

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 25th March, 2003

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.025

COMPENSATION FOR FREEDOM FIGHTERS

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

(a) whether the Government, since independence, has sought and obtained compensation from the British Government for the Mau Mau and other freedom fighters who were illegally detained, tortured and even killed by the colonial Government; and,

(b) whether the Government could take steps, including land allocation, to improve the living standards of our freedom fighters and their descendants.

The Assistant Minister, Office of the President (Mr. Dzoro): Mr. Speaker, Sir, I beg to reply.

(a) The Government has neither sought nor obtained compensation from the British Government for the Mau Mau and other freedom fighters.

(b) The Government has no plans to allocate land to the Mau Mau and other freedom fighters, and their descendants. However, should any Kenyan including the Mau Mau and other freedom fighters, request for allocation of land, the request will be considered in the normal manner and depending on the availability of land.

Mr. Sambu: Mr. Speaker, Sir, we know those who resisted the British rule; starting from the Nandi in 1905, the Mau Mau in the 1950s and others including the late Elijah Masinde. They sacrificed for this nation to be free. Could the Assistant Minister tell the House who is better; between the former colonialist who is still owning land in Kericho, Tinderet, Nandi Hills and Thika or the children of the late Dedan Kimathi and other freedom fighters?

Mr. Dzoro: Mr. Speaker, Sir, as far as the question of who is better is concerned, I feel that it may not necessarily arise here. The Question the hon. Member asked is whether the Government, since independence, sought--

Mr. Sambu: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! Order, Mr. Sambu! If you want your Question to be answered, let the Assistant Minister do it. If you do not want to be answered, do not ask the Question.

Mr. Dzoro: Mr. Speaker, Sir, I am saying that between the freedom fighters and the colonialists, the freedom fighters are better. But they have an opportunity to, perhaps, get organized and come up with a request and they will be considered accordingly.

Mr. Wakoli: Mr. Speaker, Sir, what plans does the Government have to reward those fighters and their children, and how much did the previous Government reward those freedom fighters?

Mr. Dzoro: Mr. Speaker, Sir, to be precise, nothing.

Dr. Galgalo: Mr. Speaker, Sir, the Assistant Minister says that freedom fighters and other Kenyans who wish to have land can apply in the normal manner. If other Kenyans and the freedom fighters applied to be allocated land, how much land is available for allocation and where is that land?

Mr. Dzoro: Mr. Speaker, Sir, the hon. Member who asked this Question was a Minister before, and I do not think it is right for us to say how much land is available for allocation. As I said, let them apply through to the normal procedure and then other issues will follow.

Mr. Sambu: Mr. Speaker, Sir, the former British colonialists own huge chunks of land in this country. Lord Delamere is one of them. He is called a Lord over the Africans. While the Maasai cattle are dying near Road

001 for lack of grazing land, the freedom fighters are languishing in poverty.

If this Government wants to be better than the Moi and the Kenyatta Governments, it should consider taking over all the land owned by the foreigners in Nandi District and issue it to our people.

Mr. Speaker: Mr. Sambu, are you suspending the Constitution of Kenya?

Mr. Sambu: Mr. Speaker, Sir, people died to get land from the British. The British took our land and watered it with our blood.

Mr. Dzoro: Mr. Speaker, Sir, the point raised by the the hon. Member has been noted.

Question No.151

REVIVAL OF BUSIA COTTON INDUSTRY

Mr. Speaker: Dr. Ojiambo not here? Next Question!

Question No.101

RECONSTRUCTION OF GARBA-TULLA-MODOGASHE ROAD

Mr. Bahari asked the Minister for Roads, Public Works and Housing when he will reconstruct Garba-Tulla-Modogashe Road which is in a state of disrepair and is currently unmotorable.

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

Garba-Tulla-Modogashe Road is presently not in our reconstruction programme under capital investment. However, the Ministry is in the process of issuing some Kshs4 million to the district for grading and routine maintenance of the road.

Mr. Bahari: Mr. Speaker, Sir, this is a B9 road which links Isiolo and Mandera. For the last five years, that road has not been motorable. At the same time, it has adversely affected the business community in Modogashe, Garba-Tulla and Isiolo District. This is a matter of urgency and I would like the Minister to tell us whether the Kshs4 million will be enough to reconstruct all the 60 kilometres of road.

Eng. Toro: The section of the road that the hon. Member is talking about, which is between Garba-Tulla and Modogashe, is 86 kilometres long. The Kshs4 million is definitely not enough but that is what is being allocated for the time being to do some patch-up work and regrading.

Mr. Bahari: Mr. Speaker, Sir, I think the Assistant Minister is taking this matter very lightly because, as a Member of Parliament from that area, I am unable to get to Modogashe until I make an extra 50 kilometres again to go round that area. The business in that area has come to a standstill. Why can he not reconsider this position and, perhaps, allocate some extra funds in the next financial year?

Eng. Toro: Mr. Speaker, Sir, the matter is being considered in view of the fact that a stretch of 130 kilometres of the road, from Isiolo to Garba-Tulla, was re-gravelled using the *El Nino* funds by S.S. Mehta at a cost of Kshs166 million. This was handed over to the Ministry in 2001. The section of 86 kilometres will also be considered. The hon. Member will agree with me that the section of that road, from Isiolo to Garba-Tulla, is fairly nice. The other section of the road to be considered after this one, will be the one the hon. Member is asking about.

Mr. Bahari: Mr. Speaker, Sir, my Question was: Could he consider doing this in the next financial year?

Eng. Toro: Mr. Speaker, Sir, I thought I answered that Question. The road is being considered along with other very bad sections of the Kenyan road network.

Question No.027

TERMINAL BENEFITS FOR MR. WARIO

Mr. Kofa asked the Minister for Labour and Human Resource Development:-

- (a) whether he is aware that Mr. Yusuf Wayu Wario, an employee of Kenya Breweries Limited, was acquitted by the Mombasa Principal Magistrate on 8th September, 1995, in a theft case;
- (b) whether he is further aware that Mr. Wario's employment was terminated without cause or payment of salary and terminal benefits after 18 years of service with the KBL, and;

(c) why Mr. Wario's employment was terminated and how much the employer owes him in salary and terminal benefits.

The Minister for Gender, Sports, Culture and Social Services (Mr. Balala): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that Mr. Wario's services with the KBL were terminated after he refused to co-operate with the security officers who were investigating the loss of 48 bags of sugar worth Kshs592,000 which were under his custody. However, through the intervention of my Ministry, Mr. Wario's dismissal was changed to normal termination with full benefits.

(b) Mr. Yusuf Wario's service were terminated as a result of his refusal to co-operate with security officers over the loss of 48 bags of sugar.

(c) The amount payable to Mr. Wario, in respect of salary and terminal benefits, is Kshs126,081.84.

Mr. Kofa: Mr. Speaker, Sir, could the Minister explain the circumstances surrounding acquittal by a court of law and the fate of the employee with that organisation?

Mr. Balala: Mr. Speaker, Sir, at the moment, since he was acquitted by the court, the only remaining thing is to get his dismissal dues. The amount has been worked out for him to collect.

Mr. Kofa: Mr. Speaker, Sir, "acquittal" means that he was not found guilty. Why is the Minister talking about dismissal?

Mr. Balala: Mr. Speaker, Sir, since his dismissal was changed to termination, which he accepted, his payments are available for collection.

Question No.069

AMBULANCE FOR KAPENGURIA DISTRICT HOSPITAL

Mr. Rotino asked the Minister for Health:-

(a) whether she is aware that the Kapenguria District Hospital has no ambulance, and;

(b) when she will supply an ambulance to the hospital.

Mr. Speaker: Is the Minister for Health not here?

Next Question!

Question No.147

STATUS OF MUTOMO HOSPITAL

Mr. Speaker: Is Mr. Ivuti not here? The Question is deferred to Thursday.

(Question deferred)

Question No.039

WHEREABOUTS OF NAIROBI MAYORAL CHAIN

Is Mr. Mwenje not here? The Question is deferred to Thursday.

(Question deferred)

Question No.055

OPERATIONS OF COTTAGES/VILLAS IN BAHARI

Mr. Khamisi asked the Minister for Tourism and Information:-

(a) whether he could inform the House how many cottages and villas are operating in Bahari Constituency;

(b) how much revenue has been generated by these facilities in the last three years, and;

(c) what action he is taking to ensure that these villas operate within the law.

The Assistant Minister for Tourism and Information (Mrs. Mugo): Mr. Speaker, Sir, I beg to reply.

(a) It is currently estimated that there is a total of 71 cottages and villas in Bahari Constituency.

(b) Some of these facilities are self-catering and do not fall under the purview of Hotels and Restaurants

Act, Cap.494, Laws of Kenya since they do not have more than five beds. Accordingly, they have not generated any revenue during the last three years.

(c) My Ministry has formulated proposals for the amendment of the Hotels and Restaurants Act, Cap. 494 Laws of Kenya. The proposed amendments to the Act include the revision of the definition of "Hotel" to include such establishments as villas and cottages, irrespective of the number of beds. The proposals were submitted to the office of the Attorney-General for incorporation in the drafting of a Bill that will be tabled in this Parliament.

Mr. Khamisi: Mr. Speaker, Sir, the Assistant Minister has told the House that some of these facilities are self-catering and, therefore, do not fall under the Hotels and Restaurants Act. We know very well that there are hotels, villas and cottages that have more than five beds. Could the Assistant Minister tell us for sure why, out of 71 cottages that she said exist in Bahari, none of them has paid taxes during the last three years?

Mrs. Mugo: Mr. Speaker, Sir, some of these establishments fall under what are referred to as "time-sharing facilities" which do fall under this category of under five beds. They can have more beds, but do not pay taxes. That is why my Ministry has now embarked on establishing exactly how many they are. We are recommending to the Attorney-General that they should also be included in the Act.

Mr. J. Nyagah: Mr. Speaker, Sir, is the Assistant Minister aware that, in many cases, those cottages are used for drug operations and money laundering? There are deliberate programmes which ensure that the Government of Kenya does not catch up with the owners of those cottages. I am sure she knows the answer!

Mrs. Mugo: Mr. Speaker, Sir, those are some of the areas we are investigating. We have put a very strong machinery on the ground to establish who is doing what. Most of those cottages are not even registered. They start as private houses or cottages. When the guests come to stay there, they claim to be relatives of the owners of those cottages. So, it becomes difficult to establish which cottages are for business and which ones are private homes. We are carrying out an investigation to establish who owns them and what kind of business goes on there. The necessary action will be taken after the investigation.

Mr. Khamisi: Mr. Speaker, Sir, if the Assistant Minister is aware that those cottages are used for drug laundering, why can the Government not close them down as they continue with the investigations?

Mrs. Mugo: Mr. Speaker, Sir, whereas security does not fall under the Ministry of Tourism and Information, I said we are investigating to know the owners and what kind of business goes on there. After the investigation, I am sure the relevant Ministry will take appropriate action.

Mr. J. Nyagah: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister, and in the spirit of collective responsibility, to admit that those cottages are used for money laundering and yet, she says there is nothing she can do about them?

Mrs. Mugo: Mr. Speaker, Sir, I said the relevant Ministry is also involved in the investigation and we will take appropriate action. However, I can take action in some relevant departments of my Ministry. I strongly believe in the spirit of collective responsibility in the Government.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to tell this House that the security docket does not fall under her Ministry when, in fact, we know her Ministry has a tourist police unit that maintains security in tourist areas?

Mrs. Mugo: Mr. Speaker, Sir, I know the hon. Member knows very well that even within the police force, there are various departments that deal with different situations. I am not saying that no action is being taken by the Government. I said the relevant Ministry will take appropriate action after the investigation. However, I take the responsibility.

Mr. Speaker: For the second time, Dr. Ojiambo.

Question No.151

REVIVAL OF BUSIA COTTON INDUSTRY

Mr. Speaker: Dr. Ojiambo still not here? The Question is dropped.

(Question dropped)

Mr. Speaker: For the second time, Mr. Rotino's Question.

Question No.069

AMBULANCE FOR KAPENGURIA DISTRICT HOSPITAL

Mr. Rotino asked the Minister for Health:-

- (a) if he is aware that Kapenguria District Hospital has no ambulance; and,
 (b) when he will supply the ambulance to the hospital.

