarudi hapa tena.

Bw. Naibu Spika wa Muda, jambo lingine linalohusiana na transparency ni kuhusu ile security of tenure ya Governor wa Benki Kuu ya Kenya. Kwamba, huyo mtu atakuwa ni mtu wa aina gani? Tunataka kutilia mkazo elimu yake, ukweli wake na maadili yake. Awe ni mtu msafi, mwenye elimu, anayependa nchi hii, ambaye hatatumia madaraka yake kunyonya nchi hii. Awe ni mtu ambaye atafanya kazi na moyo wake wote na pia apewe mshahara wa kutosha, ili asihangaika na kuchukua hongo. Mshahara wake uwe ni wa maana ili akiitumikia nchi hii baada ya miaka minane, akitoka pale, awe na pension yake ya kumwezesha kuishi vizuri na watoto wake. Kwa sababu tukiwa na mtu kama huyu ambaye atalinda pesa zetu zisipotee, atakuwa anakuza nchi. Lakini tukiweka mfisadi pale, itakuwa hatari kubwa.

Bw. Naibu Spika wa Muda, jambo lingine ni kuhusu nomination ya huyo mtu. Nimesema hapo mbeleni kwamba, inafaa Bunge hili lihusike katika uchaguzi huu na awe debated. Tuwe na Press na hata televisheni ili aulizwe maswali kama vile wanavyofanya kule Amerika. Tena wale Public Accounting Officers ambao ni Permanent Secretaries wakija katika PAC, yafaa wachukuliwe katika televisheni, watu wa magazeti wakuweco wakijibu maswali. Na watastaajabu kusikia yale tunayoyasikia ambayo hatusemi hapa nje. Why does it become private when it is public accounts? Hii itawawezesha wananchi kujua vile fedha zao "zinaliwa" kwa sababu "kuliwa" kwa pesa hizo kunaleta taabu katika nchi yetu.

Bw. Naibu Spika wa Muda, jambo lingine ni kwamba, Governor wa Benki Kuu ya Kenya awe na uhusiano au consultations na Waziri wa Fedha. Hivyo si vibaya, lakini, je wakikosana? Hakuna provision hapo inayotueleza ni lipi litakalotendeka ikiwa Waziri atatoa maagizo yake na Governor pia afanye vile vile na wasikubaliane. Hatuambiwi ni nani atakuwa arbitrator.

The Ministers who carry the day are worse and we know that most of them are corrupt.

Mr. Maore: On a point of information, Mr. Temporary Deputy Speaker, Sir. I would like to inform hon. Shikuku about a good example of interference that happened in October, 1995, when the diligent Governor of Central Bank of Kenya issued circular No.30 to all commercial banks, to the effect that anybody who deposits large amounts of money declares its source. For hon. Shikuku's information, the delegation of the barons did pay a courtesy call to State House, and at Kathiani public rally, the President did allege that the CBK is being infiltrated by "opposition moles" and the circular has never been heard of since then.

Mr. Shikuku: Kwa hivyo, ukiwa na wahe. Wabunge kama hawa ambao tunawafahamu na ambao wanaweza kutafuta njia yao kufika State House au Harambee House, mambo mengi yanaweza kuharibika. Aliyekuwa wakati mmoja Gavana wa Benki Kuu, Bw. Duncan Ndegwa, alitoa maagizo yaliyowataka wale Wakenya walioweka pesa katika nchi za nje wazirudishe mara moja. Wakubwa walienda kwa Rais wakati huo na kumwambia kuwa Gavana wa Benki Kuu alitaka kuingilia pesa zao ambazo walikuwa wamepeleka ng'ambo. Baada ya wiki mbili, Bw. Duncan Ndegwa alilazimika kuiondolea mbali nia yake ya kuwataka watu wale waliokuwa wamepeleka pesa ng'ambo wazirudishe. **The Assistant Minister for Finance** (Mr. Keah): On a point of information, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Wetangula): Bw. Keah, you cannot force him to take your information.

The Assistant Minister for Finance (Mr. Keah): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Mhe. Mbunge alikuwa anasema kuwa Mswada huu hauna mahala popote ambapo Waziri wa Fedha na Gavana wa Benki Kuu wakihitilafiana wanaweza kwenda kutafuta suluhisho. Ninamweleza mhe. Mbunge kuwa anapotosha Bunge hili kwa sababu habari hiyo iko katika ukurasa wa 427 katika kifungu cha 2.4C(2) ambacho kinaonyesha dhahiri kuwa ikiwa kuna hitilafu kati ya Waziri wa Fedha na Gavana wa Benki Kuu ya Kenya, wataenda kwa Baraza la Mawaziri. Baada ya Baraza la Mawaziri kupitisha, Gavana wa Benki Kuu ataelezwa la kufanya.

Mr. Shikuku: Bw. Naibu Spika wa Muda, ninajua kuwa wataenda kwa Baraza la Mawaziri. Lakini Baraza hilo la Mawaziri ndilo makao makuu ya uovu wa nchi hii. Je, una habari kuwa wale waliokataa kufuata maagizo ya Gavana wa Benki Kuu kuwataka watu wote waliokuwa wamepeleka pesa ng'ambo wasirudishe walikuwa wakubwa wa Baraza la Mawaziri na ilimbidi Gavana wa Benki Kuu kutoa maagizo mengine ya kuondoa yale ya kwanza? Kutoka wakati huo ndio nilikuja nikafafanua hapa Bungeni kuwa zaidi ya Kshs80.6 bilioni zilikuwa zimepelekwa ng'ambo. Waziri wa Fedha wakati huu alikuwa mhe. Prof. Saitoti ambaye alijaribu kupinga ukweli wa madai yangu hapa Bungeni, lakini nilimletea ripoti ya IMF na hiyo ndiyo bibilia ya pesa,

aliona ukweli na akanyamaza mpaka leo. Kutoka hapa unaweza kujua ni mabilioni ngapi yametoka nchi hii.

