

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 9th June, 2004

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-
The Economic Survey, 2004.

*(By the Minister for Planning
and National Development)*

The 2002/2005 and 2006/2007 National Assembly Medium-Term Expenditure Framework Budget.

*(By Mr. Oloo-Aringo, on behalf the Chairman of the Parliamentary
Service Commission)*

Mr. Oloo-Aringo: Mr. Speaker, Sir, may I also add that copies are available in the documents room, and I am asking hon. Members to access the Budget of the National Assembly there.

The 2004/2005 Estimates of Recurrent Expenditure Volumes I and II of the Government of Kenya for the year ending 30th June, 2005.

The 2004/2005 Estimates of Development Expenditure for the year ending 30th June, 2005.

*(By the Assistant Minister
for Finance (Mr. Katuku)
on behalf of the Minister for Finance)*

NOTICES OF MOTIONS

PAYMENT OF SALARIES COUNCILLORS' SALARIES FROM THE CONSOLIDATED FUND

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

THAT, considering the significance of local authorities in the development of our country; aware of the rampant misuse of revenue collected from the local authorities under the pretext of remuneration for councillors, this House urges the Government to pay the salaries of councillors from the Consolidated Fund.

CREATION OF OFFICE OF MINISTER
OF THE GOVERNMENT OF KENYA

Mr. Muturi: Mr. Speaker, Sir, I beg to give notice of the following Motion:-
THAT, given the constitutional provision under Section 16(1), that: "There shall be such offices of Minister of the Government of Kenya as may be established by Parliament"; aware that since the inception of the Republic of Kenya, Parliament has not established such offices of the Minister of the Government of Kenya, resulting in the arbitrary and uncontrolled establishment of excessive Ministries, this House do grant leave to introduce a Bill for an Act of Parliament to create the office of the Minister of the Government of Kenya.

RE-DRAWING OF DISTRICT AND CONSTITUENCY BOUNDARIES

Mr. Mukiri: Mr. Speaker, Sir, I beg to give notice to the following Motion:-
THAT, cognisant of the fact that the allocation of funds by the Exchequer to the district and constituencies has since Independence disregarded the disparity in area and population between districts and constituencies, this House urges the Government to equitably re-draw district and constituency boundaries and to allocate funds according to the area and population size to ensure equitable distribution of resources to all parts of the country.

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

Mr. Speaker: Not once again. You gave it in a way that was not correct. So, now you are doing it correctly. You had jumped the gun.

AMENDMENT OF THE CONSTITUTION TO PROVIDE FOR PARLIAMENTARY CALENDAR

Mr. Keter: Mr. Speaker, Sir, I beg to give notice of the following Motion:-
THAT, this House do grant leave to introduce a Bill for an Act of Parliament entitled the "The Constitution of Kenya Amendment Bill, 2004" to amend Sections 58 and 59 of the Constitution to provide for the National Assembly to control the calendar of the business of the House.

Mr. Speaker: Order! Hon. Members, we must begin to practise what must happen from Tuesday, which is to complete all our Questions within one hour. So, every hon. Member must now be understanding. We want to finish Questions within one hour. That is what will happen from Tuesday to October. So, please, be understanding.

ORAL ANSWERS TO QUESTIONS

Question No.389

CONSTRUCTION OF GATITHINI
POLICE STATION

Mr. Kagwima asked the Minister of State, Office of the President, when construction of Gatithini (Makutano) Police Station will start as promised by the

Permanent Secretary in the Office of the President (Provincial Administration) and confirmed by the Minister in 2003.

The Assistant Minister, Office of the President (Prof. Kibwana): Mr. Speaker, Sir, I seek the indulgence of the House so that we answer this Question on Tuesday, because we did not get sufficient information in the light of the budgetary process that is going on.

Mr. Speaker: What is your reaction, Mr. Kagwima?

Mr. Kagwima: Mr. Speaker, Sir, it is okay, but I would wish the House to note that this matter was still there last year. So, one year would have been enough for the Office of the President to sort it out.

Mr. Speaker: Mr. Kagwima, you are right.

Mr. Ngoyoni: On a point of order, Mr. Speaker, Sir. I stand to seek the guidance of the Chair regarding the issue of deferred Questions. The Chair has deferred many Questions and there is a backlog of other Questions lying in your office or the Clerk's office. Could you give us guidance on this matter because we have filed Questions, but they do not appear on the Order Paper? We are just repeating the deferred Questions.

Mr. Speaker: Well, I think you heard my attitude yesterday if you were here. My attitude is that Questions must be completed on the day they are listed on the Order Paper. I think that is what should happen.

Next Question, Mr. M. Kariuki!

(Question deferred)

Question No.236

ATTACK ON MR./MRS. TUMBO BY
POLICE OFFICERS

Mr. M. Kariuki asked a Minister of State, Office of the President:-

(a) if he is aware that one Nicholas Tumbo and his wife, Lucy Chepkorir of Kaptembwo Estate within Nakuru Municipality were assaulted and robbed of their properties and money by three police officers, namely, PC Barmoin, PC Gitau and PC Wanjau, from Kaptembwo Police Post on 19th July, 2002;

(b) if he is further aware that a report was made to Nakuru Police Station about the incident on 21st July, 2002, where the victims were given P3 forms, which were filled and duly returned, and yet no action has been preferred; and,

(c) what he is doing to ensure that the errant police officers are charged according to the law and that the victims' properties and monies are returned to them.

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

(a) I am aware that one Mr. Tumbo and his wife, Lucy Chepkorir, reported at Nakuru Police Station that they were assaulted and robbed on 19th July, 2002, by three police officers, namely, PC Barmoin, PC Gitau and PC Wanjau.

(b) Following the incident, a report, completion and return of P3 forms by the victims, a Police Inquiry File No.4/2002 was opened and statements and evidence recorded and collected from witnesses and experts.

(c) Police investigations to the allegations were completed and three suspected police officers were arrested on 4th June, 2004, and appeared at a Nakuru court on 7th June, 2004, charged

with the offence of assault and indecent assault.

Mr. M. Kariuki: Mr. Speaker, Sir, this Question was first filed in this House in March, last year. It is only the day before yesterday that the suspects appeared in court, well, almost two years after the event. This is a matter of grave concern, that an Assistant Minister would only take action when a Question is raised before this House. Otherwise, they will never bother to investigate and prosecute the culprits. Could he explain why there was a delay of 23 months with regard to investigating this matter?

Mr. Speaker: Very well! I think that is a legitimate question. I want the Assistant Minister to go into the facts of this matter. Why was there a delay in the investigation of this matter?

Mr. Tarus: Mr. Speaker, Sir, we established that, indeed, the investigations were completed early enough. However, the file relating to this matter mysteriously disappeared. However, it has since resurfaced and we have been able to take appropriate action on the culprits.