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

Hon. Members: Where were you? Apologise to the House!

Mr. Speaker: Order! Mr. Konchella, why do you look surprised when hon. Members demand an apology from you?

The Assistant Minister for Health (Mr. Konchella): Mr. Speaker, Sir, I beg to apologise for coming late. I was in the front line, leading the war against the HIV/AIDS scourge. The President said we must all be involved.

Mr. Speaker: Order! We all appreciate the seriousness of the HIV/AIDS scourge but, Mr. Konchella, you are turning it into a joke. That war does not excuse you from discharging your parliamentary responsibility. So, you must now apologise to the House and proceed!

(Applause)

The Assistant Minister for Health (Mr. Konchella): Mr. Speaker, Sir, I apologise to the House for coming late.

However, I beg to reply.

(a) Yes, I am aware that Kapenguria District Hospital has no ambulance as the one allocated to the hospital was involved in an accident.

(b) The Ministry is making all efforts to have the ambulance repaired because we do not have an extra ambulance which could be allocated to the hospital. In the absence of the ambulance, the hospital uses three other vehicles for transferring patients to referral hospitals.

Mr. Rotino: Mr. Speaker, Sir, I think the Assistant Minister has been misled by his officers on the ground. There is only one van which is used to transport the medical doctor and staff. That vehicle cannot serve as an alternative ambulance. It has taken the Ministry a long time to repair the grounded ambulance. Could he tell us how much money they have allocated for the repair of that ambulance, and when it will be ready, because my people are suffering?

Mr. Konchella: Mr. Speaker, Sir, the ambulance is lying at DT Dobie, Kitale Branch. The estimated cost for its repair is Kshs406,794.20. The hospital does not have the money now, but the Ministry is making efforts to provide money in the next financial year for the repair of that ambulance.

Mr. Poghio: Mr. Speaker, Sir, is the Assistant Minister aware that one of those vehicles, which he is so proud of, that is working there, was snatched from Kacheliba Health Centre so that it could serve the Kapenguria District Hospital?

Could he ensure that the van is taken back to Kacheliba Health Centre to serve the purpose for which it was meant?

Mr. Konchella: Mr. Speaker, Sir, there are three GK vehicles in that hospital; these are: GK A0148, Toyota double cabin; GK 181E, Nissan double cabin and GK W466, Nissan Urvan. These vehicles are sufficient to assist the hospital until we repair the ambulance.

Mr. Rotino: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! This is Question Time. I think we are misusing points of order. Apparently, the Speaker too knows the Standing Orders, and I can appreciate when there is a breach of Standing Orders, but it does appear that hon. Members want to misuse points of order to ask questions.

Mr. Karaba: Mr. Speaker, Sir, could the Assistant Minister tell us whether we have enough ambulances in all hospitals in the country? To me, an ambulance is not just a vehicle. It is a vehicle that should be functioning all the time. Could he tell us whether all district hospitals have ambulances, more so, Kirinyaga District Hospital?

Mr. Speaker: Mr. Karaba, you have hijacked the Question from Pokot to Kirinyaga. Moreover, you have even amended the Question.

Mr. Konchella: Mr. Speaker, Sir, with due respect to the hon. Member, I would urge him to ask that Question so that I can find out why there is no ambulance in Kirinyaga District Hospital. However, once we have enough funds, we will provide ambulances to all hospitals in the country.

Dr. Ali: Mr. Speaker, is the Assistant Minister telling us that he does not care whether the people of West Pokot die or not? How does he expect patients to be transported in a double cabin vehicle when only Kshs400,000 is needed to repair the ambulance? Why can they not repair the ambulance to assist the people of Pokot?

Mr. Konchella: Mr. Speaker, Sir, I said, currently, we do not have money to provide the people with an ambulance. However, when funds will be available we will provide them with an ambulance.

Mr. Rotino: Mr. Speaker, Sir, indeed, the Assistant Minister is not serious about the health of the people of Pokot. From Kapenguria to the nearest referral hospital is more than 200 kilometres. Could the Assistant Minister consider allocating Kshs400,000 in the coming Supplementary Estimates to repair that ambulance and help the Pokot people?

Mr. Konchella: Mr. Speaker, Sir, I promise to look into the matter. We will see what we can do about it.

Mr. Speaker: Very well. Let us proceed to Mr. Ivuti's Question.

Question No. 147

STATUS OF MUTOMO HOSPITAL

Mr. Ivuti is still not here. So, the Question is dropped.

(Question dropped)

QUESTIONS BY PRIVATE NOTICE

DISTRIBUTION OF RELIEF FOOD
IN TURKANA DISTRICT

Mr. Ethuro: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) How much relief food was given by the Government to Turkana District during the months of October, November and December, 2002, and January, 2003?

(b) How much money did the Government allocate for transportation and who were the transporters?

(c) Could the Minister confirm that the relief food reached the intended beneficiaries?

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, I beg to reply.

(a) During the period between October, 2002 and January, 2003, the Government allocated 5,000 bags of maize and 4,200 bags of beans, weighing 90 kilogrammes each, to be distributed to vulnerable groups of people in Turkana District.

(b) The Government spent a total of Kshs900,000 on secondary transportation of the relief food to its final distribution points.

(c) The Government is aware that the relief food was distributed but it may not have reached all the beneficiaries as per the community-based food aid targeting and distribution strategy guidelines. However, an inspection has been carried out by the Office of the President, and I wish to confirm that the irregularities discovered will be addressed.

Mr. Ethuro: Mr. Speaker, Sir, I have not been given a copy of the written reply to the Question, but the House has heard the Assistant Minister admit that the relief food supplies did not reach the intended beneficiaries. We all know that the Provincial Administration was involved in the distribution exercise, starting from the District Commissioner (DC), the District Officer (DO) and the chiefs. What action has the Assistant Minister taken to punish these people, who have taken advantage of the starving masses in Turkana District to enrich themselves?

Mr. Tarus: Mr. Speaker, Sir, I wish to inform the House that the field officers who committed the mistakes have been transferred and that investigations into the matter are going on. As soon as we receive the report of the investigations, the culprits will be punished accordingly.

Mr. Kimeto: Mr. Speaker, Sir, the Assistant Minister has been aware that the relief food did not reach the intended persons in Turkana District, and he says that the officers involved have been transferred. Have they been transferred to other districts to steal some more relief food meant for starving Kenyans or to take the relief food to where they have been transferred?

Mr. Tarus: Mr. Speaker, Sir, the officers were transferred to facilitate auditing and inspection of the mistakes they may have committed. As I said, as soon as we receive the report, appropriate action will be taken.

Prof. Olweny: Mr. Speaker, Sir, the issue of relief food in this country is very serious. I hope that the Minister is aware of what is happening in Baringo District as a result of hunger. What is he doing to provide relief food to the people who are dying of hunger in Baring District?

Mr. Tarus: Mr. Speaker, Sir, although that is a different Question, I appreciate the hon. Member's

concern, and I wish to inform the House that the problem being encountered in that area relates to transport. However, the Government is taking the necessary measures to ensure that the relief food reaches the affected people.

Mr. Speaker: Who is that hon. Member, next to Mr. Poghisio?

Mr. Mwacha: Mr. Speaker, Sir, I am hon. Mwacha. The Assistant Minister has talked of officers who have been transferred. Does he want the House to believe that even the chiefs who were involved in the racket have been transferred? There are some chiefs who are still on duty even though there are pending court cases against them. Could he explain that?

Mr. Tarus: Mr. Speaker, the chief administrator of the district is the DC. If mistakes arise from his ineffective management of the affairs of the district, he is the one who should be transferred. The issue of errant chiefs in that district will be handled by the new DC.

Mr. Kamama: Mr. Speaker, Sir, Prof. Olweny has just pointed out the plight of the people of Baringo East and I would like to inform the Assistant Minister that, as I speak, about five people have died of hunger in that constituency. However, the Government has sent a mere 5,000 bags of maize to be distributed among the hungry. So, could he assure the House that he is going to send sufficient relief food supplies to Baringo East and provide logistical support, such as transport and fuel, so that those people can be fed? As I speak---

Mr. Speaker: Order! Order! Mr. Kamama, first of all, you have hijacked the Question, which is about Turkana District, to raise an issue about Baringo East Constituency. I sympathise with you, because I am aware of the plight of the people of Baringo East. However, when you begin making a speech, I must cut you short. Mr. Assistant Minister, would you like to respond to Mr. Kamama's question?

Mr. Tarus: Mr. Speaker, Sir, the Government is doing everything possible to ensure that there is sufficient relief food supply in Baringo East Constituency. However, I would like the hon. Member to encourage his people to stay in one place, so that they can be reached.

(Laughter)

Mr. Wario: On a point of order, Mr. Speaker, Sir. A few days ago, we were told that the Government would do something about pastoralism. But today, the Assistant Minister has told us to change our lifestyles. Is he in order to influence the pastoral communities to change their social engineering? Does he have a better lifestyle for them?

Mr. Speaker: Order! You are a new Member and you will learn! There is nothing so peculiar and so important about nomadism. It is, in fact, unfortunate that those people must move from one place to another because it is intolerable to stay in one place. Maybe, we would like to know from the Assistant Minister what he is going to do to help the Turkana people to stay in one place. What are you going to do, Mr. Assistant Minister?

Mr. Tarus: Mr. Speaker, Sir, as soon as the programmes of the NARC Government on water provision are implemented, I am sure the Turkana people will be able to settle down in one place.

Dr. Ali: On a point of order, Mr. Speaker, Sir. I need guidance from the Chair! Are you telling us that our lifestyle is the wrong one as you sit in the Chair? I think that is a wrong attitude and the Chair is going the wrong way---

Mr. Speaker: Order! Dr. Ali, you probably have a problem of your own, and do not bring it to the Chair! Stay with it and relax!

Mr. Ethuro: Mr. Speaker, Sir, I think you have seen the mood of the House! This is a very important Question, particularly now that we are talking about famine in those areas. Given that the Assistant Minister has admitted that there were irregularities, it is extremely important that action is taken. Some of the irregularities involved buyers and food being given to KANU supporters. The NARC supporters did not get any food. The NARC Assistant Minister, three months down the road, has only done one thing, to transfer the DC, while leaving the DO(I) who is still hoarding the food. The chiefs are still in place and have not been transferred. Where do you transfer chiefs to? They should be sacked! Could the Assistant Minister confirm that the people of Turkana Central, who voted for the NARC Government, will continue receiving the food that is intended for them?

Mr. Speaker: Mr. Ethuro, are you suggesting that those who did not vote for the Government must die? Mr. Assistant Minister, do you share the sentiments expressed by Mr. Ethuro?

Mr. Tarus: Mr. Speaker, Sir, I have taken note of the sentiments expressed by the Member and we shall address the problem.

Dr. Galgallo: Mr. Speaker, Sir, we have heard from the Assistant Minister that they dispatched 15,000 bags of maize at a cost of Kshs1,500 per bag. That amounts to Kshs22 million in three months. They also

dispatched 4,200 bags of beans at a cost of Kshs4,000 per bag. That amounts to Kshs16 million. That amounts to relief food worth Kshs38 million; to be supplied in three months time. In view of the fact that the monies involved are able to be utilised in more productive ways rather than supplying the relief food which is stolen on the way, could the Assistant Minister consider giving that money to the District Development Committees (DDCs), so that the money could be directed to development projects to alleviate poverty in the districts?

Mr. Tarus: Mr. Speaker, Sir, that is a bit interesting because the issue of hunger does not require us to take time to formulate and appraise projects such as the ones suggested by the hon. Member. I think we are handling the problem of hunger and that should be the concern of House.

DESTRUCTION OF CLASSROOMS IN
ISIOLO TOWN SCHOOLS

Dr. Kuti: Mr. Speaker, Sir, I beg to ask the Minister for Education, Science and Technology the following Question by Private Notice.

(a) Is the Minister aware that St. Kizito Primary School and Bula Mpya Primary School, both in Isiolo Town, had their classroom roofs blown off by the wind?

(b) Is he further aware that, due to that calamity, 320 pupils of St. Kizito Primary School and 200 pupils of Bula Mpya Primary School are being taught in the open?

(c) What is he doing to alleviate the distress of those children due to the calamity, especially now that the rains are about to come?