Sisi tunaongumza hapa, wengine, ingawa si wataalamu wa mambo ya fedha, tunajua kwamba pesa zikitoka katika nchi fulani, zinaleta udhaifu wa uchumi wa nchi hiyo. Haitakiwi mtu kwenda Makerere University kujua habari hiyo. Mwizi akiiba pesa za mhe. Keah, Keah hatakuwa mhe. tena, atafilisika. Huna haja kwenda skuli kujua hiyo.

Waziri wa Fedha anaweza kumwagiza Gavana wa Benki Kuu ya Kenya kumpatia mtu fulani pesa, lakini Gavana akatae. Waziri wa Fedha atakwenda kama vile mhe. Keah alisema, kwa Baraza la Mawaziri. Pengine Waziri huyu anaweza kufanya kampeini mwiongoni mwa mwanakamati wa Baraza la Mawaziri ambao ni 25 na mtu huyu atapata pesa hizo. Lakini ikiletwa hapa katika Bunge hili, dunia yote itajua. Hicho ndicho kitu wahe. Wabunge ambao wako katika Serikali, ambao hawajibiki kwa Serikali, hawatapenda ije hapa. Kwa hivyo, itakuwa kinga kwa maneno hayo.

Bw. Naibu Spika wa Muda, tungependa Benki Kuu ya Kenya (CBK) iwe na mawasiliano kati ya wataalamu mbalimbali kutoka Barclays Bank na Standard Chartered Bank au Gavana wa CBK atafute njia ambayo nchi hii inaweza kuhifadhi pesa zake kwa sababu sasa watu wa ng'ambo wamechoka kutupatia misaada. Pia wamesema kuwa ufisadi ukiwa mwingi hatutapata misaada. Nina hakika kuwa Serikali hii haitapata misaada kwa sababu ni makao makuu ya ufisadi na pesa hizo ambazo wanapata ng'ambo wanajua ni za watu wengine ambao wanafanya kazi. Kwa nini tusaidiwe kila siku kama watoto? Tumekaa miaka 33 tangu Uhuru, kwa nini hatuwezi kuendesha mambo yetu wenyewe? Ni kwa sababu ya ufisadi, ukubwa na ulafi mwingi.

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

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

Mr. Shikuku: Bw. Naibu Spika wa Muda, jambo lingine ambalo ningependa kukujulisha limetajwa kidogo na mhe. Prof. Anyang'-Nyong'o kuhusu pesa. Section 2.4B(4) states:-

"In subsection (2), the expressions of Appropriate Committee means a Committee of the National Assembly appointed to investigate and inquire into matters relating to monetary policy. This formulation gives the notion that the Committee will be more focussed on report finding rather than on reflection of debating policy".

Bw. Naibu Spika wa Muda, kazi yetu ni kuangalia pesa za wananchi. Tunataka tuwe na kamati na ninafikiria sheria za Bunge hili zifuatwe na lazima kamati ziongozwe. Kamati ya Uchumi, kazi yake iwe ni kuchunguza na kupata ripoti. Nimesoma mahali pengine katika Mswada huu kuwa Gavana wa CBK atatoa ripoti baada ya miezi kadhaa kwa Waziri wa Fedha. Inatakiwa kuwa Gavana wa CBK akishampatia Waziri wa Fedha ripoti hiyo, Waziri ataiete hapa Bungeni chini ya muda wa wiki mbili ili Bunge liweze kujukumisha ripoti hiyo kwa Finance Committee ya Bunge hili, liangalie na kufanya mapendekezo yake kwa Bunge. Kisha ripoti hiyo italetwa ili ipitishwe na Bunge hili, kama tunavyoipitisha ripoti ya Public Accounts Committee. Tofauti itakuwa ni kwamba, Public Accounts Committee inaitoa ripoti yake baada ya pesa kutumika, bali ripoti hii itakuwa ikitoka kwa Gavana wa Benki Kuu ya Kenya na kwenda kwa Waziri, ambaye ataiwasilisha hapa Bungeni. Tutaijadili ripoti hiyo baada ya kuchunguzwa na Finance Committee ya Bunge hili. Waheshimiwa Anyang'-Nyong'o, Michuki, ambao wanajua mambo ya pesa, pamoja na wanasheria kama mhe Orengo watakuwa katika kamati hiyo.

Bw. Naibu Spika wa Muda, mimi nasema kwamba kuna watu wafisadi katika Serikali, na watu walio katika Serikali wanaweza kuwasema watu wafisadi katika Upinzani. Sisemi kwamba watu walio Serikalini peke yao ndio wanaoweza kuwa wafisadi. Kama kuna watu wafisadi katika Upinzani wanaweza kuwasema. Uchunguzi ninaozungumzia ni muhimu sana, na inafaa ufanywe na baadhi ya sisi Wabunge.

Jambo lingine ni kwamba Mswada huu haujasema security of tenure kwa Gavana wa Benki Kuu ya Kenya itapatikana kwa njia gani. Mswada huu hauwezi kumpa Gavana wa Benki Kuu Security of tenure ikiwa security of tenure haiko katika Katiba ya nchi hii. Hii ni kwa sababu Mswada huu hauwezi kuwa na nguvu zaidia ya Katiba ya nchi hii. Kwa hivyo, inafaa Katiba ibadilishe kwanza ili kupatia Gavana wa Benki Kuu ya Kenya security of tenure, ndipo tuiweke security of tenure katika Mswada huu. Kifungu cha 5(iii) kinasema:-

"The members of the Board shall be appointed at different times so that the respective expiry dates of the members' terms of office shall fall at different times".

Wanachama wa Bodi hii watakuwa ni Gavana wa Benki Kuu ya Kenya, ambaye atakuwa mwenyekiti, Naibu wa Gavana wa Benki Kuu ya Kenya, ambaye atakuwa naibu wa mwenyekiti, Katibu Mkuu wa Fedha, ambaye

atakuwa mwanachama asiyepiga kura na wanachama wengine watano ambao watakuwa non-executive. Hatuambiwi hawa wanachama ni nani, watakuwa na ujuzi gani na watatoka wapi. Tunataka tuambiwe jambo hili kwa sababu tumezoea kuona watu wakihamishwa kutoka bodi moja hadi nyignine baada ya wao kuharibu bodi ya kwanza. Huu ndio mtindo ulioko sasa. Tunataka kujua hawa wanachama watakuwa nani, watatoka wapi na watakuwa na ujuzi gani.