Mr. Speaker: Very well. Mr. M. Kariuki, we are on the same line; between *sub judice* rule and the delay.

Mr. M. Kariuki: Mr. Speaker, Sir, it is the responsibility of the State to investigate and prosecute criminals. I have raised the issue of P3 forms. The practice today is that for a P3 form to be issued, one has to pay Kshs500. For a postmortem to be carried out on a dead body in the course of investigation of murder, the relatives are being asked to pay Kshs4,000.

Mr. Speaker, Sir, could the Assistant Minister explain whether, in fact, the State is not abdicating its responsibility by failing to provide these P3 forms to facilitate in the litigation of crime and also ensure that costs of postmortem are met by the State?

Mr. Tarus: Mr. Speaker, Sir, the proposals given are, indeed, very sensible. We have had a practice, but it can be reviewed. However, I have taken the sentiments expressed by the hon. Member and we will give them due consideration.

Mr. Speaker: Very well! Next Question!

Question No.367

PAYMENT OF SALARY ARREARS
TO MR. WILLIAM NDUSA

Mr. J.M. Mutiso asked the Minister for Education, Science and Technology if he could confirm whether Mr. William Ndusa, a teacher, TSC No.45343/116, was paid his salary and dues as promised in 2003.

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

Yes, I wish to confirm that Mr. William Ndusa, TSC No.45343, has been paid his salary arrears amounting to Kshs5,110.60, vide cheque No.103188 through his account No.178104090, at Masaku Teachers Sacco Ltd. This money had been returned to the TSC by Mr. Ndusa's bank, having been erroneously paid to a wrong account.

Mr. J.M. Mutiso: Mr. Speaker, Sir, this Question came up last year pertaining to Mr. William Ndusa whose services had been terminated by the TSC and was facing a tribunal. This teacher was later on cleared. I would like the Assistant Minister to confirm whether Mr. Ndusa was reinstated by the TSC?

Mrs. Mugo: Mr. Speaker, Sir, that is not quite correct. The recommendation from the tribunal was that this teacher be dismissed. He was paid his final dues. The only money that has not been paid to him is the house, hardship, medical and responsibility allowances. The amount due is

being worked out by Treasury and a cheque will be sent to him.

Mr. J.M. Mutiso: Mr. Speaker, Sir, this matter should be clarified as a matter of principle, whether the decisions of the tribunal are superior to those of the courts. I think this should be made very clear by the Assistant Minister. I would like to know if the Ministry is bound by the decision of the court or the tribunal.

Mrs. Mugo: Mr. Speaker, Sir, I am aware of the decision of the tribunal. As far as the case in court is concerned, I do not have that information here.

I could bring a further answer if there was a court decision.

Mr. Speaker: Very well! Next Question, Mr. Sasura!

Question No.379

DENTAL TECHNOLOGIST FOR
MARSABIT DISTRICT HOSPITAL

Mr. Sasura asked the Minister for Health:-

- (a) if she is aware that the residents of Marsabit town travel 270 kilometres to Isiolo and Meru towns to procure dental services; and,
- (b) if she could consider posting a dental technologist to the district hospital.

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

(a) I am aware that there are no dental services at Marsabit District Hospital.

(b) We have identified a community Health Officer to be posted to Marsabit District Hospital.

However, there was a community Oral Health Officer who was sent three years ago to Marsabit District Hospital, but after two years, he requested to be posted elsewhere due to security reasons.

Mr. Speaker: Let us hear from Dr. Galgallo.

Mr. Sasura: Mr. Speaker, Sir, let me ask the first supplementary question before Dr. Galgallo because this is a very sensitive matter. Part "b" of the answer given by the Assistant Minister talks about the Ministry having identified a Community Oral Health Officer to be posted to Marsabit District Hospital. In view of the fact the people of that area have stayed for more than three years without an officer dealing with dental problems, could he tell us the name of the person, personal number and posting order number of that officer they have identified?

Mr. Konchella: Mr. Speaker, Sir, I do not have the name of the person, but the process of posting him to Marsabit District Hospital is ongoing.

Dr. Galgallo: Mr. Speaker, Sir, I take exception to the answer which the Assistant Minister gave. It says that the Ministry allowed somebody to move out of the district to which he was posted because of security reasons as if there are no other civil servants working in that district. I think that is a very flimsy answer. In view of the fact that now the Assistant Minister says he does not have the particulars of the person the Ministry intends to post there, could this Question be deferred until he comes with those particulars, so that we know for sure, somebody will be posted there?

Mr. Speaker: I will decline to postpone that Question! Mr. Konchella, did you actually close the hospital? What was so special about that fellow who was dealing with teeth?

Mr. Konchella: Mr. Speaker, Sir, that particular officer had requested to be transferred from the hospital because he had a lot of misunderstanding with the community. Therefore, his life was at stake. He requested to leave because people did not want him! They said that he must go. So, it is upon the people of Marsabit to accept the services of officers whom we post there, instead of mistreating them.

Mr. Boit: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to mislead us that he had posted an oral officer, when we had requested for a dental technologist? Could he give us the difference between an oral officer and a dental technologist?

(Laughter)

Mr. Speaker: Order, hon. Members! Some of us are not in the health profession. But who is an oral officer? Is he or she an officer who talks?

(Laughter)

Mr. Konchella: Mr. Speaker, Sir, it is a level of training. We have health officers who are trained at the clinical level to support dentists, and are able to undertake minor treatments on oral health.

Mr. Sasura: Mr. Speaker, Sir, you will agree with me that the Assistant Minister is not convincing us that he will send a dental technologist. That is what I am specifically requesting for. An oral officer is somebody who deals with issues pertaining to the mouth, and the people of Saku have problems with their teeth. There is no insecurity there because those people do not bite! They have a lot of problems with their teeth. They go to Isiolo, which is 270 kilometres away, in search of somebody to attend to their teeth.

Mr. Speaker, Sir, could the Assistant Minister convince me that he is actually going to post somebody there because they have identified him? He does not know his name and the number of the posting order! He cannot convince me that he is doing anything about it!

Mr. Konchella: Mr. Speaker, Sir, I wish to assure the hon. Member that, before the end of this month, that officer is going to be posted there.

Mr. Speaker: Next Question! Today, we must practise for Tuesday and beyond. Dr. Ojiambo!

Question No.404

GRANTING OF LICENCES FOR
MANUFACTURE OF ARVs

Dr. Ojiambo asked the Minister for Health:-

- (a) how many firms have applied to locally manufacture Anti-Retrovirals (ARVs); and,
- (b) what steps is the Ministry taking to ensure expeditious granting of licences to allow local production of ARVs.

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

(a) There are three firms that have applied to manufacture ARVs to date. Those are: Cosmos Limited, Universal Pharmacy Kenya Limited and Laboratory and Allied Limited.