The Assistant Minister for Education, Science and Technology (Mr. Gumo): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that the roofs of St. Kizito Primary School and Bula Mpya Primary School in Isiolo Town were blown off by the wind.

(b) I am also aware that 320 pupils from St. Kizito Primary School and 200 pupils from Bula Mpya Primary School are being taught in the open. The District Education Officer is coordinating efforts to have the roofs replaced by this week, before the rains come.

Dr. Kuti: Mr. Speaker, Sir, could the Assistant Minister explain the efforts that are being undertaken because the rains started yesterday evening and today, the pupils are still studying in the open? What contingency plans does the Government have to counter calamities when they take place?

Mr. Gumo: Mr. Speaker, Sir, the Ministry of Roads, Public Works and Housing has already assessed the damage and the cost is going to be about Kshs450,000. Action-Aid Kenya has donated 400 pieces of iron sheets. The Isiolo County Council has also pledged financial assistance. The area Member of Parliament has also given Kshs10,000 for the repairs. Therefore, everything is in place and by this week, the work will start. The Ministry of Education, Science and Technology is going to donate some more iron sheets.

Mr. Bahari: Mr. Speaker, Sir, the Government has taken the initiative and promised Kenyans that it will address the issue of physical facilities in primary schools. There are 320 pupils studying in the open and it is raining. It has rained for the last three days in Isiolo. Could the Assistant Minister tell us the Ministry's contribution and what activities they are coordinating? We have heard that the area Member of Parliament has donated Kshs10,000.

Mr. Gumo: Mr. Speaker, Sir, the hon. Member knows that, before the Ministry takes any action, there must be some assessment. That has already been done and the Ministry is ready to start work immediately.

Mr. Bahari: When?

Mr. Gumo: This week!

(Mr. Bahari interjected)

Mr. Speaker: Order! Mr. Bahari, as you learn, please learn slowly! You are running too fast and you may get it all wrong! We cannot have two hon. Members speaking at the same time! You must allow him to speak. He is the Assistant Minister and he is answering you! Are you satisfied and happy, Mr. Bahari?

Mr. Bahari: Mr. Speaker, Sir, you see, those roofs were blown off more than two weeks ago! Now, the rains have already started. So, the Ministry should have taken the necessary steps in time. They knew the rains were coming and they never fail in Isiolo Town.

Mr. Gumo: Mr. Speaker, Sir, I have already told the House that arrangements have been made. Two weeks is a very short period. Assessment has to be done before we can repair the blown-off roofs of the schools.

This will cost Kshs450,000.

KENYA'S POSITION ON IRAQ CRISIS

Mr. J. Nyagah: Mr. Speaker, Sir, I beg to ask the Minister for Foreign Affairs the following Question by Private Notice.

What is Kenya's position on the Iraq crisis?

Mr. Speaker: Hon. Members, shall I deal with this Question towards the end of Question Time? I am sure it will attract a lot of attention.

The Minister for Foreign Affairs (Mr. Musyoka): Mr. Speaker, Sir, I will abide by your ruling.

Mr. Speaker: Fine, we will have the Question towards the end of Question Time.

DISCRIMINATION AGAINST FEMALE KQ EMPLOYEES

(Ms. Ndungu) to ask the Minister for Transport and Communications:-

(a) Is the Minister aware that Kenya Airways sends its female contract staff on immediate leave, upon confirmation that they are expectant?

(b) Is he further aware that such compulsory leave is unpaid and applies until after weaning, a period of up to one year?

(c) What urgent measures is the Minister taking to curb this kind of discrimination within the airline sector?

Mr. Speaker: Is Ms. Njoki Ndungu not here? The Question is dropped.

(Question dropped)

RELEASE OF MR. NJOROGES TITLE DEED

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

Could the Minister order the release of the title deed of Mr. John Njenga Njoroge, whose daughter Joyce Waringa died while undergoing an operation at the Private Wing of Kenyatta Natinal Hospital, which is the only place where neurosurgery could be done?

Mr. Wamwere: Mr. Speaker, Sir, I have seen the answer to this Question, and I would like to ask whether it is possible for it to be deferred to tomorrow afternoon. I want to show the Minister a document that I have, which states something different from the answer he has provided.

Mr. Speaker: Can I defer it to tomorrow afternoon?

Mr. Wamwere: Yes, Mr. Speaker, Sir.

Mr. Speaker: The Question is deferred to tomorrow afternoon.

(Question deferred)

AMENDMENT OF NOMINATED COUNCILLORS LIST

(Mr. Wario) to ask the Minister for Local Government:-

(a) Why did the Minister amend the list of the nominated councillors submitted to him by the Electoral Commission of Kenya (ECK) for gazettelement?

(b) What is the legality of the councillors who were not vetted by the ECK?

(c) What action has the Minister taken to address the anomaly?

Mr. Wario: Mr. Speaker, Sir, I have consulted with the Minister, and we have agreed that the Question be deferred to Thursday, this week.

Mr. Speaker: The Question is so deferred.

(Question deferred)

KENYA'S POSITION ON IRAQ CRISIS

Mr. J. Nyagah: Mr. Speaker, Sir, I beg to ask the Minister for Foreign Affairs the following Question by Private Notice.

What is Kenya's position on the Iraq crisis?

The Minister for Foreign Affairs (Mr. Musyoka): Mr. Speaker, Sir, I beg to reply.

Kenya has articulated her position on the Iraq crisis through various fora concerned with peace and security. Kenya is among the majority of the countries which called for the peaceful resolution of the Iraq crisis through further United Nations (UN) weapon inspections. We called on Iraq to immediately disarm. The Government believes that the decision to attack Iraq should have been taken after peaceful means to find a solution had been exhausted by the UN, and after the necessary mandate by the UN Security Council.

Kenya believes that maintenance of peace and security is a responsibility of the UN Security Council.

(Mr. Maitha consulted loudly)

Mr. Speaker, Sir, could you please protect me from Mr. Maitha?

Mr. Speaker: Order, Mr. Maitha! This is a very serious issue.

The Minister for Foreign Affairs (Mr. Musyoka): Mr. Speaker, Sir, although the war has broken out, we maintain that it is important to address peace and security problems and challenges by strictly abiding by the UN Charter and principles of international law.

It is with this in mind that we still subscribe to the UN Security Council Resolution 1441, which requires that all weapons of mass destruction in Iraq be eliminated, and which calls for Iraq's full compliance. We are also bound by the African Union central organ on the mechanism for conflict prevention, management and resolution, as well as the Non-Aligned Movement Declarations on the Iraq crisis, which reiterate compliance with Resolution 1441, and the use of peaceful means to disarm Iraq.

Mr. Speaker, Sir, the war in Iraq has far-reaching political, economic and humanitarian consequences for Kenya and our region. Our economy is already getting adversely affected. The rise in fuel prices, declining tourism and increase in prices of various commodities are, but some of the most immediate consequences. Already, the hotel and transport industries are reporting cancellations. We hope that the hostility will be short so that there can be a quick return to worldwide political and economic stability.

I reiterate Kenya's commitment to the international fight against terrorism. I wish to add that terrorism cannot be attributed to religion, nationality or civilisation. The Government unequivocally condemns international terrorism as a criminal act. Such acts violate human rights and the right to life, destroy properties and destabilise countries. Kenya has been a victim of terrorism, as all of us are aware, on two occasions, namely, the 7th of August, 1998 bomb blast in Nairobi, and, more recently, the Paradise Hotel bomb blast in Mombasa in the year 2002. In both incidents, innocent civilians were the victims. I am happy to report that through our law enforcement agencies, a senior member of the *Al Qaeda* was arrested in Somalia, and is due to be handed over to the United States of America (USA) authorities.

In this regard, our position goes beyond what is expected of "coalition over-willing". Regrettably, some Kenyans are working with some of the terrorist cells. I urge this House, and all of us, to speak with one voice and stand in solidarity with the Government in its war on terrorism. I reaffirm the Government's commitment to bring justice to all these elements in accordance with our law. I believe the position highlighted is in keeping with our role as a regional peacemaker and a stabilising factor. We are willing to provide assistance, however modest, in post-conflict Iraq.

Mr. Speaker: I will now give hon. Members time to ask questions. Mr. Minister, this would have been a very good Ministerial Statement on your own to Parliament. I have been beseeching Ministers to use the Floor of this House to update us on issues that are going on.

Anyhow, may I thank Mr. J. Nyagah for being vigilant.

Mr. J. Nyagah: Thank you, Mr. Speaker, Sir. Iraq will resist war for a very long time. Is the Minister aware that as a result of this resistance, terrorism is bound to increase? We should be very careful as a country, because if we side with the Americans, we will suffer the way we suffered during the two bomb blast incidents.

Mr. Musyoka: Mr. Speaker, Sir, it is our hope that the prosecution of this war will be short and precise. But in the event that it is prolonged, we should all brace ourselves for hard times ahead.

Mr. Lesrima: Mr. Speaker, Sir, I would like the Minister to tell the House whether Moi International Airport is being used by any of the warring parties as a base to launch missiles, scuds and other weapons of mass destruction.

Mr. Musyoka: Mr. Speaker, Sir, before I answer that question, I want to say that the Ministry has been updating the country on important issues that are taking place. I will take Mr. Speaker's advice, and I will use the Floor of the House to update Kenyans on issues that are going on. In fact, on Friday this week, I am scheduled to appear before the Departmental Committee on Defence and Foreign Relations to discuss this issue.

With regard to what the hon. Member has just asked, I am not aware of any warring party that is using Moi International Airport.

Mr. Wamwere: Mr. Speaker, Sir, could the Minister promise the House that the Government will not allow our bases to be used by the USA Army or Navy without the permission of this House? He should also promise that our bases will never again be given to USA Army without any payment being made to this country.

Mr. Musyoka: Mr. Speaker, Sir, the Government has so far not received any such request. However, this country has an understanding with the United States of America (USA) with regard to use, for humanitarian purposes of some of the facilities in Mombasa and other places. This has not arisen, but if that need arises, we will keep Parliament posted.

Mr. Wetangula: Thank you, Mr. Speaker, Sir. The Minister has said that we need to abide by Resolution 1441 of the United Nations (UN). The Minister knows that the USA and Britain have disregarded the UN and all the resolutions which have been made with regard to the war in Iraq. Is he ready to rise here and join all peace-loving nations of the world and condemn the activities of the USA and Britain in no uncertain terms?

(Applause)

Mr. Musyoka: Mr. Speaker, Sir, I wish Mr. Wetangula would agree with me that it is the intention of this country to actually become the "Switzerland" of Africa. I am sure the House will agree with me that we do need some balancing act at this very crucial time.

Mr. Twaha: Thank you, Mr. Speaker, Sir. First, I think it is absurd for the Minister to suggest that Iraq should be disarmed when it is under attack. The hon. Minister has a good command of the English language. I would like him to agree with me that "shock and awe" is the same as terrorism, and in effect, the Americans are the biggest terrorists in the world. They dropped 1,000 bombs in 24 hours!

(Laughter)

Mr. Musyoka: Mr. Speaker, Sir, I think that hon. Member may be entitled to his opinion. But may I take this opportunity to also say that all of us do recognise that the war against terrorism is not directed at any religion. I had an occasion to say that, regrettably, some of our people seem to be active participants in some of these wars. We do not want to be branded a terrorist sponsoring country.

Mr. Haji: Mr. Speaker, Sir, was the *Al Qaeda* suspect who was arrested in Somalia arrested by the Kenyan authorities or the USA security personnel? If he was arrested by the Kenyan authorities, when did this country become *de facto* one state of the American Government?

Mr. Musyoka: Mr. Speaker, Sir, Mr. Haji knows, as well as I do, having been a Minister in the previous Government, that arising from the 1998 terrorist bomb attack here in Kenya, the then Kenya Government handed over these suspects to the USA for trial. This particular suspect was arrested in connection with that terrorist attack on Kenya. Since trials have already started in the USA, it is only reasonable that the best way to go about this matter is to make him part of the trials which have taken place in the USA. Besides, I would like to confirm that it was our security agents, in collaboration with our friends on the ground in Somalia, who helped us make this arrest.

Mr. Speaker: Ask your last question, Mr. J. Nyagah! Are you happy?