Pia tunajua kuna ukabila, na ningetaka jambo hili liandikwe. Kuna ukabila katika nchi hii ingawa tumekuwa wanafiki. Tunaambiwa: "Sisi hatutaki ukabila", lakini ukisoma majina ya wale wanaoteuliwa kushikilia nyadhifa mbali mbali utaona kuwa watu hao wanatoka mahali fulani. Mnafikiri tutakuwa wapumbavu mpaka lini? Sasa kila kabila lina watu wenye ujuzi ambao wanaweza kupewa kazi. Haifai kwamba ikiwa mimi ndio kiongozi wa nchi hii kazi zote zinapewa watu wa kabila langu, halafu nikienda kuwahutubia wananchi naawaambia: "Wananchi hatutaki ukabila". Hakuna haja ya mimi kuwadanya watu kwa sababu wanajua "Makhoha" ni jina la watu wa kabila gani. Ikiwezakana inafaa kila mkoa uwe na mwakilishi katika bodi hii. Kwa sababu hii napendekeza tuwe na wanachama wanane wa kawaida badala ya kuwa na watano, ili kila mkoa uweze kuwakilishwa katika bodi hii. Tunajua kuna ukabila, ingawa tunadanganywa hauko.

Kifungu cha 5(iv) kinasema:-

"A member of the Board may resign his office by writing under his hand addressed to the President, which resignation shall take effect one month from the date of receipt of the letter of resignation by the President".

Hapa tunaona kwamba mtu aliyeteuliwa anaweza kuiacha kazi yake. Lakini hatuoni mahali panaposema kwamba Rais anaweza kumwachisha kazi mtu ambaye amekosa. Kama kuna mahali panaponyesha Rais anaweza kumfuta mtu kazi namuomba mhe Keah anijulishe. Kwa nini hakuna kifungu cha kutuwezesha kumuondoa mtu ambaye amekuwa mfsadi? Kuna kifungu hiki kinachomkubalia mtu aweze kujuzulu tu! Kwani wanachama hawa watakuwa na security of tenure? Natumaini mhe Keah atakapoujibu mjadala huu ataniambia ikiwa kuna kifungu kinachotoa uwezo wa kumfuta kazi mwanachama ambaye amefanya makosa. Ikiwa hakiko, ningependa kiweko, ili kuwe na uwezo wa kumfuta mtu ambaye amefanya makosa.

(Hon. Ng'eno smiled)

Naona Bw. Waziri anacheka, lakini ni lazima kuwe na uwezo wa kumfuta kazi mwanachama ambaye amefanya makosa, na kumwacha mtu anayefanya kazi nzuri. Sisi tunataka maendeleo. Kifungu cha 5(6) kinasema:-

"Where the Governor or Deputy Governor or a director is unable to perform the functions of his office due to any temporary incapacity which is likely to be prolonged, the President may appoint a substitute for that member of the Board to act with the full powers of the member, until such time as the President determines that his incapacity has ceased."

Bw. Naibu Spika wa Muda, Mswada huu unasema, "the President may substitute when one member of the Board of directors is incapacitated." yule mwingine akipona, arudi pale. Mtu akiwa mgonjwa wanamtoa kwa muda na akipona, anarudi. Yule aliyekuja kuchukua nafasi yake anatoka. Haya ni mambo gani? Mtu anaweza kuwa mgonjwa sana. Kwa hivyo wangeweka hapa kufungu kwamba, once the doctors have certified kwamba huyo mtu amekuwa incapacitated kabisa na itachukua muda mrefu ili apone, wanaweza kuweka mtu mwingine katika mahali pake. Hayo mambo ya kuweka mtu kwa muda kidogo na yule aliyekuwa incapacitated akirudi yule mwingine antoka--- This is being funny! Nafikiri kama daktari amesema mtu hafai, Rais achague mtu mwingine achukue mahali pake. Pia, ingefaa hawa members of the Board of Directors wawe vetted. These directors should be vetted by a Parliamentary Committee in charge of Finance. Tusije tukaleta wakora - con-men katika hii Board of Directors. Ni lazima wawe vetted by Parliament. Wakati wa vetting, tunataka watu wa Press wakuweko. Watu wa Press wakuweko ili hawa watu waulizwe maswali kama: Ulikuwa wapi? Ulikuwa ukifanya kazi gani na ujuzi wako ni gani? Hii ifanywe wazi, isije ikafanywa kisiri. Hiyo ni transparency. Ni lazima hawa watu wahojiwe mbele ya cameras na waandishi wa magazeti waandike majibu yake na maswali anayoulizwa. Tunataka kuwa transparent.

Inaendelea kusema: "A person shall be eligible to be appointed as a director if he:

(a) is a citizen

(b) is acknowledged or experienced in monetary, financial or banking---

Ninaunga mkono hiyo. Hatutaweza kuwa na watu wa nje. Wale watu ambao si wananchi wa nchi hii wazipewe hii kazi. Waziri wa Fedha na Waziri wa Wafanyakazi wako hapa. What is going on in financial institutions sasa ni de-Africanisation. Kuna watu wengi hapa ambao wana ujuzi wa fedha na wanatembea huko kwa street kwa sababu hawana kazi. Lakini Wahindi kutoka Pakistan na Inda wanapewa kazi katika benki za nchi hii. Ninatamani sana niulizwe nithibitishhe. Wanajua ninasema nini ndipo hawawezi kuniuliza hivyo.