(b) The Ministry is currently working together with the Ministry of Trade and Industry pertaining to the legal issues on procurement and licensing of the firms. Meanwhile, the companies have also been requested to seek the World Health Organisation (WHO) pre-qualification for production of ARVs.

Dr. Ojiambo: Mr. Speaker, Sir, we all know that the Government declared HIV/AIDS a national disaster two years ago. The Ministry of Health has witnessed the seriousness of that disease. It has killed millions of Kenyans, left many people sick and dying and orphans all over.

How could the Ministry of Health be saying: "We are currently working with the Ministry of Trade and Industry", instead of telling us how many firms---

Mr. Speaker: Dr. Ojiambo, I think you are getting too lengthy on that. What is your question?

Dr. Ojiambo: Mr. Speaker, Sir, the question is: Could the Assistant Minister tell us how soon he will license firms to produce cheaper ARVs?

Mr. Konchella: Mr. Speaker, Sir, it is the owners of those companies who should approach the Ministry of Trade and Industry to process their licences quickly.

Mr. Sambu: Mr. Speaker, Sir, could the Assistant Minister tell us who are the original owners of the patents of those ARVs? We know that none of the ARVs have been invented in Kenya. So, among the three firms, could he state who the original patent holders are?

Mr. Konchella: Mr. Speaker, Sir, the companies that produce ARVs are all over the world; in America and other places. There are 100 companies or even more. But there are licensed companies, both in Kenya and other parts of the world, that manufacture generics locally.

*(Several hon. Members stood up
in their places)*

Mr. Speaker: Last question, Dr. Ojiambo! Sorry, it is the time!

Dr. Ojiambo: Mr. Speaker, Sir, this is a matter of national importance. This is an urgent Question. I would like the Ministry of Health to assist companies to produce cheaper ARVs locally, so that they can be availed to patients at a cheaper price. Kenyans are dying! It is sad at this stage to be still talking about who should be licensed. The Government should be assisting Kenyans---

Mr. Speaker: Dr. Ojiambo, it is Question Time.

Dr. Ojiambo: Mr. Speaker, Sir, it is a national disaster. My question is: How soon will those firms be licensed? Is the Ministry willing to facilitate procedures between the companies and the WHO to have them licensed?

Mr. Konchella: Mr. Speaker, Sir, we are aware of the demand of ARVs countrywide because of the number of people who need them. I may even say that more than 150,000 Kenyans need ARVs. But you must understand that the process of licensing firms to manufacture ARVs requires a number of things to be undertaken by the Ministry of Health. We do not want to endanger the lives of Kenyans by bringing and dumping drugs here, without knowing whether they are required or not. The Kenya Medical Supplies Agency (KEMSA) is now importing ARVs through budgetary provisions of the Ministry. Other private pharmacies are also importing them, so long as they are able to certify quality. That is why we require the WHO to pre-qualify anybody who is going to manufacture those drugs locally, so that there is no resistance in the course of manufacture or supply to the people concerned.

Mr. Speaker: I will give the last question to the Shadow Minister for Health.

Dr. Galgalo: Mr. Speaker, Sir, the Ministry of Health does not have a policy on the manufacture and distribution of ARVs in this country. That has led to several bogus pharmacists and businessmen selling those drugs over the counter without any proper guidelines. When will the Ministry come up with a policy that will encompass production and distribution of ARVs, with a view to making them available at reasonable prices to Kenyans, and, especially, prevent mother to child transmission of HIV/AIDS?

Mr. Konchella: Mr. Speaker, Sir, drugs that are supplied to our hospitals to prevent mother to child transmission of HIV/AIDS and ARVs are certified by WHO and other organisations. But the Ministry is in the process of strengthening its inspectorate capability by enhancing laboratory

services, so that it is able to test everything that comes into the country, to certify that whatever is imported is for the right purpose.

Question No.392

CONSTRUCTION OF SABAKI-MZIMA
WATER PIPELINE

Mr. Kingi asked the Minister for Water Resources Management and Development:-

- (a) when the connection of water pipes of Sabaki and Mzima lines at Ribe would be completed; and,
- (b) to whom the contract was awarded.

The Minister for Water Resources Management and Development (Ms. Karua): Mr. Speaker, Sir, I beg to reply.

(a) The work, which includes pipeline extension to Kaloleni, Kalongoni, Zizoni and Jaribuni, is scheduled for completion by the end of this month. However, the actual operationalisation of the project depends on when the Kenya Power and Lighting Company (KPLC) will connect the residents of Lower Ribe to electricity so that the pumping station can work. At the moment, the work is 90 per cent complete and the outstanding works are upgrading of the transformer at Ribe and refurbishment of the pump houses at Lower and Upper Ribe.

(b) Plans to engage a contractor for the works did not materialise because of a disagreement on the mode of payment, as the works were to be funded from the revenue collected from water sales. In order to allow flexibility in payment, my Ministry, in October, 2003, commenced the work in-house by direct labour.

Mr. Kingi: Mr. Speaker, Sir, the connection of the Sabaki pipeline to that of Mzima at Ribe is meant to ease a multiple water problems that residents of Kaloleni, and particularly Ribe High School, St. John's Girls High School, and St. George's School have had for a long time. I want the Minister to assure this House, once the connection is done, these problems that we have faced for so many years will be a thing of the past.

Ms. Karua: Mr. Speaker, Sir, that extension is being done for precisely that reason and that is what we expect.

Question No. 063

IMPLEMENTATION OF REP IN
KITUTU MASABA

Mr. Mwanicha asked the Minister for Energy:-

- (a) which projects have received power supply in Kitutu Masaba under Rural Electrification Programme (REP) since 1990;
- (b) how much deposit has been paid by each project; and,
- (c) what the Ministry is doing to ensure that the projects which have not benefited get power.

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

(a) Nyakongo Secondary School and Matameywa Trading Centre are the projects that have received power supply in Kitutu Masaba Constituency under the Rural Electrification Programme (REP) since 1990.

(b) The projects mentioned above paid Kshs668,000 deposit as a token contribution towards the project's implementation.

(c) Electrification of Gesima Market and school is in progress and completion is scheduled for December, 2004. Another nine projects are planned for implementation under donor-funded rural electrification schemes.

Mr. Mwanicha: Mr. Speaker, Sir, I thank the Minister for the answer. Could he name the nine projects that are already earmarked for electrification and how much money will be spent on each project?

Mr. Kiunjuri: Mr. Speaker, Sir, I am in a position to mention the nine projects, but the hon. Member will also agree with me that you cannot quote costs until survey and designs are completed. I will give the names, if the Member so wishes, but the actual costing will be done when that exercise is completed. Rigoma and Manga Divisions headquarters, Mosobeti, Igonga, Riamoni and Riakumba Markets in Kitutu Masaba Constituency are programmed under the proposed French Credit Phase II, whereas Gesonso, Maromba and Girango coffee factories are programmed under the European Union-funded STABEX Phase II.