Mr. J. Nyagah: Mr. Speaker, Sir, I am not happy. Could the Minister assure this House that he will support fully the UN effort to stop this war so that this body is not rendered useless? This is because what the USA and Britain have done has made the UN a useless body. Could he, as the Minister from Kenya, take a leadership role to ensure that the UN takes its role, and that in future, we have a common East African position? Uganda and Rwanda should not take their positions and our Minister takes a different position because this can cause chaos and terrorism in our country.

Mr. Musyoka: Mr. Speaker, Sir, if you allow me, I will quote from the declaration by the whole of Africa which was made in Addis Ababa, Ethiopia, on 3rd February, this year. I had the privilege to represent our country in that meeting. That declaration reads:-

"Finally, the central organ re-affirms the central role of the UN, and particularly the Security Council, in any action or initiative aimed at maintaining and strengthening peace and international security."

I would like to agree with the hon. Member for Gachoka that, indeed, we do need an East African foreign policy, and if need be a defence policy so that we can all speak with one voice. But I think at the end of the day, national

interest should take the centre stage.

Mr. M'Mukindia: Mr. Speaker, Sir, in the light of the fact that the Minister has said that only the USA and the United Kingdom have requested for the use of our facilities, only on humanitarian grounds, could he assure this House that in the event that Iraq wants to use our facilities for humanitarian purposes, Kenya will consider it?

(Laughter)

Mr. Musyoka: Mr. Speaker, Sir, I think Mr. M'Mukindia has gone off balance. At least, that is my conceded view. I do not see that request coming our way. We have to be realistic here. If you have heard the latest position, it appears as if the allied forces are 100 kilometres away from Baghdad. Obviously, Iraq is currently defending herself. I do not see how this country can turn round and request us to use our facilities for humanitarian purposes. I find it difficult.

Mr. M'Mukindia: On a point of order, Mr. Speaker, Sir. The hon. Minister is distorting the question. In the event that Iraq, for example, wants to bring her refugees to this country, which is quite possible, could the Minister or Kenya consider this possibility, and give them the same kind of facilities that they have given the USA and the United Kingdom citizens?

(Applause)

Mr. Musyoka: Mr. Speaker, Sir, I think the hon. member will agree that, already, with 245,000 refugees; 170,000 refugees from Somalia and 70,000 refugees from Sudan, we have enough refugees and a problem to worry about than wanting to invite people from the Middle East to come to this country as refugees. I think that is purely hypothetical.

Mr. Speaker: What the hon. Member is saying is that you are prepared to give humanitarian assistance to the USA and the British. Are you prepared to do the same to non-Americans and non-Britons?

Mr. Musyoka: Mr. Speaker, Sir, we have a Memorandum of Understanding with both the USA and the UK. We do not have such a memorandum with Iraq.

Mr. Twaha: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: I think we must now finish this!

(Mr. Twaha moved to the Dispatch Box)

Mr. Twaha, can you go back?

Mr. Sasura, proceed!

Mr. Sasura: On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to mislead this House by saying that Kenya is going to be the "Switzerland" of Africa by being neutral, when it is well known that Kenya is housing and assisting one John Garang, who is fighting the Government of Sudan? What kind of neutrality is that?

Mr. Musyoka: Mr. Speaker, Sir, I hope Mr. Sasura, who issued a statement the other day--- In fact, I would like to urge him not to infuriate our Muslim brothers into taking positions that are clearly not in the best interest of this country. With regard to John Garang's presence in this country, this is a matter within the IGAD negotiations. We have absolutely no problem with the Government of Sudan. Indeed, I would like to assure this House that we are doing everything possible to bring peace to our sister neighbouring country, Sudan.

Hon. Members: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! That is all over now!

Dr. Ali: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Dr. Ali! You are disorderly and, therefore, you must leave the Chamber! Please, leave!

(Dr. Ali withdrew from the Chamber)

Mr. Twaha: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: You will also follow if you play! Sit down!

Mr. Twaha: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Will you sit down?

Mr. Twaha: No, Sir!

(Laughter)

Mr. Speaker: Out! Mr. Twaha, get out of the Chamber!

(Laughter)

(Mr. Twaha withdrew from the Chambers)

COMMUNICATION FROM THE CHAIR

PRESENCE OF CPA (AFRICA REGION)
MEMBERS IN SPEAKER'S ROW

Mr. Speaker: Order, hon. Members! I hope we do not have a spill-over from Iraq and the United States of America in this House. So, let us now come back to our situation.

Hon. Members, I wish to bring to the attention of the House the presence in the Speaker's Row of Members of Parliament from the African CPA Region. They are the hon. Johannes Mlango, Deputy Chairperson of the National Council of Provinces, South Africa, the hon. S.S. Rupinga, MP, South Africa, the hon. Jameson Muthimbale, MP, Botswana, the hon. Dr. William Shija, United Republic of Tanzania. The hon. Members are attending meetings of the CPA Executive Committee arranged by the Commonwealth Parliamentary Association, Africa Region, which are currently going on here in Nairobi under my chairmanship. Let me take this opportunity, on your behalf and on my own behalf to welcome them to our country and to wish them a happy and enjoyable stay in Kenya.

Thank you.

(Applause)

MINISTERIAL STATEMENT

RECORDING STATEMENT BY
KOIBEYOT SCHOOL HEADMASTER

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, on Wednesday, 12th March, 2003, hon. Salat rose on a point of order seeking a Ministerial Statement on alleged harassment of school officials over contributions made by Members of Parliament who attended his victory party in the just-concluded general elections. In that regard, I wish to state as follows:

On 2nd March, 2003, 13 Members of Parliament from the Rift Valley Province attended a victory party for hon. Salat at his home in Kaplio Village in Longisa Division of Bomet District. During the said function, most of the hon. Members present made a series of inflammatory speeches which bordered on public incitement against law and order. After the speeches, an impromptu fund raising was conducted which realised Kshs240,000. It was announced after the fund raising ceremony that the money would assist Koibeyot Secondary School. Unconfirmed reports received prior to the date of the function indicated that elders from a certain part of the Rift Valley would be brought to the function to administer an oath. This necessitated that investigations be conducted to establish the veracity of this information. It is in that regard that the headmaster of Koibeyot Secondary School, the school patron, a BOG member and the area assistant chief were requested to record statements.

These are responsible members of the community and they were simply being asked to state what they heard and saw since they were actually attendants of the function. The aim was to establish whether there was any relationship between the inciting utterances by Members of Parliament, the impromptu fund raising and the information on the intended administration of oath. These respectable members of society did, indeed, record these statements willingly without any coercion and in their homes or places of work, but none of them was asked to go to a police station. None of those who recorded statements have complained of any harassment. I am not aware of the existence of the so-called military group to which the hon. Member referred to unless he sheds more light on this group.

In conclusion, I wish to assure the House, including Opposition Members of Parliament, that like every

one else in this country, Members of Parliament are free to contribute to any legitimate project as long as they do so within the law.

Thank you.

Mr. Speaker: Mr. Salat, do you want any clarification?

Mr. Salat: Mr. Speaker, Sir, I would like to thank the Minister for giving a detailed reply to my demand for a Ministerial Statement. However, I would like to ask the Minister the following question: Why did he go and ask the headmaster of the said school and the BOG Chairman to make statements and yet I was available to answer him? Why did he not approach me so that I could offer him a proper reply as to why we were raising those funds?

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, I have just said there were unconfirmed reports that other than the function, an oath was to be administered. It has since been established that that was not so. However, it needed to be established and asking the hon. Member to confirm or deny that it was going to be so would not have helped the investigations at all.

Mr. Serut: On a point of order, Mr. Speaker, Sir.

(Laughter)

In view of what has been expressed by the Minister, that there were speculations that there were people who were to administer some oath, any person who goes and gives false information to anybody who is employed in a public office commits an offence under the law. Could the Minister tell us whether those who gave the false information to a person employed in a public office have been arrested and charged in a court of law?

(Applause)

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, appropriate action has actually already been taken against the culpable persons.

Mr. Wanjala: Mr Speaker, Sir, the Minister has said that appropriate action has been taken against the person who lied to the Government official that an oath was to be administered. What steps has he taken against these Members of Parliament who incited the public?

(Laughter)

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, the statements that were made by the Members of Parliament have not had any effect at all. So, the question of taking action does not arise at all.

(Laughter)

Mr. Speaker: Order! That is the end of that issue. I thought hon. Wanjala was trying to incite the Minister!

(Laughter)

POINT OF ORDER

BANDIT ATTACKS IN ISIOLO

Dr. Kuti: On a point of order, Mr. Speaker, Sir. I rise to seek a Ministerial Statement from the Minister of State, Office of the President in charge of internal security in relation to an incident that took place last weekend in Isiolo. On Friday, 21st March, 2003, at 6.30 p.m., a Land Rover coming from Merti Town heading to Isiolo Town via Archers Post was ambushed and sprayed with bullets by bandits, killing five people aboard and injuring seven. Two of the murdered were police officers. Three guns were taken by the attackers. One of the civilians killed is a son of the immediate former Member for Isiolo North, Mr. Charfano Guyo Mokku.

Mr. Speaker, Sir, this is the fourth incident in the last two months. On 12th December, 2002, we had an attack and three people were killed and 140 cows were taken. On 18th January, 2003, two people were killed and

350 herds of cattle taken. On 25th January, 2003, some goats were taken by armed bandits. I seek the Minister to issue a Ministerial Statement on this matter.

Mr. Speaker: Mr. Minister, would you like to respond?

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, I need time to get the facts together. So, I seek the indulgence of the Chair to issue that Ministerial Statement on Tuesday next week.

(Several hon. Members stood up in their places)

Mr. Speaker: Order! Order, hon. Members! There are some hon. Members who had asked for permission to seek Ministerial Statements, but I cannot see them because everybody is standing. So, could all hon. Members who are not participating sit down?

PERSONAL STATEMENT

REACTION TO MINISTER'S REPLY TO QUESTION ON PARADISE HOTEL BOMBING

Mr. Nyachae: Mr. Speaker, Sir, I would like to make a personal statement under Standing Order No.69. Last Tuesday, 18th March, 2003, while answering Question No.004 by the Member for Bahari, Mr. Khamisi, the Assistant Minister, Office of the President, Mr. Stephen Tarus, referred to pledges made to the victims of the Paradise Hotel bombing in Kikambala, Mombasa. He indicated that I was one of the people who pledged donations to the victims, but I had not honoured them. This is misleading and I would like to set the record straight, for the avoidance of doubt.

When the tragic incident of bombing took place at the Paradise Hotel, Kikambala, on Thursday, 28th November, 2002, I was in a meeting with some diplomats and World Bank officials in Nairobi. Due to the tight schedule set out for me that particular day, I requested Mrs. Nyachae to visit the victims of the blast on my behalf and on behalf of FORD-P. That afternoon, Mrs. Nyachae visited the victims in the company of some Coast Provincial leaders, including the FORD-P parliamentary candidates for Bahari; Mr. Steward Madzayo, and the then Mayor of Mombasa, Mr. Masoud Mwahima. During the visit, she presented a donation of Kshs100,000 to the victims' families through Mr. Madzayo and his colleagues on my behalf, and visited the survivors of the blast at the Coast Provincial General Hospital. She did not make any other pledges. The position is that, I have never made any pledges to the victims of the bomb blast nor has anybody acting on my behalf done so apart from the Kshs100,000 that was handed over on my behalf by Mrs. Nyachae.

Therefore, I would like to ask through the Chair that Mr. Tarus makes the necessary correction and should in future check his facts thoroughly before he comes to this House.

(Applause)

Secondly, Mr. Speaker, Sir, I would like to ask, through the Chair, that the *People Daily* newspaper be asked to correct the reporting that they did on this matter in their issue of Wednesday, 19th March, 2003. Thank you.

Mr. Speaker: Very well! But I thought the *People Daily* newspaper just reported what Mr. Tarus said? Is that not correct, Mr. Nyachae?

Mr. Nyachae: Mr. Speaker, Sir, the newspaper did not report exactly what transpired in this House on this matter. They reported that the former President, Mr. Uhuru Kenyatta, and Simeon Nyachae had failed to meet their pledges. They should make that correction because whatever was reported here was inaccurate.

Mr. Speaker: Where is Mr. Tarus?

Hon. Members: He is there!

Mr. Speaker: Dr. Murungaru, do you know anything about this matter?

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, in view of the Personal Statement made by Mr. Nyachae, I would like to go back and get the facts right and report back to the House.