Hawa Wahindi wanakuja hapa wakitumia visitor's pass kutoka idara ya immigration na wanakaa kidogo, wanapewa work permit, na mwishowe wanafanywa citizens of this country; na watoto wetu tuliowasomesha wanatembea nchini hapa bila kazi. Hii ni Kenya gani? Ni nchi gani ambaye inawacha watu wake wawe na njaa na inawapa watu wa nje kazi? Watu wa Wizara ya Fedha wajue hii.

ABC Bank kwa mfano, imeandika Wahindi wengi kutoka Pakistan na hata benki zingine zinaandika foreigners hapa. Wanaingia Kenya wakitumia visitor's pass, wanapewa work permit na wanaendelea kufanya kazi na watoto wetu wanakaa bila. We have over-qualified men and women in this republic! Wizara ya Fedha ni lazima iangalie kila benki katika nchi hii. Ninashukuru kwa sababu Waziri wa Wafanyakazi na Waziri wa Fedha wako hapa na Waziri yule mwingine wa--- Wacha ni wache hiyo. Hawa wawili wanatosha. Imekuwaje kwamba Wahindi wanapata kazi katika benki za nchi hii na wananchi wetu ambao wana ujuzi wa fedha hawapati kazi? Graduates wa MA na Ph.D in financial matters hawana kazi lakini Wahindi kutoka Pakistan wanapata kazi na wanapata mshahara zaidi ya watu wetu walioko katika benki na wana qualifications better than them. They get more money na wanaipeleka katika nchi yao. Ukienda katika ABC Bank, utapata kwamba wengi wa wafanyakazi wanatoka Pakistan na watu wetu hawana kazi. Hata ile benki ya Middle East Bank ni namna hiyo. Sisi hatutengenezi nchi hii kwa watu wengine. Kama hatuna watu wenye ujuzi, tunaweza kuwaandika. Lakini tunao watu wenye ujuzi! I challenge the Minister for Finance aulize na ataona kwamba kuna wengi wenye ujuzi katika benki na wako na certificates za MA, Ph.D, na BA lakini hawana kazi, na Wahindi wajazwa katika ABC Bank na benki zingine. Ninashukuru kwa sababu hawakuniuliza nithibitisha. Ningewaambia mengi zaidi. Kama mhe. Keah ange thubutu kusimama, angeona moto. Anajua ni ukweli na watu kutoka sehemu yako pia wamesoma na hawana kazi. Ninawatetea hawa pia. Ni lazima tung'oe hawa Wahindi na tuweke watu wetu.

Katika ukurasa wa 428(ii) inasema: "The Governor and the Directors appointed under paragraph (b) of sub-section 1 shall be appointed by the President and shall hold office for a term of four years each, but shall be eligible for re-appointment."

Ningependa Gavana na wengine wakae kwa miaka 8 na wakimaliza wanaenda zao. Hii re-appointment itolewe. Nakubaliana na mhe. Anyang'-Nyong'o kwamba Gavana anaweza kufanya kazi kwa miaka minne, akitaka kupendeza ili aweze kuwa re-oppointed tena. Ninapendekeza wapewe eight years ili wafanye kazi full time without looking for favours by behaving in a certain manner ili waweze kuwa re-appointed. Mhe. Nyong'o alisema ataleta amendment kwa hiyo clause ili tuwe na straight appointment because there is no security of tanure. Ninajua kwamba Mkuu wa Sheria hataleta hapa amendment ya katiba kumpa Govenor of the Central Bank of Kenya hiyo security of tanure kwa sababu they are very allergic to amendments to the Constitution. Tukipitisha sheria kwamba Governor of the Central Bank atakuwa akifanya kazi kwa miaka minane, hiyo itakuwa kama security of tanure na hakuna kitu atafanyiwa na mtu yeyote, sisi tutakuwa tumeunga yeye mkono na wakimaliza miaka minane, waondoke na tunaweka wengine huko.

An hon. Member: Is that security of tanure, hon. Shikuku?

Mr. Shikuku: Huyu mhe. anazungumza kama ameketi chini na mimi nazungumza hapa.

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Shikuku, is he on a point of order? You address the Chair and leave him alone.

Mr. Shikuku: Hapana, lakini yeye ananisumbua. This security of tanure will go a long way to provide eight years of continuous service, bila kulambalamba miguu ya watu wengine.

Katika ukurasa wa 430, hiyo ni delegation by Board. Clause 7 reads as follows: "The Board may, by resolution, either generally or in a particular case, delegate to any Committee of the Board or to any member thereof or to any officer, employee or agent of the bank, to exercise any of the powers or performance of any functions or duties of the Board under this Act." Hii ni hatari. Ninataka Halmashauri iwe na madaraka, lakini ikianza kuwakilishwa na mtu mmoja, mfanyakazi---hapa imeandikwa:-
"---an employee, an officer or an agent"

Hii inaweza kuwa hatari, wakitoa madaraka yao kwa mtu binafsi. Pengine itakuwa vyema wakitoa madaraka haya kwa Sub-Committee ambayo itatoa ripoti kwa Halmashauri nzima. Hivi itakuwa vizuri. Lakini ukimpa mtu binafsi hayo madaraka na watu wajue kwamba ni Shikuku amepewa hayo madaraka, hapo watu wananiipatia harambee. Mtu akitaka kitu atakuja na kusema: "Bw. Shikuku nilisikia kwa redio kwamba uko na harambee huko Kilifi, nilikuwa ninataka nikupatie hii kidogo uende utoe huko kwa harambee usaidie wananchi." Lakini hiyo harambee anayonipa, atakuja kuchukua fedha za uma nyingi kushinda ile harambee amenipatia. Pia, wengine waliopewa harambee hawaleti yote kwa mkutano. Mara nyingi, nimekutana na Wahindi na wananiambia:-

"Bw. Shikuku, you know our community met and collected Kshs40,000 for the harambee, but when I listened to the radio, I heard you only paid Kshs10,000. What happened to the balance of Kshs30,000?"