Mr. Sasura: Mr. Speaker, Sir, why most of the rural electrification projects fail is because the KPLC collects the levy on behalf of the Government and does not remit it to the Ministry of Energy, citing high costs of maintenance of the existing projects. When will the Ministry streamline the collection of rural electrification levy and give it to another body because the KPLC is looting that money?

Mr. Kiunjuri: Mr. Speaker, Sir, we are considering that issue and the Ministry will soon come up with an informed decision on whether to take the collections itself directly.

Mr. Mwanicha: Mr. Speaker, Sir, the Assistant Minister has said he is not able to give the costings of the projects, but, at least, he should tell us when the projects will start?

Mr. Kiunjuri: Mr. Speaker, Sir, as soon as we complete the relevant things like acquiring way leave, design and, at the same time, after budgeting and when the donors will be ready to release the funds.

Question No.375

ELECTRICITY SUPPLY TO SIGOR CONSTITUENCY

Mr. Rotino asked the Minister for Energy:-

- (a) whether he is aware that Sigor Constituency has no electricity;
- (b) how much money was allocated to West Pokot District in the current financial year for rural electrification works; and,
- (c) what steps he is taking to ensure that electricity is supplied to the constituency.

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

- (a) I am aware that Sigor Constituency has no electricity.
- (b) During this financial year, a capital budget of Kshs4 million has been set aside for the implementation of Bendera Market and its environs in Kapenguria Constituency. The design and survey works on the project are complete and the contract award process is in progress.

(c) Sigor Trading Centre is also programmed for electrification under the proposed French Credit Phase II, which is about to be finalised.

Mr. Rotino: Mr. Speaker, Sir, the Minister has, first of all, not even answered anything on Sigor Constituency. He is talking about Kapenguria Constituency. Sigor Constituency is where the Turkwell Gorge Project is situated. Turkwell Gorge Project generates about Kshs700 million

annually to this Government and yet the Government is giving us only Kshs4 million. Could the Assistant Minister, therefore, consider stepping down the power from Turkwell Gorge Project and supply Sigor Constituency because we have no electricity in the entire constituency? Could he consider that?

Mr. Kiunjuri: Mr. Speaker, Sir, it is because of the Ministry's consideration of that fact that we have already programmed for the French Credit Phase II to implement it. I can assure the hon. Member that we shall supply electricity to as many shopping centres as possible.

Mr. Poghiso: Mr. Speaker, Sir, I am sure this Assistant Minister has not been to Turkwell Gorge yet, and he does not know where that place is!

(Laughter)

The water that generates this electricity is causing untold suffering to the people because it has become the breeding ground of malaria-causing mosquitoes and crocodiles, which is a new dimension.

Could the Assistant Minister consider a proportion of the money which they collect from Turkwell Gorge reverting to sorting out not only electricity problems, but also some of the dangers that are caused by this project to the people?

Mr. Kiunjuri: Mr. Speaker, Sir, I could have failed to visit Turkwell Gorge, having known its record on the way the previous Government mismanaged it and misappropriated funds from it. I have been there, I know the area, and the local people have benefited. Even Kenya Electricity Generating Company (Kengen) has been constructing schools and roads for the local people. There is already a school---

Mr. Rotino: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to mislead this House and the entire Pokot people that they are using that money to repair the roads he has mentioned? There is not even a single road or school that Turkwell Gorge electricity generating plant has built for the Pokots. Is he not ashamed?

Mr. Kiunjuri: Mr. Speaker, Sir, there is nothing to be ashamed of because I am giving facts. The fact that Turkwell falls under the hon. Member of Parliament's constituency does not qualify him to get any supply of power unequal to other constituencies. The Government is taking care of every constituency, and resources of the Government should be distributed equitably to all the constituencies.

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

*(Several hon. Members stood up
in their places)*

Mr. Speaker: Do not be agitated; he is on a point of order!

Mr. Kagwima: On a point of order, Mr. Speaker, Sir. This arises from what the Assistant Minister said before he sat down, that the Government is ensuring that there is distribution of electricity throughout the country, while for the last 40 years, Tharaka District did not get a single cent of money to distribute electricity. Is he in order to mislead this House and the nation?

Mr. Kiunjuri: Mr. Speaker, Sir, he will agree with me that a mess created in 41 years cannot be undone in one year and six months.

(Applause)

However, on the question---

Hon. Members: MOU!

Mr. Speaker: Order, hon. Members! What is this MOU you are talking about?

(Laughter)

Will you keep those foreign words out of this House!

Mr. Kiunjiri: Mr. Speaker, Sir, I believe that I have answered. With regard to the MOU, we can consult later.

Mr. Speaker: Very well! Next Question! I am sorry we must make progress. I am making an attempt to practise for Tuesday.

Mr. Keter: Mr. Speaker, Sir, Mr. Kipchumba is out of the country and he had requested that this Question be deferred.

Mr. Speaker: Who told you to speak?

Mr. Keter: You called out for the Next Question.

Mr. Speaker: Order! Mr. Keter, you just do not walk to that microphone. I think hon. Members must learn the difference between the august House and a public *baraza* in the constituency.

(Laughter)

Question No.370

HARVESTING OF LOGS BY
PANPAPER MILLS

Mr. Speaker: So, Mr. Kipchumba is not there?

Mr. Keter: Mr. Speaker, Sir, he has travelled out of the country.

Mr. Speaker: All right then. We will defer the Question.

(Question deferred)

Question No.362

EMPLOYMENT OF FOREIGNERS IN MALINDI

Mr. Kombe: Mr. Speaker, Sir, Mr. L. Maitha is out of the country and has requested that the Question be deferred.

Mr. Speaker: You want the Question to be deferred? I agree and it is hereby deferred!

(Question deferred)

Hon. Members, we will now go to Questions by Private Notice.

QUESTIONS BY PRIVATE NOTICE

RETIREMENT OF POLICE OFFICERS

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

(a) Under what circumstances were 57 senior police officers retired and or dismissed by the Commissioner of Police?

(b) What procedures were followed in effecting the retirements and dismissals?

Mr. Speaker: Mr. Tarus, I think this Question has been here, and this is the sixth time. This time you are coming to tell us whether or not there was a meeting of the Public Service Commission (PSC).

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, may I apologise once again.

Hon. Members: Aah!

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, I understand the concern of hon. Members with respect to this particular Question. However, they should also understand my position.

I have asked for time to table appropriate documents related to this particular action, and I have not been favoured with those documents to this hour. **Hon. Members:** No!

Mr. Speaker: Could I first hear him? There is no heroism in unnecessarily harassing your colleague. Let me hear him first.

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, that is the only reason why I am asking for more time.