Mr. Speaker: Very well! I will allow you to do that in the course of the week. But I would like to say the following: I think we need to be very careful on what we say on the Floor of the House. We have to get our

facts right. You can actually character-assassinate to no end either an hon. Member here or even an ordinary citizen through the Floor of this House.

So, we must be absolutely responsible in our statements.

POINTS OF ORDER

MURDER OF SILVESTER ONYIMBO

Dr. Khalwale: Mr. Speaker, Sir, I rise to seek a Ministerial Statement in relation to an incident that took place in my constituency in Ikolomani on 18th March, 2003, at 8.30 p.m. The place of the incident is Shirakaya Village, Shiseso Sub-location of Idakho North. A German national, by the name of Asuna Schneider, hired, planned and executed the cold murder of one Silvester Keith Onyimbo Muchanji in collaboration with members of the Provincial Administration of the Government of Kenya, who included two assistant chiefs, the area DO and, of course, the lady herself.

Mr. Speaker: Dr. Khalwale, it is not a debate. Would you complete your statement now?

Dr. Khalwale: In conclusion, Mr. Speaker, Sir, I would like this House to be told why Mr. Onyimbo was murdered and his two brothers arrested? Finally, why have the people who perpetrated this crime not been arrested to date?

INTEGRITY OF THE HOUSE

Prof. Oniang'o: On a point of order, Mr. Speaker, Sir, I am seeking a Ministerial Statement from Dr. Murungaru following a statement he made at a prayer meeting in Embu, which was supported by one of his fellow Cabinet Ministers and, indeed, refuted by two other fellow Ministers. I do not know why he is avoiding to make a statement on that matter because he actually said it. So, we want the facts here. We are at a risk as a country and our integrity is at stake! We want the Minister to assure us that he is doing his job properly by making that statement.

Thank you.

(Applause)

MINISTERIAL STATEMENT

INTEGRITY OF THE HOUSE

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, much as I respect the good professor, the gracious Lady, I think her choice of words is not correct. I was "alleged" to have made statements. I think, until anybody proves to the contrary, what I say should be the authority.

On Thursday, 20th March, the hon. Member did seek a statement from myself and that is the first time I heard about this statement. So, this is not the third time but the second time she is bringing up the issue. I was not in the House when she asked for the statement for the first time, if she did ask.

Prof. Oniang'o: It is the third time!

Mr. Speaker: You cannot argue directly!

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, on Saturday, 15th of March, 2003, I attended a thanksgiving event in Nguviu Catholic Church in Kibugu Village, Manyatta Division, Embu District. The thanksgiving was being given in honour of my colleague, hon. Ndwiga, the Minister for Co-operative Development.

Mr. Speaker, Sir, during my address I dwelt on the theme of the Government's fight against corruption. During my address, I stated - not necessarily verbatim - that the NARC Government was elected on an agenda to eliminate corruption, which had ruined the economy of this country and that is a fact.

(Applause)

Mr. Speaker, Sir, I also stated that those who had benefited from corruption in the past were vigorously

resisting the efforts by the Government to put off the vice in our community.

Thirdly, I said that I was aware of attempts made by those who had financially benefited from corruption to try and derail legislation in Parliament by attempting to compromise Members of Parliament financially. I said "attempt" to compromise hon. Members. I did not say anybody was corrupted.

Fourthly, I said that some Ministers, particularly those whose dockets are directly in line with the anti-corruption efforts, were targeted for mudslinging through various ways, including "attempts" to deposit money in their accounts. I still state the same categorically on the Floor of this House.

Mr. Speaker, Sir, I also said that there would be "further attempts" to corrupt hon. Members with a view to eroding the confidence of *wananchi* in the Government, by having hon. Members state or conduct themselves on the Floor of the House in a manner which would erode the confidence of *wananchi* in the Government.

Mr. Speaker, Sir, as I speak, these things are still going on. Indeed, as I stand before this House now, witnesses to the Goldenberg Tribunal have already started reporting to my office, serious harassment by would-be persons who will be touched by the inquiries thereon.

Mr. Speaker, Sir, my remarks in Embu were taken out of context, distorted and totally mutilated for personal satisfaction of some individuals, both within and, perhaps, without the House. The war against corruption must be fought by all, and it must continue! Kenyans will be watching those who will be attempting to derail the war against corruption.

Thank you.

(Applause)

Prof. Oniang'o: Mr. Speaker, Sir, I do not know why the hon. Minister is looking at me with those eyes!

(Applause)

I went back to the library to look at the statements that were covered by both the *East African Standard* and *the Nation* newspapers. In essence, he is saying that the newspapers lied and yet they really reported truly what he said. My point of contention with him is that, such issues touching on security should be made out of his office, or out of a policy pronouncement environment, and not in a situation where it causes anxiety amongst Kenyans. So, he is really looking at the wrong person! I want him to fight corruption! I want him, as the Minister for Internal Security - hon. Dr. Murungaru; I have great respect for him - to assure me and the rest of Kenyans that he is the right person for the job and he is doing the job properly. So, that is what I am really telling this Minister.

Mr. Speaker: Order! Order! Even those Ministers who are fighting corruption will have a very big ally in the name of the Speaker. Who is corrupting hon. Members, Mr. Minister? Tell me now because I too want to fight him!

(Applause)

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, I said "attempting to". Since the act has not been committed, anybody who would want to know who it is, I will tell them privately.

Prof. Olweny: On a point of order, Mr. Speaker, Sir. This is a very serious issue and we cannot look at it in that contemptuous way the Minister is looking at it. He said that "there are some people who are attempting to corrupt hon. Members, and maybe other Kenyans". Who are they? He seems to know them! If there is an attempt, it must come from a source and the source must be known by the Minister!

Mr. Speaker: I think I will have one or two more questions, then the Minister will respond to all of them.

Mr. Sasura: Mr. Speaker, Sir, this is a very serious matter to the dignity of hon. Members. Yesterday, an hon. Member received a letter from the Statutory Manager of Euro Bank, telling him that he has overdrawn his account by Kshs2.9 million, when this hon. Member has never seen Euro Bank, leave alone holding an account with the bank. There is something strange going on with our lives.

We agree with the Minister that there is a cartel here which is tarnishing our names. Could the Minister honourably name this man before he finishes all of us?

Mr. Sungu: Mr. Speaker, Sir, I am very grateful for the Minister's statement, but I am not satisfied. I have got a lot of respect for the *muthoniwa*. **Hon. Members:** What is that?

Mr. Sungu: I am only saying that he is my friend and my in-law! This is a matter of privilege, and privilege for hon. Members is important because we operate here under the basis of respect and honour! When it is said that hon. Members will receive money in order to influence their decisions in this House, I am sure that is bringing the name of this House into disrepute.

I would like the Minister to come out clearly and name the hon. Members who are supposed to have received the money, how much, and the names of the people who are giving the money. I am sure that money belongs to the common *mwananchi* who is poor, like me.

Mr. Speaker: Order! Order! I think we are playing around with this issue now and it is getting out of proportion.

Mr. Sasura, where is the letter written to an hon. Member by the Euro Bank manager?

Mr. Sasura: Mr. Speaker, Sir, it is with the hon. Member.

Mr. Speaker: Order! Where is it? I do not want this joke to go on! I think some hon. Members do not realise how serious this matter is.

Mr. Wanjala: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! Who has that letter?

Hon. Members: It is with Mr. Wanjala!

Mr. Speaker: Let him bring it here!

Mr. Wanjala: Mr. Speaker, Sir, I am a victim of the Euro Bank. I received a letter telling me that I have overdrawn my account by Kshs2.9 million from that bank. I do not even know the doors of Euro Bank!

Mr. Speaker, Sir, I did not know that this matter was to be raised before the House today. But I promise that I will bring the letter to the House tomorrow morning.

(Applause)

Mr. Speaker: Just before the Minister replies, I would like to inform him that this is a very serious matter to come on the Floor of the House, and to say that hon. Members are being corrupted not to pass legislation. That is very serious, and it is my duty as Mr. Speaker to find out who is doing this because this is a criminal offence under the Powers and Privileges Act. I hope hon. Members will understand that there are some issues you play with, others you do not, whether outside or inside this House. Among the issues you do not play with is the integrity of this House. I warn all and sundry now, from this Chair - it is not a joke - to play their wars out there. Do not involve the House. If you have anything against this House or against hon. Members of this House, be men or women enough to come and make that statement here and prove it.

For those two issues related to the Euro Bank and the question of tarnishing people's names, I would invite Mr. Sasura and Mr. Wanjala, if indeed, they think that, that is the process of intimidating hon. Members, to bring that evidence to me. The only bad thing is if you do not have that evidence.

Mr. Wanjala: I have it, Sir.

Mr. Speaker: That evidence must be provided tomorrow, and it is serious. So, can we now---

Hon. Members: *Nenda uilete!*

Mr. Speaker: Order! Order! I think hon. Members will owe it to this country to keep the dignity of this House and ourselves. Please, let us not bring disrepute to this Parliament. I think we have heard enough of this.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. I do not know whether there is "all and sundry" in this House. You said that you were informing all and sundry not to bring their wars on the Floor of the House. I thought that the people who can bring wars on the Floor of the House are hon. Members and not all and sundry.

Mr. Speaker: Hon. Members can be all and sundry, individuals or several. It is the English language and unfortunately we paid dearly to learn this language and, therefore, we must use it effectively.

Mr. Sambu: On a point of Order, Mr. Speaker, Sir. When an hon. Member refers to hon. Members as "people", you are on record as having said that there are no people here, but only hon. Members. How come from the Speaker's own mouth, we are all and sundry today?

Mr. Speaker: Order, Mr. Sambu! There are some hon. Members here; I think about three or four, who have taken it upon themselves, since we opened this Parliament, to police the Speaker generally. Mr. Sambu, the Speaker will not be policed. Every time I make a statement here, either you, Mr. Angwenyi or Dr. Ali will stand up at some stage to try to ridicule the Chair. Why is this so? Now, will you, please, keep off the Chair and respect the Chair like every other hon. Member? I have the mandate of this House to run this House and I will not accept one or two hon. Members, all the time, to try and ridicule the Chair. Please, respect the Chair.

Mr. Obwocha: On a point of order, Mr. Speaker, Sir. You have previously made rulings about Ministers

making statements. Could I request the Chair to request the Ministers, when they are making these very heavy policy statements of Government, to make them on the Floor of this House? This fiasco that we have been discussing arose out of a statement made in a prayer meeting or some funeral.

I believe you have made this statement before, but this is a new NARC Government. Could you also ask my friend, Mr. Ndwiga, to respect the Chair?

Mr. Speaker: Can I say the following: When these hon. Members were on the Opposition side of the House - and it is not a long time ago; only two months ago - they were blaming the hon. Members who were on the Government side for not making statements in the House and making what they called "roadside statements" and in funerals. The other day I heard that they have even surpassed those who were Ministers at that time.

(Applause)

I heard it from the Floor of this House that, while the KANU Government was making statements on the roadside, the NARC Government Ministers are now making them in the middle of the road.

(Laughter)

Could we take very seriously the suggestion by the hon. Member, Mr. Obwocha, which I had stated the other day? I will make this Floor available to you, Ministers, to make serious pronouncements on behalf of Government. Do not make them in funerals, parties or prayer meetings. Please, make them here. As we do this, let us always ensure that in the end, we leave this Parliament a place of dignity, hope and respect by all Kenyans. I think we have finished that issue now. We will go to the next Order.

POINTS OF ORDER

STATEMENT ON RENTS ROW IN NAIROBI

Mr. Kamanda: On a point of order, Mr. Speaker, Sir, I beg to seek a Ministerial Statement from the Minister in the Office of the President in charge of internal security with regard to insecurity in Nairobi. As we are speaking now, police are in Kawangware Estate, while others are in Mathare Estate as a result of a group of people calling themselves "tenants", who are harassing landlords in the whole of Nairobi. They are moving in groups terrorising people in Nairobi. Last night, one woman in my constituency was raped in Mathare by those who are calling themselves "tenants". She is a landlady and she was raped. I would like the Minister of State, Office of the President to tell us whether there is security in this country; whether people are supposed to be protected by the Government, and the stand of the Government with regard to rent in the whole country or in Nairobi.