(Mr. Shikuku mimicked the Asian dialect)

Hizi fedha wanatoa lakini hawana haja ya kuhudhuria mikutano ya siasa, hawanaa haja kuja kwenye sherehe za Jamhuri Day. Mmewahi kuwaona Wahindi wakija kwa sherehe ya Jamhuri Day? Hawana haja. Nilipowauliza, waliniambia:- "Why go there when we pay harambee? That is enough." Si Jamhuri Day inakaribia? Hebu uangalie ni wangapi watakuwa huko. Siku hizi wanawaletea wacheza ngoma wachache wale wanagonga vijiti na kuzunguka. Lakini wenyewe wanafika huko? Na hapa kuna Wahindi wengi. Kwa nini hawaji? Hawana haja. Wanatoa harambee kwa Waziri na Rais, hakuna haja kwenda kwa mikutano na kusikiliza hotuba. We have become so useless.

Tumekuwa watu bure kabisa kwa sababu sasa tunatawaliwa na harambee ya Wahindi. That is all. Hata siku hizi, hawa Wahindi wanapiga watu wetu makofi, na kuwatemea mate kwa uso, na hawawezi kufanya kitu. Halafa wanaambiwa: "Go to State House and tell him. We do not care about him." Huu ndiyo utumwa watu wetu wamefikia. Kwa sababu sisi wakubwa tumekuwa waombaji na wafisadi.

Bw. Naibu Spika wa Muda, hapa ninajulishwa kwamba hawa jamaa wako na mipango ya kufunga huu mjadala.

Mr. Maore: How many people have debated?

Mr. Shikuku: Lakini haiwezekani kufunga mjadala wa huu Mswada. Tunataka kila mtu azumgumze na atoe maoni yake kwa huu Mswada. Huu Mswada ndiyo maisha na uzima wa watu wa nchi hii.

An. hon. Member: We want to talk.

Mr. Shikuku: We want to talk, hakuna pahali tunakwenda, tunataka kuzungumza. Kwa hivyo, mtu kusema kwamba ata move closure--In the process he will move himself out of this House. Tunataka tutengenze mambo yatakayosaidia nchi hii. Katika Section 21, wanasema:-

"Except as provided in accordance with Section 36, 46 and 47, the Bank shall not extend any credit, directly or indirectly to any public entity."

Siku moja tulikuwa katika mikutano wa Public Accounts Committee (PAC) tukaambiwa kwamba kulikuwa na mapatano baina ya Central Bank na mtu fulani. Mimi ninataka kusema hivi, ikiwa hiki kifungu kitapitishwa vile kilivyo, na mimi ninaona kitapitishwa, hii habari ya kusema "except in accordance with Section 36, 46 and 47, the Board shall not extend---", na hizo Vifungu zina andaa uwezo wa kufanya hiyo; sasa tutajua tunapitisha nini? "Directly or indirectly to any public entity." Ningependa kwamba Bw. Waziri atakapokuja kueleza, atueleze kinaganaga hayo mambo; kwa sababu mambo mengi yanaweza kupitia hapo, na inaweza kuwa ni tundu kubwa.

In conclusion, I would like to draw your attention to page 436, paragraph 2, which says:

"To enhance accountability and transparency in Central Bank, the operation of the Bill requires the bank to submit to the Minister monetary policy statements specifying *inter-alia*, monetary policies adapted by the bank and the reason thereof for every six months."

Lakini hapo ukisoma, baada ya neno "Minister", maneno yafuatayo yaongezwe: "Who shall submit the same to Parliament immediately."

Hapo wanasema tu kwamba Governor wa Central Bank atampelekea Miniser---lakini na yeye alete mara moja hapa katika Bunge hili. Katika hilo fungu la pili, mstari wa mwisho unasema:-

"The Bill also requires the Central Bank to publish its balance sheet on monthly basis."

Hilo ni jambo nzuri, and I hope it will be done. But from my experience, even when you look at the Papers laid on the Table of this House, you will find that some are for 1986, 1987, 1990 and 1991, and they are being laid now. We hope this will be done on monthly basis and immediately after a month, we should get that Report tabled here in Parliament.

Katika fungu la mwisho, wanasema:-

"The Bill proposes that the President appoints the Tribunal comprising of persons who hold and who have held eligible---"

Kuhusu agizio katika Tribunal, tunataka kujua kama hiyo Tribunal itakuwa na watu wangapi, wanatoka wapi na pia wachunguzwe na Parliamentary Finance Committee. Tungependelea hii ifanyike ili Rais asije akaweka youth wingers wake or his loyalists. Pengine utapata Bw. Mulu Mutisya ndiyo anawekwa kuwa Mwenyekiti. "Watu wanaongalangala" Hii inawezekana.

Tunataka tuone haya majina yote. They should be submitted to the Parliamentary Finance Committee for vetting and recommendation for the appointments.

Bw. Naibu Spika wa Muda, hebu niwapatie wengine nafasi ili nao watoe maoni yao kwa sababau ingefaa kila mtu atoe maoni yake Ninaunga mkono.

(Mr. G.G. Kariuki moved to the microphone)

Hon. Members: This man has just come from the airport. Ameingia sasa hivi!

The Temporary Deputy Speaker Mr. Ndotto): Order!

Mr. G.G. Kariuki: Mr. Temporary Deputy Speaker, Sir, I am very sure I have been here before the hon. Members who are talking. Since I am not going to take a lot of time, hon. Members should let me say what I want to say as I do not believe in talking the whole day while saying nothing, like the hon. Members on the opposite side.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to insinuate that we talk for the whole day and talk nothing? It is a very bad allegation, more so, when he is referring to elected hon. Members, when he himself was defeated and got here through the back door.

Mr. Kariuki: Mr. Temporary Deputy Speaker, Sir, I am not going to be intimidated by frivolous points of order because the hon. Member knows very well that that is my personal opinion.

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member said that was his personal opinion. Every Member who comes here has his own personal opinion, but behind that Member there are those people who have elected him to come and air their opinion. Whose opinion is he airing?