Mr. Sirma: On a point of order, Mr. Speaker, Sir. For any action to be taken in an issue such as sacking of an employee, there must have been minutes. Is he right now confirming that there were no minutes and that they are "cooking" some minutes to bring to this House? Is he in order to actually avoid bringing minutes which, if they were there, must be in the files?

Mr. Speaker: Maybe a more central question directly from the Chair to Mr. Tarus! Are you telling the House that you have sought these documents from those responsible and that they are either unwilling to give you, or are unable to give them to you? What is the position?

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, I have given them the last chance. I had promised this House that we would table them this afternoon. However in the event that by the time we come here I have not received those documents, I think the House should also understand my position.

Mr. Poghiso: Mr. Speaker, Sir, from the Chair you can possibly see why one must sympathise with the position of this Assistant Minister. Also, from the side where I am sitting, I understand that they either met or they did not meet. The meeting of the Public Service Commission is such that you only need a telephone call and you get a solution. Is this Assistant Minister then indicating to us that he is not an Assistant Minister enough to be given the documents?

Mr. Speaker: What is your problem, Mr. Tarus? Be honest to the House. What is your problem?

(Loud consultations)

Order, hon Members!

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, they are using unParliamentary language.

Mr. Speaker: What are they saying? Proceed!

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, I have just

received information here now, that they are saying that the documents are confidential and they are not allowed to be tabled here.

Mr. Speaker: Before you even say whether they are confidential or not, is the fact that they actually met confidential?

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir---

Mr. Speaker: Order! Listen to me! Is a meeting of a public body; the PSC of the Republic of Kenya; the fact that they met forget even the minutes - on XYZ date - confidential? Does it threaten the security of this great Republic of Kenya? Does it?

(Applause)

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, obviously, it is not confidential being a Public Service Commission meeting. I have asked for the documents that the House required, and I am giving basic facts of what I have gone through.

Mr. Speaker: Order, hon. Members! I think that hon. Members must be a little more serious. I do not think that this House can actually exist at the mercy of civil servants.

(Applause)

Believe you me, Mr. Tarus, it will not! Not at least in my time. So, get it right! You now stand ordered by me---

Hon. Members: Tell him!

Mr. Speaker: Order! I am not after people's blood unnecessarily. You are now ordered by me to answer that specific question on Tuesday. Was there a meeting and what date? If you fail to do that, you will be breaching the Standing Orders which require you to answer a specific question put to you by Mr. Speaker. I repeat, that specific question must be answered by you on Tuesday. The question is: Was there a meeting of the PSC to deliberate on the termination of services of the 57 police officers? If so, on what date did it meet? That is the specific question put to you by the Chair to be answered on Tuesday.

Next Question by Mr. Sambu!

STARVATION IN TURKANA DISTRICT

Mr. Sambu: Mr. Speaker, Sir, although I have not received the written reply, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) Is the Minister aware that in Turkana District many people have died and many more are severely malnourished and weakened due to lack of food, mainly maize?

(b) Could he state what steps the Government is taking to save these people from being wiped out by starvation?

(c) Could the Minister table the amount of maize available in each of the National Cereals and Produce Board (NCPB) depots throughout the country?

(d) Could he instruct the NCPB management to urgently allow Kenyans from the areas where the depots are located to buy maize for their food from these depots?

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, may I seek the indulgence of the House again. This Question was diverted to our Ministry from the Ministry of Agriculture.

Mr. Speaker: That is correct. In fact, it was diverted yesterday by the Chair from the Ministry of Agriculture to your Ministry. So, I think it is a reasonable request. What is your

reaction, Mr. Sambu?

Mr. Sambu: Mr. Speaker, Sir, I concur with you. However, this Question was not diverted yesterday. The Ministry of Agriculture rejected it sometime last week and sent it to the Office of the President.

Mr. Speaker: Anyway, Mr. Tarus, could we give you until Tuesday? In the meantime, this being a matter that concerns the lives of Kenyans which you can actually save by giving food; while you come to answer the Question, could you, please, give them something to eat?

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Speaker, Sir, we have already given them food.

Mr. Speaker: Very well. The Question is, therefore, deferred to Tuesday.

(Question deferred)

Next Question, by Mr. Gachagua!

DISRUPTION OF LEADERS'
MEETING BY COUNCILLORS

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

(a) Is the Minister aware that Councillors Kanja of Muthua Ward and Julius Ndiritu of Market Ward within the Municipality of Karatina disrupted a leaders' meeting called to discuss the implementation of the projects to be funded by Constituencies Development Fund on 20th January, 2004?

(b) Is he further aware that over 400 leaders, including the Member of Parliament of the area had to leave the meeting, and that a lot of property was damaged?

(c) Is he also aware that this matter was reported to the OCS, Karatina, OCPD, Nyeri, and PPO, Central Province and that no action has been taken so far?

(d) Why has the Minister failed to take action against the said councillors who were behind these unlawful activities?

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

(a) No, I am not aware that Councillors Kanja of Muthua Ward and Julius Ndiritu of Market Ward within the Municipality of Karatina disrupted a leaders' meeting called to discuss the implementation of the projects to be funded by the Constituencies Development Fund on 20th January, 2004. However, I am aware that some youths attempted to disrupt the said meeting.

(b) Yes, I am aware that the meeting was attended by between 350 to 400 delegates. After the councillors were forced to leave the hall, the meeting resumed and ended peacefully. There were no damages caused.

(c) Yes, I am aware that the case was reported to the OCS, Karatina, the then OCPD and to the Acting PPO. It was reported that two councillors disrupted a meeting called by the Member of Parliament for Mathira Constituency on 20th January, 2004. An inquiry file No.1/2004 was opened to facilitate investigations.

(d) The matter is still under investigation and proof has not been made on the connection between the two councillors and the disruption of the meeting.

Mr. Gachagua: Mr. Speaker, Sir, you will notice that this incident occurred in January and we are now in June. Since then, there have been several letters written to me, the Attorney-General

and the Commissioner of Police, but, so far, no action has been taken. The circumstances surrounding that disruption were that those two councillors walked in accompanied by a bunch of hired thugs. Eight witnesses went to the Karatina Police Station and reported the case.

So, could the Assistant Minister tell this House why five months to date, there is still an investigation going on? Is this not part of an orchestrated campaign in my constituency by the Minister of State, Office of the President, to prevent me from doing my work? The OCPD is on record telling me that he cannot act on this particular matter until it is cleared from Nairobi. Could the Assistant Minister tell this House why this is going on?

Mr. Tarus: Mr. Speaker, Sir, definitely, I am not aware of all those extraneous facts raised by the hon. Member. But, indeed, one pertinent issue that is coming out clearly is that this was a development meeting. Anybody disrupting such a meeting is liable to arrest and prosecution. However, before this is done, investigations are done. So, may I request the hon. Member to allow us to complete the investigations. We will definitely take the appropriate action.