Mr. Ndolo: On a point of order, Mr. Speaker, Sir. Is the hon. Member for Starehe in order to lie to this House---

Mr. Speaker: Order! Will you sit down? Mr. Ndolo, I have not heard that you are the Minister in charge of internal security. He was not addressing that issue to you; he was addressing it to the Minister. Could the Minister say what he wants? Mr. Minister, what have you got to say about it?

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, I am aware of the tension that exists in Nairobi today because of that particular issue of rents. I undertake to make consultations within the Government, and more so, with my colleague responsible for housing in order to make an authoritative statement to the House.

Mr. Kajwang: Mr. Speaker, Sir, following the Minister's response, could he tell us whether the law relating to the Rent Restriction Tribunal is now no longer in force, so that people can now charge any rent they want and sit on the poor? When the poor rise up against these high rents, they are called "purported tenants" against landlords. Could he address that issue when he comes back tomorrow?

The Minister of State, Office of the President (Dr. Murungaru): Mr. Speaker, Sir, I have just said that I will make consultations and more so, with my colleague who administers that particular law. I think that, that is the correct position to take, so that I can be able to give this House an authoritative statement.

Mr. N. Nyagah: On a point of order, Speaker, Sir. Given the fact that I do know that the Minister for Roads, Public Works and Housing is out of the country and will remain there for the next one week, and the position in Nairobi is very bad in as far as rent is concerned, would I be in order to ask that this statement is given

by the Assistant Minister? I am asking this because we are receiving letters every single day as hon. Members of Nairobi, on what is likely to happen. Right now, I do have several letters in my office and anything could happen today or even tomorrow. I think this is something that needs immediate action.

Mr. Ndolo: Mr. Speaker, Sir, although the Minister of Roads, Public Works and Housing, Mr. Raila, is not around, I think his Assistant Minister is present here. If he is not around, then we should be told if he went with the whole Ministry where he went.

(Laughter)

Mr. Speaker: Order, hon. Members! This is a very serious issue. I am truly amazed with hon. Ndolo. What is it, Mr. Ndolo? What did you want? Did you want Mr. Raila to come back from abroad or do you want this Minister to explain?

Mr. Ndolo: Mr. Speaker, Sir, I think we have an Assistant Minister of Roads, Public Works and Housing and also the Permanent Secretary.

Mr. Ndambuki: Mr. Speaker, Sir, based on the information we are getting and given what we saw last night on our television news, we are concerned. While we await the return of the Minister for Roads, Public Works and Housing, could the Minister in charge of security do something about this situation? He should tell Kenyans to hold on until he comes up with a proper answer instead of just leaving this insecurity to continue.

The Minister of State, Office of the President (Dr. Murungaru): Indeed, I am grateful to the hon. Member. I rose to say that even as we wait for those consultations to take place, I am informing Kenyans that it is totally illegal to try to enforce rents. There is a mechanism in existence within a specific law, and that is the correct avenue to take. Taking the law into one's hands is illegal. I would like to assure the House and the nation that acts of lawlessness will not be tolerated whatsoever, by the Government regardless of who perpetrates them because there is a machinery and a law that can be applied to resolve whatever problem exists between tenants and landlords.

The Assistant Minister for Roads, Public Works and Housing (Eng. Toro): Mr. Speaker, Sir, let me take this opportunity to state that the Ministry has not given any guideline as to how rent should be collected in Mathare, Kawangware or anywhere else, and the Rent Tribunal is still in place.

Mr. Ogur: Mr. Speaker, Sir, Mr. Ndolo, who is the MP for Makadara is a neighbour to the MP for Starehe. When the MP for Starehe talked about the issue of rents in his constituency, Mr. Ndolo said it was a lie, which means it is not true. Maybe he has something to tell us which is true. It appears that Mr. Ndolo knows the truth. Why do we not hear the truth from Mr. Ndolo whose constituency neighbours Starehe?

Mr. Speaker: You are actually confusing the whole issue. That is the end of the matter now.

DISMISSAL OF WORKERS BY RIFT FLORA COMPANY

Mr. Wamwere: Mr. Speaker, Sir, last week I requested for a statement from the Minister for Labour and Human Resource Development regarding workers who are being dismissed left, right and centre by the Rift Flora Company in Nakuru. Could I now get that statement from the Minister concerned?

Mr. Speaker: Is the Minister there?

Mr. Wamwere: Mr. Speaker, Sir, I am concerned about this statement because last time the Minister was not in the House, and this time round, he is not in the House again.

Mr. Speaker: Which Minister is this?

Mr. Wamwere: The acting Minister for Labour and Human Resource Development.

Mr. Speaker: Why do they leave so early?

Mr. Wamwere: I am concerned because workers are being dismissed. Last week 10 of them were dismissed and another 20 dismissed the week before last week. They are still being dismissed. These workers deserve some protection from the Minister, and I deserve a statement from the Ministry. How will this be dealt with?

Mr. Speaker: Mr. Mukiri!

MINISTRY'S POSITION ON UNCOLLECTED TIMBER

Mr. Mukiri: Mr. Speaker, Sir, I rise to seek a Ministerial Statement from the Ministry of Environment, Natural Resources and Wildlife. Last week the Minister made a Press statement to the effect that those who have uncollected logs in the forests should collect them within two weeks. In yesterday's *Daily Nation* there was a list of those who should collect their logs. However, the Minister left out some small-scale saw millers who are at the moment complaining. The Ministry should clarify the issue so that these small-scale saw millers do not feel

discriminated against. The Ministry should also clarify whether the two weeks given to collect the logs is adequate.

Mr. Wamwere: On a point order, Mr. Speaker, Sir. Would I be in order to ask the Leader of Government Business to bring to this House a statement regarding the matter I have just raised on behalf of the Minister for Labour and Human Resource Development?

Mr. Speaker: He is not here!

Mr. Wamwere: Mr. Speaker, Sir, where do I go for answer because I am stranded and frustrated?

Mr. Speaker: Is anyone here likely to help? Well, I will ask the Chief Government Whip to convey that matter to the acting Minister for Labour and Human Resource Development.

Let us move on to the next Order!

MOTION

ADOPTION OF MEMBERS' CODE OF ETHICS

The Assistant Minister for Foreign Affairs (Mr. Omino): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, pursuant to the provisions of Section 9 of the National Assembly (Powers and Privileges) Act (Cap. 6) of the Laws of Kenya, this House adopts the Code of Conduct for Members of Parliament laid on the Table of the House on Wednesday, 19th March, 2003.

Mr. Speaker, Sir, this House well knows that the Powers and Privileges Act, Chapter 6 of the Laws of Kenya, does require the House itself, and more particularly the Speaker, to do certain things. One of those things is to produce a code of conduct governing the behaviour of hon. Members.

The Committee was established on 27th July, 2000. It consisted of the hon. Kausai F.X. ole Kaparo, MP; I am sure, Mr. Speaker, you know who he is; the hon. Amos S. Wako, MP, the hon. Mathias B. Keah, MP, the hon. Moody Awori, MP, the hon. Mwarere wa Mwachai, MP, the hon. George

Anyona, MP, the hon. Wanyiri Kihoro, MP, the hon. Paul O. Otita, MP, the hon. Musikari Kombo, MP and the hon. Prof. Peter Anyang'-Nyong'o, MP. In the course of their deliberations, the Committee co-opted hon. Job Omino as a Member of the said Committee.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, the Committee deliberated on several things, the principal among which was to review how the Powers and Privileges Act was being implemented. Secondly, to look at those Standing Orders which impinge on powers and privileges, particularly as they tend to create disturbances or lack of discipline in the House. Finally, the Committee, through the direction of Mr. Speaker, endeavoured to produce a code of conduct for hon. Members. That forms the main part of the Report now before the House.

The Committee, in its deliberations, then proceeded to appoint a sub-Committee for ease of administration and standardisation of review of issues before them. That sub-Committee consisted of the hon. ole Kaparo, MP, the hon. Job Omino, MP, the hon. George Anyona, MP, the hon. Musikari Kombo, MP, and the hon. Wanyiri Kihoro, MP. The sub-Committee held 17 meetings. Messrs. Anyona and Kihoro are not in the House, but I would like to take this opportunity to record the appreciation of the Committee for their contribution to the work of the Committee. We were also ably assisted by the Clerks-at-the-Table. In fact, these two: Mr. Bundi and Ms. Chesire.

Mr. Deputy Speaker, Sir, I will not bore the House by going through every recommendation of the Committee because the Report has already been issued to hon. Members. But as I said, we concentrated our work on key areas; to review the Powers and Privileges Act and the Standing Orders. The Committee did not attempt to amend the Standing Orders. The Committee endeavoured to identify those Standing Orders which, in their application or misapplication, do impinge on powers and privileges. Those Standing Orders that were considered by the Committee to fall in that category has been identified. The manner in which they should be amended in order to avoid the problems they were creating has also been indicated in the Report.

Mr. Deputy Speaker, Sir, the first issue the Committee considered was the appointment of hon. Members

to the various House Committees. The Committee was of the view that the appointment of hon. Members into Committees and their removal therefrom, should be done only by a resolution of the House.

The next item which the Committee felt was being misused and caused a lot of problems was the use of points of order. That seems to be a recurring problem in the Sixth, Seventh and Eighth Parliaments. But we felt that hon. Members were, by and large, misapplying this Standing Order. Strictly, if you want to stand on a Point of Order, the Committee felt it must be on a matter of procedure or conduct. The practice as of now where hon. Members use the Standing Order in order to ask questions is wrong.

Mr. Deputy Speaker, Sir, hon. Members also felt that the Standing Order relating to the disciplining of hon. Members within the Chamber was not being applied properly. The hon. Members, therefore, recommended that where the Speaker or Chairman of a Committee wishes to discipline a Member, he will proceed to name that Member. We will then require the hon. Member to go to the Bar and while there administer the punishment. That really means that if you are asked by the Chair to go to the Bar, he will ask you to leave the Chamber. There have arisen occasions when hon. Members felt that the Speaker has been unreasonable, or they did not simply like the punishment meted out by the Chair. They stood up to applaud or to show by action or words that they are disaffected by the Chair's ruling. The Committee felt that, in that instance, that Member must be regarded as guilty and be punished by the Chair. Then the law provides that from time to time, the Speaker should issue orders. One of these orders is the code of conduct which I have already referred to. The Committee then spend some time trying to bring up to date the Powers and Privileges Act. We have listed those sections of the Act which, in our view, ought to be amended. Equally, we have recommended those sections of the law which should be deleted. You will find all these in the report. The Report deals with Section 5 right down to Section 26. There are certain sections of the Act which the Committee felt were suitable and could continue to be applied. Those sections are, again, listed. They are Sections 1, 2, 3 and 4; Sections 7 and 8; Sections 6 and 10; Sections 13, 14 and 15; Sections 17, 18 and 19, and Sections 21, 25, 27, 28, 29, 30, 31 and 32.

Mr. Deputy Speaker, Sir, the Committee also felt that the Standing Orders should be amended, starting from Standing Order No.24 right down to Standing Order No.162. However, the Committee did not set out to amend these Standing Orders; it merely endeavoured to relate some of the Standing Orders with sections of the Powers and Privileges Act to see whether by so doing, they could remove duplication, confusion or non-clarity in the interpretation of the Standing Orders or the Powers and Privileges Act.

By far, the most important function that the Committee performed was to draft the Code of Conduct. Hon. Members are already aware that the Public Officer Ethics Bill, which is now pending before the House, requires that all commissions, including the Parliamentary Service Commission (PSC), the Public Service Commission and the Teachers Service Commission, should, upon its enactment into law, produce codes of conduct applicable to the officers working under them. In the case of the National Assembly, we did not, as a Committee, anticipate this Bill. We merely did what the law requires us to do, which was to produce a code of conduct for Members of Parliament.

So, the draft Code of Conduct for Member Parliament forms part of this Report, and is divided into several sections, which we have dealt with in length in order to put hon. Members' minds at ease by not trying to complicate their already fairly complicated lives. The draft Code of Conduct, therefore, first, identifies areas where an hon. Member is expected to act with probity. Paragraph 1.1, Objectives of the Code, reads as follows:-

"This code is intended to set general standards of general conduct for Members of Parliament to enable them discharge their legal and public duties to Parliament, their constituents and the members of the public."