The Temporary Deputy Speaker (Mr. Ndotto): Mr. Mulusya, next time I ask you to raise a point of order and you do not do it, I will take appropriate steps. That is not a point of order.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am still pursuing the question of innuendo that some hon. Members speak here for the whole day and say nothing. Is that in order?

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Kariuki, was that your opinion or what did you want to say?

Mr. Kariuki: Mr. Temporary Deputy Speaker, Sir, that was my personal opinion and I repeat it. I am entitled to my personal opinion.

The Temporary Deputy Speaker (Mr. Ndotto): Order! We have an important Bill before us and we must proceed. I am sure there are very many Members who want to contribute and we cannot continue this way.

Dr. Otieno-Kopiyo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Provisions of Standing Order No.73 (4) state clearly that we do not stand here and say nothing the whole day. I think that is improper and if it is his opinion, it is improper to impute that motive on us.

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Kariuki, I order you to withdraw those remarks and proceed.

Mr. Kariuki: Reluctantly, I withdraw my personal opinion---

The Temporary Deputy Speaker (Mr. Ndotto): Order! Withdraw the remark and proceed.

Mr. Kariuki: I withdraw that remark.

I will continue saying what I wanted to say. I will take a very short time in my speech because I do not believe in lengthy speeches which constitute nothing. This Bill is very important. It is clear that the Government is willing to give all the powers to the Governor of the Central Bank in terms of managing our economy and our monetary system. What I actually do not see in this Bill, although it is quite big, is the power given to the President to appoint and fire the Governor. It is my view that the President should have power to hire and fire the Governor because resorting to the tribunal is not a solution. We are talking about a Governor who is financially informed and has experience in financial matters. A tribunal should only be appointed when the Governor has committed a criminal offence.

I also feel that people who should be appointed in the tribunal are a judge, a businessman and people with financial experience. This is because they are the people who understand the functions of the Central Bank. The judge will just go by the law, whether the Act has been contravened or not. But in this case, the judge may have been a lawyer. It does not mean that all the lawyers understand financial problems or dealings. It is my strong recommendation that judges of the High Court should not be used as much as they have been used. We should spare them to do their job. This is because economic matters need to be given to people who understand them. If the Governor has contravened some sections of the law, there is a Minister to deal with him. So, it is my recommendation that the Governor needs to be appointed and sacked by the President. Whether the matter has been reported to the Tribunal or not, the President should continue to have that power. This is because we are not just talking of the current Government, but even tomorrow's Government. We need to give the President the power to hire and sack.

Mr. Temporary Deputy Speaker, Sir, the other point that I would like to make is that the Minister, who is referred to in this Act, is the one to require the Governor to prepare statements, so that he can present them to the National Assembly. I think the law here is contradictory because the Governor, who is not answerable to the

Minister in terms of firing, is required by the same Minister to do A, B, C, D. Let us not eat our cake and have it. Let us not try to please anybody in this country. We are trying to please the foreigners, that is the World Bank and the International Monetary Fund (IMF), that the Governor will be so independent to the point that he will appoint himself. It is my understanding that any person in this country must be employed and be answerable to a certain system. It is not clear whether this Governor will be answerable to the Tribunal. The Governor will only be answerable to himself. Maybe we will have a Governor who will be an angel and he will not commit any mistakes. I feel very strongly that the Minister should have some power. The Minister of today's Government, the Government of tomorrow and the day after tomorrow needs to have some power to direct the Governor. He should have power to discipline the Governor. We are not going to have a Minister who may not have any powers. We are saying that---and this is the campaign of my friend on the other side of the House, that we have to be transparent and so forth. I think we are going to lose the proper management skills, by trying to confess to the World Bank and the whole world, that we will have a person called the Governor, who will not be from among the Africans, but will be an angel. I submit that it is wrong to have a fellow who thinks he is only answerable to himself and to nobody else. The Minister should, therefore, have some power to make the Governor answerable to him. But here we are being told that the Minister will require him to do a, b, c and d. And he will be required by law to accept what the Minister says. What about if he says "no?" Where will you take that matter to? You just take them to court to interpret this law and, at that time, you will be dealing with two personalities; the Minister and the Governor.

Although, I accept that we have to liberalise our economy and manage our economy according to the international standards, our cultures should not be left behind. In this country, we have about 42 tribes, these tribes, as we know, pay their allegiance to a certain political party and if you appoint a Governor who is opposed to the system, we will live to regret it. That Governor can be a big problem. It would be a terrible thing, but we can just say here "It is alright, we shall have the Governor and so on." The President has power to suspend the Governor during the time when that tribunal is sitting. He should have the power and if the tribunal reports to the contrary, the Governor will resume his job. Are we organising a political Government or is it another High Court which we are trying to organise here?

Another point that I want to talk about is on Clause 4B(2) which states:-

"The Minister shall lay every statement submitted under subsection (1) before the appropriate committee of the National Assembly not later than the end of subsequent session of Parliament after the statement is so submitted."

The expression "before the appropriate Committee of the National Assembly" means the Committee of the National Assembly appointed to investigate and enquire into the matter relating to monetary policy. The Committee is only required by this Act to investigate and then do what? We have seen so many Committees in this House and the best example is PAC. It has been reporting, investigating and so on. What action has that Committee ever taken? I have been in this House for quite some time from 1963, but this question of deceiving the public that Parliament will have power just to receive the statement and no more, I think we are being belittled.

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Kariuki in order to continue misleading the House that PAC and PIC, make recommendations and take no action? Is it the work of the PAC and PIC to follow and to implement decisions? Is it not the work of Government to implement decisions and findings of Committees?

Mr. Kariuki: Mr. Temporary Deputy Speaker, Sir, I continued standing because the hon. Member was totally out of order from the word "go." That is personal opinion. I wish the hon. Member could give himself some time to understand the procedures and the seriousness of the debate. I sympathise with him.

Mr. Leshore: On a point of order, Mr. Temporary Deputy Speaker, Sir. This Bill has been exhaustively discussed and deliberated. Could I be in order to call upon the Mover to reply?