Dr. Galgallo: Mr. Speaker, Sir, disruption of the functions of Members of Parliament has become a trademark of this Government. As we all recall, Mr. Kamotho suffered the same fate. We, in the Opposition, led by the Leader of the Official Opposition, were harassed by the police in Eldoret a few weeks ago. Now, the same has gone to Mt. Kenya region. If the Assistant Minister has admitted that some youth walked in and disrupted the meeting, why has none of them been arrested?

Mr. Tarus: Mr. Speaker, Sir, with reference to the two cases raised by the hon. Member, we had handled the issue which affected Mr. Kamotho. On the incident that affected the Leader of the Official Opposition, indeed, we took action and warned the officers that disrupted that particular meeting. With regard to this particular one, first of all, it is not true that it is a trademark of the NARC Government. We have in our records that the hon. Member did, in fact, inform the OCPD that he would have this meeting. Therefore, he fulfilled the regulations. However, where hon. Members are going to hold functions, for their good, it is important to inform the OCPDs. For the case of the Leader of the Official Opposition---

Mr. Speaker: Order, Mr. Tarus! Could we concentrate on the incident cited in the Question? At least, in the case of Mr. Gachagwa, you say he fulfilled all the requirements. He has asked you a question. So, what is holding you?

Mr. Tarus: Mr. Speaker, Sir, as I said, we are conducting investigations.

Mr. Ogur: Mr. Speaker, Sir, this is a case where people walked to a meeting and disrupted it. So, is there anything to be investigated?

(Laughter)

Mr. Tarus: Mr. Speaker, Sir, let me explain the importance of investigations. If investigations are not conducted, the hon. Member can be arrested himself, if we arrest people randomly. So,

it is important to investigate and identify the culprits that perpetrated that particular act.

Mr. Mukiri: Mr. Speaker, Sir, the Assistant Minister has not answered Dr. Galgallo's question. He has just admitted that there was a group of youths who disrupted the meeting. So, he knows those youths. Why have they not been arrested? I think that was the question asked by Dr. Galgallo!

Mr. Tarus: Mr. Speaker, Sir, it is true it was a group of youths, but who were they? That is what we have to find out.

Mr. Gachagua: Mr. Speaker, Sir, in view of the gravity of this matter, and through your

indulgence, I request the Assistant Minister to bring to this House the investigations that they have done. This is because I questioned the ability of the police officers on the ground to do a meaningful investigation in view of the instructions that they have received from Nairobi to make sure that this matter does not get prosecuted.

(Applause)

Mr. Speaker: What is your reaction, Mr. Tarus?

Mr. Tarus: Mr. Speaker, Sir, definitely I cannot lay the investigations on the Table. But we shall take appropriate action once the investigations are complete.

BENEFICIARIES OF OPEC FUND FOR INTERNATIONAL DEVELOPMENT

(Mr. Waithaka) to ask the Minister for Finance:-

(a) Under what terms and conditions was OPEC Fund for International Development given and released to the Kenya Government?

(b) How was the money received under this Fund to reach the intended beneficiaries?

(c) Is the Minister aware that most farmers who received this loan through Kenya Commercial Finance Corporation were unable to repay the loan due to high interest rates and their pieces of land are being auctioned by the bank?

(d) What remedial steps is the Ministry taking to assist the farmers out of this mess?

Mr. Speaker: I will defer this Question to next week!

(Question deferred)

ISSUANCE OF MOTOR VEHICLE LICENCES

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

(a) Is the Minister aware that the centralization of issuing of motor vehicle, drivers' and conductors' licences and Personal Identification Numbers (PINs) at Times Towers, Nairobi, has caused untold suffering?

(b) What urgent measures is he taking to arrest this unnecessary suffering?

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

(a) The congestion at the Times Towers was occasioned by many Public Service Vehicles (PSVs) operators who waited until the last minute before seeking to obtain documents detailed in the new Public Service transport regulations.

(b) In order to arrest the situation, issuance of the PSV badges and renewal of licences has been moved to a more spacious Forodha House, Upper Hill, and issuance of receipts has been computerized. The Kenya Revenue Authority (KRA) is also working closely with the Criminal Investigations Department (CID) to hasten the processing of certificates of good conduct.

Mr. Mwanzia: Thank you, Mr. Speaker, Sir. I appreciate the answer the Assistant Minister has given this House because I passed by the Times Towers and found that the KRA officials have done something and there is no congestion. The Machakos Revenue Office was closed down about six months ago. The people from Machakos who want these documents have to come to Nairobi and this has contributed to the congestion at the Times Tower. Could the Assistant Minister tell this

House why the Machakos Revenue Office was closed? Could he consider re-opening it in order to alleviate the suffering of the people who want to get these documents?

Mr. Katuku: Thank you, Mr. Speaker, Sir. It was not only the Machakos Revenue Office which was closed. Several other offices around Nairobi were closed. The Machakos Revenue Office will be opened at the end of this month. Those offices were closed so that they could be computerised to ensure full collection of revenue. People avoided paying revenues here in Nairobi and went to nearby offices which were not computerized because one could not know who has not paid what. But we will computerize those offices by the end of this month.

Mr. Ngoyoni: Thank you, Mr. Speaker, Sir. The suffering Kenyans go through to obtain those licences cannot be overemphasized. This is the case, and yet they are the ones who elected this Government. There are Kenyans who come from far-flung districts like Marsabit and Moyale and stay in Nairobi for many weeks waiting for those documents to be processed. What has the Minister done to ensure that, that kind of suffering comes to an end by establishing mobile units in far-flung districts?

Mr. Katuku: Mr. Speaker, Sir, to address the problem, I have said that we are trying to computerise the services so that it can be easier to process these documents. Soon, we will move and computerise services in Nakuru, Kisumu, Eldoret and Nyeri. So, the problem will no longer be felt in a month's time. This is because so many people have come to acquire these documents. Initially, we used to process about 1,000 documents per day but now, we are processing about 3,000 documents per day and the numbers are going down. But we will open more KRA offices in the country.

Mr. Ngoyoni: On a point of order, Mr. Speaker, Sir. My question was: What has the Assistant Minister done to help the people who come from far-flung district like Mandera and Moyale? This is the case, and yet he is telling us that he will open KRA offices in Nakuru and Embu, which are provincial headquarters. Does he know how far the towns he has mentioned are from those districts? Maybe, he can answer that question.

Mr. Speaker: In essence, the hon. Member is saying that Mandera or Garissa is 600 kilometres or 700 kilometres from Embu. Moyale to Embu is 900 kilometres. What will you do to make it easier for those Kenyans to access those services?