So, hon. Members have legal and public duties to perform, but what constitutes public duty? This is provided for under Paragraph 1.2, Public Duty, which reads as follow:-

"(i) Members of Parliament have a duty to bear true allegiance to Parliament and the country by virtue of their oath of allegiance or affirmation taken before the House after election, nomination or other induction into the House."

The Report further indicates other forms of behaviour expected of Members of Parliament as leaders. Paragraph 1.3, for instance, provides as follows:-

"(i) Members of Parliament shall not make improper use of any payment, contribution or allowance made available for public purposes."

Subparagraph (ii) of this Paragraph prohibits hon. Members from using information that they have received in confidence in the course of their parliamentary duties for gain.

(There was a temporary power failure)

Mr. Deputy Speaker, Sir, allow me to continue initiating debate on this Report.

Mr. Deputy Speaker: No, we cannot continue without electricity because the proceedings of this House must be recorded by the HANSARD, which is not happening now.

(Power resumed)

Mr. Deputy Speaker, Sir, under Paragraph 2.0, Standards in Personal Conduct, hon. Members are required to be transparent, have integrity, be incorruptible, honest, accountable for all their actions, and be objective in their decisions; hon. Members should not discriminate or promote tribalism or any form of genophobia. Finally, this paragraph requires hon. Members to promote these principles through good leadership.

Mr. Deputy Speaker, Sir, Members of the Committee went on to establish rules to assist hon. Members to fulfil their obligations under the Code of Conduct, Pursuant to Section 9 of the National Assembly Powers and Privileges Act. The rules are listed in this Report, and I would not like to bore the House by going through them one by one. Already, hon. Members have copies of this Report. This Report has been prepared in a fairly readable form, and hon. Members should have no difficulties whatsoever in comprehending it.

One of the major recommendations of the Committee is that there shall be established a register of Members' interests. That means every hon. Member will be required to disclose, or register their interests, be it stocks, property or whatever else. The code requires that every hon. Member, three months after his or her election or nomination, shall register his or her interests in that register. If he or she acquires additional assets after disclosing what he or she had when he or she was elected, he or she must update the register within one month.

Mr. Deputy Speaker, Sir, the code also imposes restrictions. For instance, it provides that if you have a registrable interest and you have not taken the initiative to register that interest, you will not participate in the deliberations of the House without giving a notification to the registrar. So, this Code recommends the establishment of an office of Registrar of Members' Interests. Sanctions will be applied against hon. Members who will not comply, either as stipulated in the Standing Orders or as shall be stipulated in the code when it becomes operational under the signature of the Speaker of the National Assembly.

Mr. Deputy Speaker, Sir, let me justify those interests. In Class 1, we have land, house or other real property which has a market value, including any residential house which the Member uses with his spouse(s) or children under 18 years of age. The details of the property shall be entered in the appendix. If a Member acts as a consultant outside his parliamentary work, that must also be entered in the register and the amounts of consultation arising therefrom, also entered. Equally, if a Member has a sole-proprietory company, that, too, must be registered. If he has a directorship, that, too, must be disclosed. That is because a matter concerning that company may come in the House. The public and all Members of the House need to know whether one has an interest in what one is speaking about.

So, it really means that any property which has got some value; from which you can derive some income, must be disclosed and entered in the register. Now, that register will not be kept under lock and key by the Registrar of Members' Interests. It shall be published the fourth month after Parliament has been reconvened after a general election. That register shall be available for inspection by Members of Parliament. Equally, members of the public have a right to inspect that register, but upon booking an appointment with the Registrar, so that the Registrar could make the documents that they may wish to see available.

As I said earlier, the whole purpose of making a declaration in the register is for Members of Parliament firstly, and secondly, members of the public to know what Members of Parliament own, so that while participating in debate in the House, it can be seen quite clearly that you are debating an issue dispassionately, and that your personal interests are not coming in to bear on your decisions and arguments.

There is also a procedure proposed for complaints. Members of Parliament and members of the public can complain if they feel that the information contained in the register is not accurate, or, in the case of Members of Parliament, if they feel that a Member whose interests they wanted to inspect is unduly interfering with their rights to go and inspect the register. If those complaints are established to have some veracity, the Committee of Privileges and Standards can then convene to listen to the complaints and pronounce judgement.

The report continues to elaborate on those rules and Members should really take their time to read it and contribute on the debate. That is because by doing so, we shall have made the first step to fight corruption. We want the country to know that we do not only talk about corruption and its evils, but that we, ourselves, are also prepared to be examined in the court of public opinion, so that we can do the work of our country without favour or fear.

Mr. Deputy Speaker, Sir, I would like to conclude my remarks by saying that Members of the Committee who sat long hours to produce this Report were motivated by only one thing; namely, they should come up with a

Code of Conduct that puts Parliament in its pre-eminent position. I would like to take this opportunity to thank this House for having set up this Committee to do what it has done, and to do what it has done without coercion. This is not a product of pressure from any quarters. This is a product of internal pressure; Members feeling that it is time they did something about standards and ethics in this country.

With those few remarks, I beg to move and ask my colleague and friend, Mr. Githae, to second.

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Thank you, Mr. Deputy Speaker, Sir. I would like to support this Motion and the Code of Conduct for Members of Parliament. It is a continuation of war against corruption. It specifies the conduct of Members while inside or outside the House. In other words, to be a Member of Parliament, whether inside the House, in the precincts of Parliament or even outside Parliament, includes almost all the possible ways in which a Member could misconduct himself or herself.

Particularly, it says that Members have a general duty to work in the interest of the House, of the whole nation and have a special duty to their constituencies. That means that Members of Parliament in the Opposition would be Members of the loyal Opposition, with a duty not just to oppose Government Motions or Bills, but to give constructive criticisms.

Mr. Deputy Speaker, Sir, one conduct that I like says that: "Members of Parliament shall not make improper use of any payments, contributions or allowances made available for public purposes." I think that rule could not have come at a better time, in view of the proposed development funds under the Remuneration Bill, where a Member of Parliament could be entrusted with some money to develop the constituency. That could not have come at a better time, to make sure that those funds, which will be given to Members of Parliament, will not be misused. It also prohibits those Members of Parliament who may be in a privileged position of access to information, not to divulge information that came to them by virtue of their positions. For example, that could be the case when we start the Parliamentary Budget Office. Any information that Members receive from the Parliamentary Budget Office will be treated as confidential and it will amount to misconduct for a Member to divulge that information.

Mr. Deputy Speaker, Sir, the Rule on integrity could not have been more explicit. It prohibits hon. Members of Parliament from being unduly influenced when performing their parliamentary duties. This will eliminate cases of [**The Assistant Minister for Justice and Constitutional Affairs**] hon. Members of Parliament--

QUORUM

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

Mr. Deputy Speaker: No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

Mr. Deputy Speaker: Order, hon. Members! We have a quorum now. You may proceed, Mr. Githae.

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Mr. Deputy Speaker, Sir, once this Motion is passed, it will amount to misconduct for any hon. Member to be in the pockets of other people; people who would influence him when he is performing his parliamentary duties. The Motion could not have come at a better time.

It will also amount to misconduct for any hon. Member to engage in corrupt practices. As I was saying, this Code of Conduct is an ammunition in the fight against corruption. The President has said that one of his primary pet subjects is the fight against corruption. He has said that he will lead the anti-corruption war at the battle front. He will not be like a general who leads the war from behind. The Code of Conduct for hon. Members of Parliament will enhance the war against corruption. In fact, we could call the President the Commander-in-Chief of the anti-corruption war. Last Sunday, the National AIDS Control Committee conferred on the President the title of the Commander-in-Chief of the anti-AIDS campaign. This House could also confer on the President the title of the Commander-in-Chief of the anti-corruption war.

The code of Conduct also requires hon. Members of Parliament to be honest. They should undertake all their activities in an honest manner, so that cases of hon. Members being bribed to oppose a Motion or a Bill in this House come to an end. It will amount to a misconduct for any hon. Member to be corrupted or induced to oppose a Bill or a Motion in this House. So, the Motion could not have come at a better time.

The Code of Conduct also seeks to remove conflicts of interest. If an hon. Member of Parliament or a Minister deals with an issue in which he has an interest, under this Code of Conduct, he will be required to do it

honestly, and not to have any conflict of interest in the performance of his duties. The Motion also requires all hon. Members of Parliament, including Ministers and Assistant Ministers, to be accountable, not only to Parliament, but also to Kenyans. The passing of the buck must stop. We must be accountable and accept responsibility.

The code also address as the issue of merit. If you are an hon. Member of Parliament, an Assistant Minister or a Minister, all the appointments that you make must be based on merit and not on some other extraneous factors. In fact, the code prohibits any hon. Member of Parliament to receive or accept any fee or reward in order to influence a process. This process could be appointments to public offices or award of tenders. In all the appointments, merit must be the sole criterion. The code also prohibits all forms of discrimination.

Hon. Members are especially urged to shun tribalism and promote unity of all Kenyans, irrespective of their tribal origins. It will be an infringement of the Code for hon. Members of Parliament to make irresponsible statements all over the country. Hon. Members will be required to abhor and reject tribalism in all its spheres, for example, in employment and voting processes. Hon. Members of this House are also supposed to lead by example. We should not preach water and drink wine. We must lead by example. This is provided for in Clause 2(viii), which states:-

"Hon. Members of Parliament shall promote and support these principles through leadership and example".

Mr. Deputy Speaker, Sir, I will not go deep into the rules because the Mover of the Motion went through them. I would like to say something about Rule 10, which states:-

"Members of Parliament shall provide to the Registrar of Members' interests, within 14 days of a Harambee event, a full account of all the public and private funds contributed by themselves and through them by the Government, friends, companies and supporters".

Last year, just before the general election, a number of KANU prospective candidates travelled all over the country and contributed millions of shillings at Harambees. One wonders where they were getting all this money from. If they do this after this Motion is passed, they will be forced to tell us where the money will be coming from. This code will go a long way in enabling us to have a transparent House, since, once you hold a Harambee event in future, you must account for all the funds you collect. We have had cases where hon. Members of Parliament receive contributions in excess of Kshs1 million, go to a Harambee and donate only Kshs20,000, and one wonders what happened to the balance of the money. Under these rules, the hon. Member must account for such money. If the money is from the Government, friends, companies and other supporters, they must account for it. There have also been cases where hon. Members have been requested to ask certain Questions in the House and in turn, get a certain amount of money, privileges or due advantages.

Under Rule 12, you cannot receive money or promise to come and ask a Question in this House. Again, this will go a long way in having a transparent House.

Rule 13 states:-

"Members of Parliament shall not be involved in corruption by giving or taking bribes, receiving favours or be abet in corrupt practices and transactions in the course of their public and private work."

Again, this is zero-tolerance on corruption. As hon. Members of Parliament, we must lead by example. We must not only avoid corruption, but we must also be seen and perceived not to be corrupt. Like Caesar's wife, we must be above suspicion in this war against corruption.

There is a register of hon. Members' interests which is very comprehensive. Again, I will not go through it. But under this register, you are supposed to register all your interests, including trust. So, those hon. Members who have money overseas--- We understand that more than Kshs60 billion is stashed away overseas. We are being told by people in the diplomatic circle that there are some Kenyans who have billions of shillings stashed in urban accounts in Switzerland, Jersey Island and all those countries. Under this rule, even those amounts of money must be registered because they will be construed to be trust. Even if that money is not in your name, but in the name of a relative, you are holding it in trust. So, hon. Members must declare all those interests which they have, including the amount of money that is banked overseas.

Mr. Deputy Speaker, Sir, the other rules were dealt with very ably by the Mover of the Motion. The other thing I would like to add is that, again, there are some hon. Members of this House who are directors of so many companies, but there is no record to show what they own, which company they belong to, and the number of shares they have. Under Class 3, if you own shares in those companies, you must declare them and even your directorship. This will ensure that if we are dealing with a matter here and we find you make a contribution, we know that you have an interest in the business of the House.