The Temporary Deputy Speaker (Mr. Ndotto): Order! Hon. Leshore, are you asking whether you are in order or you are moving that the Mover be called upon to reply?

Mr. Leshore: Mr. Temporary Deputy Speaker, Sir, I am moving that the mover be called upon to reply.

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

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is not in order to call the Mover to be called upon to reply, when under the provisions of Standing Order No.80, calling upon the Mover to

reply amounts to an infringement of the rights of hon. Members whether the question ought to be put or not. This is a very important Bill and only four hon. Members from this side of the House have spoken on it. The rights of hon. Members are being infringed and it is the duty of the Speaker not to put the question so as to give enough time to hon. Members on this side to speak.

The Temporary Deputy Speaker (Mr. Ndotto): Order!

The decision has been made by the House and I cannot reverse it. That is the decision of the House. Minister for Finance can you---

(Several hon. Members stood up in their places)

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Mr. Muite has just drawn your attention to the fact that this is a Bill which affects our people very much. It is a Bill that is going to decide whether the economy of this country which is already in shambles, as you know, is going to be revived or not. We have got information from our people to raise on this Bill. Is it in order for the---

The Temporary Deputy Speaker (Mr. Ndotto): Order, Dr. Lwali-Oyondi! The House has already decided that the Mover be called upon to reply and we cannot be debating that one because the decision has been made by the House. It is the turn of the Mover to reply.

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

The Temporary Deputy Speaker (Mr. Ndotto): Order! No more points of order on that issue. It is time for the mover to reply.

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

The Temporary Deputy Speaker (Mr. Ndotto): Order! No more points of order on that. For the mover, it is his time to reply.

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

The Temporary Deputy Speaker (Mr. Ndotto): Order! No more points of order on that.

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

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Mulusya. No more points of order on the same issue which I have already ruled out.

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir. How can you read my mind?

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Mulusya. I expect you to be orderly in this House. We have got 200 hon. Members and if you continue behaving the way you are behaving, we cannot transact any business in this House. If you have a point of order, I will allow you to raise it but not on the matter that I have already ruled on.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir. It is unfair for the Chair to assume---

The Temporary Deputy Speaker (Mr. Ndotto): Order! What is your point of order, hon. Mulusya?

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir. You were told by hon. Shikuku here that there is a conspiracy to move closure and the Chair heard that from the Floor very clearly. Why does the Temporary Deputy Speaker have to go on and assist that conspiracy?

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Mulusya. You are saying that the Chair is directed by some people in this House and you are wrong. If you continue that way, you will be completely out of order.

Dr. Otieno-Kopiyo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I wonder whether you address your mind to the question of fairness in relation to--- Let us address it once and for all. I am not talking about this particular issue.

The Temporary Deputy Speaker (Mr. Ndotto): Order! Sit down Dr. Otieno-Kopiyo. I will not entertain any point of order on the same issue.

Dr. Otieno-Kopiyo: Mr. Temporary Deputy Speaker, Sir, it is not on the same issue. The House sits everyday and we have issues that arise all the time. There is a portion of the provision of Standing Order No.80. I am not discussing it in relation to the particular Motion. But the portion says;

"--- a Member rising in his place may claim to move that the Mover be called upon to reply, unless Mr.

Speaker is of the opinion that such Motion is an appeal of the proceedings of the House, or an infringement of the right of hon. Members---

Now, Mr. Temporary Deputy Speaker, Sir, is it in your opinion fair that only four hon. Members from the Opposition who represents 65 per cent of the voters should speak on an important Motion like this and then we proceed?

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

The Temporary Deputy Speaker (Mr. Ndotto): Overruled!

The Assistant Minister for Finance (Mr. Keah): Mr. Temporary Deputy Speaker, Sir, I take this opportunity to ---

Hon. Kopyio: On a point of order Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Ndotto): Order hon. Kopyio.

Mr. Gatabaki: On a point of order Mr. Temporary Deputy Speaker, Sir. We have spent four years correcting the mess that the Central Bank has done to the economy and you are aware of it. This is a very important Bill. It affects the destiny of this country. If this KANU conspiracy does this to an important Bill like this, then what type of Government do we have? What type of Members of Parliament are we? How responsible are we to our constituents?

The Temporary Deputy Speaker (Mr. Ndotto): Order! Proceed, Mr. Keah.

The Assistant Minister for Finance (Mr. Keah): Thank you Mr. Temporary Deputy Speaker, Sir for the opportunity that you have given me to respond to the hon. Members comments on this very important Bill. On the outset, I would like to thank hon. Members for the very constructive criticisms that they have given and I want to assure the House that the comments that they have made will be considered seriously by the Government, that is, between the Minister for Finance and the Attorney-General, to see whether there is any cause for us to incorporate some of their suggestions at the Committee Stage. At this point, however, I want to specifically comment on very specific issues that have been raised here and to allay certain fears that have been alluded to and expressed by some hon. Members.

Mr. Temporary Deputy Speaker, Sir, first of all, hon. Anyang'-Nyong'o, and later hon. Shikuku, commented on the issue of the external debt and the ability of the Central Bank to ask the donor community to ensure that the big debt burden is relieved. Well, I would like to agree with the hon. Members that most African countries, Kenya not excluded, do, indeed, have a big debt burden. It would be more helpful if our friends, especially, from the Opposition were more practical on this matter by assisting the country in persuading the donor community to try and relieve this debt burden instead of speaking in derogatory terms against the Government on this matter.

Mr. Temporary Deputy Speaker, Sir, another point that was mentioned by Prof. Anyang'-Nyong'o was that the Central Bank will have no power to narrow the gap between the interest paid to depositors and the interest paid by the borrowers, except where the Government has an operative development plan. I can only say that the issue of interest rates is determined by the market forces of demand and supply. This is the reality. In so far as the Government is concerned, the Government has given its assurance that it will certainly check this excessive borrowing and, indeed, limit it to a certain amount within a given period. That is to specifically reduce it to Kshs8.2 billion.