Mr. Katuku: Thank you, Mr. Speaker, Sir. I appreciate the distances you and the hon. Member have quoted, but we are trying our level best to ensure that these documents can be availed at the district headquarters.

Mr. Mwanzia: Thank you very much, Mr. Speaker, Sir. I would like to thank the Assistant Minister for promising to open the Machakos Revenue Office. If you look at part "a" of my Question, you will find an animal called "PIN". This has brought a lot of problems to informal sectors, especially the shoe-shiners and hawkers in the rural areas. These people cannot be issued with trading licences without PINs. Could the Assistant Minister tell us the purpose of the PINs *vis-a-vis* the small traders, and whether he could consider exempting them from the PINs?

Mr. Katuku: Mr. Speaker, Sir, the PINs are very easy to get. You just fill in a form and submit it to any KRA office and you are issued with one there and then. That question does not fall under the Question we were handling. But exempting some Kenyans from acquiring PINs is not in our interest. We want every Kenyan to have a PIN in order to do business with the Government.

COMMUNICATION FROM THE CHAIR

CIRCULATION OF SUPPLEMENTARY

ORDER PAPER

Mr. Speaker: Order, hon. Members! That brings us to the end of Question Time! I wish to bring your attention to the existence of a Supplementary Order Paper which contains the Committee Stage of the Co-operative Societies (Amendment) Bill, before we go to the next Motion which will be moved by the Minister for Roads, Public Works and Housing. The other issue I would like to bring to your attention is that because the Co-operative Societies (Amendment) Bill found its way into the Supplementary Order Paper, there is an hon. Member who wanted his amendment placed on the Order Paper but it is not. Nevertheless, I have approved the amendment by Mr. Moi.

I have directed that, that amendment be made available to all hon. Members because I am sure you do not have it.

Hon. Members, that brings us to the end of Question Time. Let us move on to the next Order!

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[Mr. Speaker left the Chair]

IN THE COMMITTEE

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

THE CO-OPERATIVE SOCIETIES
(AMENDMENT) BILL

The Temporary Deputy Chairman (Mr. Khamasi): Order, hon. Members! We are now in the Committee of the Whole House; to look at the Co-operative Societies (Amendment) Bill.

Clause 2

The Temporary Deputy Chairman (Mr. Khamasi): The Minister has got an amendment on Clause 2.

Please, proceed!

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, Clause 2(a) be amended -

- (a) in definition of "apex society" by deleting the words "Kenya National Federation of Co-operatives Limited" and inserting therefor the words "a society" thereof; and,
- (b) in definition of "Commissioner" by deleting the words "or all appearing immediately after the word "any".

(Question of amendment proposed)

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted
in place thereof be inserted,
put and agreed to)*

The Temporary Deputy Chairman (Mr. Khamasi): There is another amendment proposed by Mr. Gideon Moi to Clause 2. Mr. Moi, could you move your amendment? Where is Mr. Moi?

An hon. Member: He is not here!

The Temporary Deputy Chairman (Mr. Khamasi): If Mr. Moi is not here, then his amendment lapses.

(Clause 2 as amended agreed to)

(Applause)

Clause 3

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, Clause 3 be amended in the proposed new section 3 by deleting the proposed subsection (4).

(Question of the amendment proposed)

*(Question, that the words be left out
be left out, put and agreed to)*

(Clause 3 as amended agreed to)

Clause 4

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, Clause 4 be amended in the proposed new paragraph (b) of section 5 by deleting the word "have" and substituting therefor the words "in the case of a co-operative union has".

(Question of the amendment proposed)

*(Question, that word to be left out be
left out, put and agreed to)*

*(Question, that the words to be inserted
in place thereof be inserted,
put and agreed to)*

(Clause 4 as amended agreed to)

(Clauses 5 and 6 agreed to)

Clause 7

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT Clause 7(b) be amended in the proposed new subsection (2) of section 9 by deleting the words "fourteen days" and substituting therefor the words "thirty days".

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words be inserted in place thereof be inserted, put and agreed to)

(Clause 7 as amended agreed to)

(Clauses 8, 9, 10 and 11 agreed to)

Clause 12

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, Clause 12 be amended in the proposed new section 25-

(a) in proposed new subsection (1) by deleting the words "book of",

(b) in the proposed new subsection (4) by deleting the fullstop at the end thereof and inserting the words "in consultation with the Institute of Certified Public Accountants of Kenya" immediately after the word "Commissioner"; and,

(c) in the proposed new subsection (12) by deleting the words "by the Accounting Standards Board of the United Kingdom as promulgated".

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that words to be inserted in place thereof be inserted, put and agreed to)

(Clause 12 as amended agreed to)

(Loud consultations)

The Temporary Deputy Chairman (Mr. Khamasi): Order, hon. Members! We are on serious business here. Please, if you feel you do not want to participate, just leave the Chamber so that we can concentrate.

Clause 13

The Temporary Deputy Speaker (Mr. Khamasi): We have a request from hon. Gedion Moi to move an amendment.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, may I move an amendment to this clause?

Hon. Members: No! You are not hon. Gedion Moi!

The Temporary Deputy Chairman (Mr. Muturi): Mr. Muturi, you cannot do that! Mr. Gedion Moi is not here and, therefore, it lapses.

(Clause 13 agreed to)

Clause 14

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, Clause 14 be amended in the proposed new Section 28 -

(a) in the proposed new subsection (4) by inserting the following new paragraph immediately after paragraph (d) -

"(e) is a committee member in two other co-operative societies."

(b) by renumbering the existing paragraphs (e), (f), (g), (h), (i), (j), (k), (l), (m) and (n) as paragraphs (f), (g) (h), (i), (j), (k), (l), (m), (n) and (o).

(Question of the amendment proposed)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 14 as amended agreed to)

*(Clauses 15, 16, 17, 18, 19,
20, 21 and 22 agreed to)*

Clause 23

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, Clause 23 be amended in the proposed new Section 51 by deleting the words "the society and every officer thereof" appearing immediately after the word "period" and substituting therefor the words "every officer of the society".

(Question of the amendment proposed)

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, I stand to support the Minister's amendment but I would be happy if he gave us a little bit more "meat". He is just giving us "bones". He is just reading the amendments. I am afraid that hon. Members may pass these amendments without understanding their full substance and meaning.

(Laughter)

The Temporary Deputy Chairman (Mr. Khamasi): Mr. Minister, what do you have to say to that?

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, we have gone through this Bill, in the past, in the House and also hon. Members have got the Bill we are amending.

The Temporary Deputy Chairman (Mr. Khamasi): Mr. Minister, yes, I do agree with you. Mr. Sungu, unless you have a specific reason why you need to object to this, then you raise it because I do not think there is much the Minister needs to debate on this Bill.

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, it is really important that hon. Members understand what we are doing here. You realise that these amendments are coming to the Floor of the House for the first time this afternoon although we have had the Bill all this time and also discussed it. I do agree with him to that extent.