The other conduct prohibited is this very bad habit of Government officers forming companies, which

then proceed to do business with the Government. We are saying that if you form companies which do business, they must also be registered and known. This is a very bad habit. In fact, you award yourself that contract. So, all those companies must be registered. Mr. Deputy Speaker, Sir, during the last election, hon. Members of KANU were given a lot of support by parastatals, which, we, hon. Members of the then Opposition did not get. Under Class 5, if you have received any assistance in the form of money, material or otherwise, you must declare it. If you have received this from companies, you must declare it. Sometimes you wonder why a company would contribute Kshs20 million or Kshs30 million to a campaign fund of an hon. Member. What will this company gain from this? How does it hope to get back its money? So, those are the questions we have been asking ourselves. Under this class, you must register those interests and we shall know why those companies gave you those funds. If we know that they gave you some funds and you award them a contract, we will know that they are trying to recover the money that they gave you when you were conducting your campaign. So, under Class 5, those contributions must be registered.

The other point I would like to make is on the inspection of the hon. Members' Register. During the debate on the Public Officer Ethics Bill, this House seemed to be divided. There was a group of hon. Members who felt strongly that the declaration of assets and liabilities must never be confidential. There was also another group of hon. Members who also felt strongly that the declaration of assets and liabilities must never be made a public document. The House seemed to have been divided on that issue. But at our courts, any member of the public can apply for inspection of one's assets and liabilities, and he or she will be accorded that facility. We are saying that if we want to be serious in the war against corruption, then there are certain things which we must do. These things may not be palatable or popular, but they must be done. One of the questions we need to ask is whether the declaration of the register of hon. Members should be made public or should be confidential.

Again, the whole procedure is elaborate, and this is meant to help curb any form of witch-hunt. There will be no witch-hunting. The procedure is very elaborate and it protects all the hon. Members. I will not go into that issue because it was ably dealt with by the Mover of this Motion. This Code of Conduct for hon. Members requires hon. Members of Parliament to be transparent, accountable and to lead by example. If you preach water, you should not drink wine.

Mr. Deputy Speaker, Sir, with those few words, I beg to support the Motion.

(Question proposed)

Mr. Muite: On a point of order, Mr. Deputy Speaker, Sir. I would like to seek the Chair's guidance on this issue. As you can see from the heading of this document, it purports to be pursuant to Section 9 of the National Assembly, Powers and Privileges Act which is Cap. 6 of the Laws of Kenya. Section 9, reads:-

"That the Speaker may from time to time, as he deems expedient, issue directions in the form of a code of conduct regulating the conduct of hon. Members of the National Assembly whilst within the precincts of the Assembly other than the Chamber."

So, Section 9, on a plain reading of it, confines the power and the authority to make regulations in the form of a code of conduct to regulate the conduct of hon. Members whilst within the precincts of the Assembly other than the Chamber. The precincts of Parliament is the perimeter wall. If you read this code of regulations about declaration of wealth or about corruption, you will find that 99 per cent of the contents relate to the conduct of hon. Members outside the precincts of Parliament. Are we not acting *ultra vires* to Section 9 of the Act in seeking or purporting to enact these regulations under Section 9? I would ask for a ruling on this because we, as the law-makers, must surely set an example of respecting the law as a legality. This is a point that has been made time and again from the Floor of this House.

I raise the point as the Chairman of the Committee of the Administration of Justice and Legal Affairs, that the Public Officer Ethics Bill did not actually visualise the existence of a committee of this House that could be styled in the commission in terms of that Act that we were debating.

Mr. Deputy Speaker, Sir, I said that it is necessary for this House, in terms of the Public Officer Ethics Bill, to specifically mandate one of the committees or set up another committee, as the commission conceptualised under the Act. But, even if we were to do that, it is quite clear to me that these regulations, and I have no quarrel with the contents, should properly be made under the Public Officer Ethics Bill as and when it becomes law, not under Section 9. Can we have your guidance?

Mr. Deputy Speaker: Very well. Mr Muite, you are right, but first of all, I want to say that it was indicated, when the Public Officer Ethics Bill was being debated, that the committee of this House that would be making the Code of Conduct for the purpose of that Act which is under discussion, will be the Committee on Powers and Privileges. That was indicated by the Chair and I believe that when we go to the Committee of the Whole House that will be addressed fully.

Having said that, the other point you have raised is whether, in fact, we will not be acting *ultra vires* to Section 9 of the National Assembly Powers and Privileges Act Cap 6, according to what we have read. I would like to reserve that ruling until I study that particular Act. Therefore, I will be making a ruling from the Chair tomorrow when I have time to study and address myself to the point you have raised, which I think is a very pertinent one.

The Minister for Energy (Mr. Ochilo-Ayacko): On a point of Order, Mr. Deputy Speaker, Sir. Whereas I sit on the front of this side of the House, the points raised by my learned friend, hon. Muite, enjoins the Chair to make a ruling immediately. If it is not made immediately and the Chair makes a ruling in future as indicated tomorrow, and it is found that the debate has been done *ultra vires* to the Powers and Privileges Act, then the entire evening that we will have debated this Motion shall have been spent in vain. If you listen to and read the provisions that hon. Muite has read out, it does appear that we may be discussing beyond what the law envisaged.

Mr. Angwenyi: On a point of order, Mr. Deputy Speaker, Sir. I rise to support the views expressed by my honourable colleagues that we should not discuss this matter until a decision has been made as to whether we are acting *ultra vires* or not. Like hon. Muite said, we should set examples and work by examples. We should not contravene the law for the purpose of expediency. So, either we get a ruling now or we suspend the discussion until a ruling has been made.

Mr. Obwocha: On a point of order, Mr. Deputy Speaker, Sir. I do not want to repeat what hon. Muite has said, but Section 9 of the Powers and Privileges Act, Cap. 6, is very clear on what the Speaker can do. It states:-

"The Speaker may from time to time, as he deems expedient, issue directions in the form of a Code of Conduct regulating the conduct of Members of the Assembly, within the precincts of the Assembly other than the Chamber".

In other words, not inside here, but within the precincts, the way I read it. Three-quarters of the provisions in this Bill touch on our conduct outside the precincts of Parliament. For example, they touch on the issue of us "*mangamangaring*" around in offices looking for *Harambees*. Where are you forbidden in doing that? Your interests, like being a director in companies that you own and so on, are included. This decision needs to be made if we are going to continue debating this Bill. I think what the committee should have done is to confine themselves to our own conduct within the precincts of Parliament. This should have included issues like honesty, integrity, transparency, accountability and so on. So, it would be in vain to discuss this Bill. Yes, we can go ahead and discuss it, but it will be *ultra vires* to Section 9 of the Powers and Privileges Act. So, you need to make a ruling on this. I would propose that, while waiting for your wise and considered ruling, we move to the next Motion if you can not make a decision straightaway.

Mr. Deputy Speaker: Let me hear the last point from Mr. Githae and then I will tell you what we are going to do.

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Mr. Deputy Speaker, Sir, whereas it is true that there are some portions in the Code of Conduct that relate to the conduct of Members outside the precincts of this House, that is only a small portion. The issue that Members seem to be talking about is the register of Members. The register of Members will be kept in the precincts of this House and that takes about almost 80 per cent of all the provisions relating to the conduct of hon. Members. Whereas the conduct of Members requires them to act honestly, that can apply to either situation.

In fact, almost all these forms of conduct envisaged by the Code of Conduct can apply either inside or even outside the precincts of the House. Therefore, I will request that we continue debating the Bill or you make your ruling. In any case, you had already made your ruling.

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

Mr. Deputy Speaker: Order, Mr. Angwenyi! I have already heard you and I am not going to hear you twice because this is not a debate. You raised points of order and I gave you an opportunity and I am in a position to give you the direction on the way forward. The way forward is that a very pertinent issue has been raised by hon. Muite and, indeed, arguments as to whether the Code is within the ambit of the Section 9, Cap.6, have come up. Those are important points and, therefore, the way forward would be for an hon. Member to propose an adjournment of this debate in accordance with Standing Order No.21 and that is the only way we can adjourn a debate because the Motion has been moved and seconded. So, that is the way forward. An hon. Member should move that the debate on this Motion be adjourned. Another hon. Member will second it and then I will put the Question and then we will proceed from there to the next order.

Mr. Obwocha: On a point of order, Mr. Deputy Speaker, Sir. I rise to seek adjournment of debate on this Motion under Standing Order No.21(1) which states:-

"A Member who wishes to postpone to some future occasion the further discussion of a question which has been proposed from the Chair may claim to move "That the debate be now adjourned", or in Committee of the Whole House "That the Chairman do report the progress."

Mr. Deputy Speaker: What you are reading now is not relevant, Mr. Obwocha.

Mr. Obwocha: Mr. Deputy Speaker, Sir, pursuant to Standing Order No.21, I beg to move that debate on this Motion be adjourned.

Mr. Angwenyi seconded.

(Applause)

*(Question, that the Debate on the Motion
be now adjourned, put and agreed to)*

Mr. Deputy Speaker: Next Order!

BILL

Second Reading

THE ANTI-CORRUPTION AND ECONOMIC CRIMES BILL

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Mr. Deputy Speaker, Sir, I beg to move that the Anti-Corruption and Economic Crimes Bill be now read a Second Time.

This Bill was distributed to hon. Members quite sometime ago and it is before this House. It is part of the war against corruption and the Government has stated that we intend to have zero-tolerance on corruption. Therefore, this Bill will go a long way in the fight against corruption. The President is on record as saying that he will lead the fight against corruption. He will not lead the battle against corruption in some back room, but this is one of his top agenda. The NARC Government will not tolerate any form of corruption.

Mr. Deputy Speaker, Sir, corruption is a culture that must be eliminated in this country. This culture has led to the economic downfall of this country where merit ceased to be a factor and where we started having overnight millionaires. People who start business today collaborate with some civil servants and within a year, a person who started with Kshs1,000 in his bank account becomes a millionaire. This is what the Bill seeks to prohibit. It will not be possible for anyone to become an overnight millionaire. So, those hon. Members who came to this House thinking that they would become overnight millionaires should forget about it and resign. Under this Bill, it will not be possible for them to become overnight millionaires.

Mr. Deputy Speaker, Sir, corruption has been perceived in this House to the extent that all sectors of the economy have been affected. There is not a single sector of the economy that has not been affected by corruption. It had gone to the extent that there were some evil geniuses whose sole livelihood was to engage in corruption.

We had a case of a so-called businessman who would import containers of shoes into the country and would not clear them. Then they would be auctioned by the Customs and Excise Department for peanuts---

Mr. Obwocha: On a point of order, Mr. Deputy Speaker, Sir. I have no intention of interrupting my colleague, Mr. Githae, but this Bill also falls in the same category with the one that we have just disposed of.

Mr. Deputy Speaker, Sir, as you remember, we were discussing the entrenchment of this Bill into the Constitution and the Minister for Justice and Constitutional Affairs withdrew the amendment to the Constitution to go and redraft it.

The Assistant Minister, in purporting to move this Bill, is contravening that understanding that the Kenya Anti-Corruption Commission should be entrenched first in the Constitution before he moves this Bill.

Mr. Deputy Speaker, Sir, in making your ruling, and in accordance with Standing Order No.21, I beg to move that this debate be adjourned to another day.

The Minister for Energy (Mr. Ochilo-Ayacko): Thank you, Mr. Deputy Speaker, Sir. This House is the supreme law-making organ of the Government. I believe this House is enjoined to follow law because it makes laws to be followed. It is quite correct that this particular Bill presupposes that the House has enacted an Anti-Corruption Commission and put it under the Constitution. We are all aware that, that has not happened. So, it is conceded that the debate on this Bill be now adjourned to such a time that, that will have been done or as the

House may advise in future.

(Applause)

Mr. Deputy Speaker: Do I take it that, Mr. Obwocha, you have moved that the debate on that Bill be adjourned under Standing Order No.21(1)?

Mr. Obwocha: Yes, Mr. Deputy Speaker, Sir. Under Standing Order No.21, I beg to move that the debate on this Bill be adjourned.

Mr. Deputy Speaker: Mr. Ochilo-Ayacko, do I take it that you have seconded that?

The Minister for Energy (Mr. Ochilo-Ayacko): Precisely, Mr. Deputy Speaker, Sir.

*(Question, that the Debate on the Bill
be now adjourned, put and agreed to)*

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, I am informed that there is no other business on the Order Paper. It is now 20 minutes to 6.00 p.m. and, therefore, the Chair has no alternative but to adjourn this House until tomorrow, Wednesday, 26th March, at 9.00 a.m.

The House rose at 5.40 p.m.