Mr. Temporary Deputy Speaker, Sir, on the fiscal and monetary policy, it is true that the latter policy requires a good former policy if it is to work. We totally agree with this observation raised by the hon. Members. It is for this reason that the Bill provides for regular consultation between the Central Bank of Kenya and, indeed, the Treasury. This will enable the two authorities to examine their duties and be able to work together to attain both sound fiscal and monetary policies. These will in turn stimulate economic growth in our country.

Mr. Temporary Deputy Speaker, Sir, it is certainly the intention of the Government to give the Central Bank of Kenya the autonomy that we have mentioned in this Bill. The Government is accountable to the public on the affairs of the Central Bank of Kenya and also on matters of the economy, generally. In this regard, the proposed Section 4(c) in the Bill is very important because it serves as a safeguard for ensuring that the Central Bank of Kenya is not only implementing policies that are consistent with the good of the economy of the country, but also that certain decisions have to be made by the Government to correct the situation for the sake of the country. The Section further emphasises the requirement that the Governor of the Central Bank must be accountable to the Kenyan public. The Section, by providing for that publication of the directives of the Minister, gives the public an opportunity to judge whose actions are detrimental to the economy. This shall no doubt ensure that the Section is not utilised by the Minister, unless there are very good macro-economic reasons to warrant such intervention.

Mr. Temporary Deputy Speaker, Sir, at this point, I would like to draw the attention of the hon. Members to page 427 where the hon. Shikuku wondered whether in the event that the Minister and the Governor are at conflict in monetary policies, whose policies will prevail or whose word will prevail. Sub section (ii) on top of page 427 clearly states that where there is such a conflict, the Minister will pass this matter to the Cabinet and the Cabinet will deliberate and issue an appropriate directive.

On the issue of the security of tenure of the Governor and directors, the security of tenure provided for in the Act is in the Ministry's view, very adequate. We have however, noted the sentiments of hon. Members and a further scrutiny will be made to see if there is indeed, merit to incorporate some of the suggestions that have been made by hon. Members.

Mr. Temporary Deputy Speaker, Sir, I wish to respond to the issue mentioned by hon. Shikuku in particular, with regard to the circumstances in which the Governor, the Deputy Governor or Director can relinquish their positions. The hon. Shikuku wondered whether there is any provision for sacking the Governor, the Deputy Governor or any of the Directors. I would like to draw the attention of hon. Shikuku to Section 14 of the Principal Act which clearly states the following:-

Mr. Temporary Deputy Speaker, Sir, Section 14 of Cap.491 which is proposed for amendment in subsection(2) states that:-

"The President shall terminate the appointment of the Governor, or Deputy Governor, or a director who:-

(a) becomes subject to any of the disqualification described in subsection (1)".

Some of those disqualification are very strict, indeed, like being a Member of the National Assembly, or a salaried employee of any public entity, or a director, officer, or employee, or partner in, or shareholder of any specified banks, or specified financial institutions.

The other point is that if he is adjudged bankrupt, or enters into a composition, or a scheme of arrangement with his creditors; or if convicted of an offence involving dishonesty, or fraud, or moral turpitude, or becomes, for any reason, incapable of properly performing the functions of his office.

So, the fears of hon. Shikuku are, indeed, allayed by the provisions of the main Act, because we did not have to change that section of the Act, so that it remains.

The hon. Shikuku also wanted the Directors of the CBK to be vetted by Parliament, or the Parliamentary Finance Committee. We think this is unnecessary and I have no intention of bringing in any amendments to that effect.

Mr. Temporary Deputy Speaker, Sir, there is the issue of borrowing and this Bill states very clearly that there should be no borrowing without the approval of the CBK, or Parliament. I also want to bring to the attention of the hon. Members that there is, in fact, the External Loans Act which has adequate regulations and provisions for the authorization of any loans from external resources.

There is also the Internal Loans Act. This also has adequate provisions which are, indeed, for all the borrowing, including the Treasury Bills that were alluded to. For the parastatals, we have the Parastatals Guarantee Act, which also has adequate provisions that set out the rules and regulations for borrowing by those particular institutions.

Mr. Temporary Deputy Speaker, Sir, I would like to allay the hon. Members's fears here, that adequate provisions do, in fact, exist at this point in time, and there is no need to bring in any other amendments.

Mr. Temporary Deputy Speaker, Sir, generally, this Bill has been well supported by hon. Members, and as I said, from the Government's point of view, this is, indeed, a milestone. It is a milestone, because certainly, as part of the economic policy in the Government, we would like this institution to be run professionally, transparently and accountably in so far as the monetary policies of this country are concerned. The CBK, with the provisions contained in this Central Bank of Kenya (Amendment) Bill, will become, indeed, a very major core in the economic and monetary development of our economy. It is important, indeed, that the officers appointed to the CBK as Governor, or Deputy Governor, or Directors, should be persons of high integrity and professionalism.

Mr. Temporary Deputy Speaker, Sir, at this juncture I can only request Kenyans to develop this culture of strict professional ethics, or to follow the ethics of their different professions. We keep complaining in this House that the Government is corrupt. We say that the Government has committed this and that crime. When a crime is committed, I will repeat, various professionals are involved in that crime. One may be a professional banker, but if he defrauds his bank, that cannot be blamed on the Government. How many times have we seen banks, which are run by professional bankers, going under? That is not done by KANU or the Government. Indeed, it is time we Kenyans adhered to strict professionalism.

I would, once again, call upon all Kenyan professionals not only to adhere to their professional ethics but to also ensure that they use those professional ethics as well as integrity to curb corruption. Indeed, I appeal to them to ensure that our institutions do not go under due to their professional negligence, or because they have been tempted to do things that are not in accordance with their professional ethics.

This is, indeed, a good Bill. I want to thank hon. Members for their very constructive contributions. We have made a milestone and look forward to having an independent Central Bank of Kenya, once this Bill has received Presidential assent.

With these remarks, I beg to move.

(Question put and agreed to)

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

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Wednesday, 27th November, 1996 at 9.00 am.

The House rose at 6.30 pm.