Mr. Temporary Deputy Chairman, Sir, it would be nice and proper if some sort of an explanation was given rather than just reading out the amendments. That is what I am saying because we are making a law here that we need to understand. These amendments maybe going through but we need to get their import so that we know what we are passing.

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Speaker, Sir, the relevant Departmental Committee has gone through these amendments and it was satisfied that these amendments are necessary. Most of these amendments did come from the relevant Departmental Committee of this House.

(Applause)

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted,
put and agreed to)*

(Clause 23 as amended agreed to)

(Clauses 24, 25, 26 and 27 agreed to)

Clause 28

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, Clause 28 be amended in the proposed new Section 60(A) by deleting the words "a routine" and substituting therefor the word "impromptu".

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and agreed to)*

*(Question, that the word to be inserted
in place thereof be inserted,*

put and agreed to)

(Clause 28 as amended agreed to)

Clause 29

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, Clause 29 be deleted and replaced with the following new clause -

"29. Section 61 of the principal Act is amended -

- (a) in subsection (2) by deleting the word "Tribunal and substituting therefor the words "High Court"; and
- (b) in subsection (3) by deleting the word "Tribunal" and substituting therefor the words "High Court".

The Temporary Deputy Chairman (Mr. Khamasi): Hon. Members, this Clause is actually a new one. It is not part of the original Bill. So, as a procedure we need, to do a second reading before the Minister proposes the amendments.

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Thank you, Mr. Temporary Deputy Chairman, Sir, for that guidance.

Mr. Temporary Deputy Chairman, I beg to move:

THAT clause 29, Section 61 of the principal Act is amended-

- (a) in subsection (2) by deleting the words "Tribunal" and substituting therefore the words "High Court"; and,
- (b) in subsection (3) by deleting the word "Tribunal" and substituting therefore the word "High Court."

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 29 as amended agreed to)

(Clauses 30, 31 and 32 agreed to)

Clause 33

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT Clause 33 be amended in the proposed new Section 74, subsection (2) by deleting the word "fourteen" and substituting therefore the word "thirty".

(Question of the amendment proposed)

(Question, that the word to be left out be left out, put and agreed to)

(Question, that the word to be inserted in place thereof be inserted,

put and agreed to)

(Clause 33 as amended agreed to)

(Clauses 34 and 35 agreed to)

Clause 36

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT Clause 36 be amended in the proposed new Section 77:-

- (a) in the proposed new subsection (1) paragraph (c) by deleting the words "professional qualifications" and substituting therefor the word "experience",
- (b) in the proposed new subsection (3) by deleting the fullstop at the end thereof and inserting the words "provided that no one shall serve for more than two consecutive terms; and,
- (c) in the proposed new Subsection (4) (b) by inserting the words "after due inquiry" immediately after the word "Minister".

(Question of the amendment proposed)

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted
in place thereof be inserted,
put and agreed to)*

(Clause 36 as amended agreed to)

(Clauses 37, 38, 39, 40 and 41 agreed to)

Clause 42

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT Clause 42 be amended in the proposed new Section 90(A) subsection (4) by deleting the words "trustees appointed by the Minister in consultation with the apex society" and substituting therefor the words "nine trustees, six of whom shall be elected by the co-operative movement and three appointed by the Minister."

(Question of the amendment proposed)

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted
in place thereof be inserted,
put and agreed to)*

(Clause 42 as amended agreed to)

Clauses 43, 44 and 45 agreed to)

Clause 46

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT Clause 46 be amended in the proposed new Section 93(A)-

(a) by inserting the following new paragraph (a) -

"(a) call for elections in any co-operative society"; and,

(b) by renumbering the existing paragraphs (a), (b) and (c) as paragraphs (b), (c) and

(d).

(Question of the amendment proposed)

*(Question, that the words to be
inserted be inserted, put
and agreed to)*

(Clause 46 as amended agreed to)

(Clauses 47 and 48 agreed to)

(Schedule agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Chairman, Sir, I beg to move that the Committee do report to the House its consideration of the Co-operative Societies (Amendment) Bill and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[Mr. Deputy Speaker in the Chair]

REPORT, CONSIDERATION OF REPORT AND THIRD READING

THE CO-OPERATIVE SOCIETIES
(AMENDMENT) BILL

Mr. Khamasi: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the whole House has considered The Co-operative Societies (Amendment) Bill and approved the same with amendments.

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Deputy

Speaker, Sir, I beg to move that the House doth agree with the Committee on the said report.

The Minister for Water Resources Management and Development (Ms. Karua) seconded.

(Question proposed)

Mr. Angwenyi: Thank you, Mr. Deputy Speaker, Sir. We have approved this Bill, and we have given teeth to the Minister who has been toothless. He should embark, immediately, to re-organize the management of the co-operative movement in this country. Let him also give light to our people who have been subjected to poverty by other people because of mismanagement in the co-operative societies.

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

Mr. Khamasi: Mr. Deputy Speaker, Sir, I missed out to contribute to this Bill, but I think it is worthwhile to congratulate the Minister for having successfully steered the Bill through the House. However, I would like to advise the Minister that the co-operative movement is only strong in certain sections of this country. There are other sections in this country where the co-operative movement is almost dead, and we know that the ordinary man can only survive through the Co-operative Movement. This time round, we would like the Minister to, at least, identify where this movement is weak and to make sure that it comes of age and those people are supported.

I beg to support.

Mr. Deputy Speaker: I will allow three comments from Mr. Sungu, Mr. M. Kariuki and Mr. Raila.

Mr. Sungu: Thank you, Mr. Deputy Speaker, Sir. I would like to congratulate the Minister on the passing of this Bill through the Committee Stage. I would like to ask him to address the issue of regional imbalance. The co-operative movement, particularly in Nyanza, has been very weak; in fact, non-existent. This has mainly been due to corruption and protection of those officers involved in the management of these societies.

Now that we are giving the Minister more powers, I do hope that he will take this into consideration and make sure that the co-operative movement is strengthened all over the country, particularly in Nyanza.

I beg to support.

Mr. M. Kariuki: Thank you, Mr. Deputy Speaker, Sir. I also wish to congratulate the Minister. I hope that, sooner than later, he is going to bring another Bill to deal with the Savings and Credit Co-operative Societies (SACCOs) because that is where our people have put their investments, and the future of our people relies on the management of the SACCOs. We need a very specific Bill to deal with the management of SACCOs.

Mr. Deputy Speaker, Sir, I am also concerned that we have given the Minister and the Commissioner of Co-operative Societies a lot of powers. I hope that those powers will be used in a democratic manner to be of benefit to our people.

I beg to support.

Mr. Deputy Speaker: Finally, Mr. Raila!

The Minister for Public Works and Housing (Mr. Raila): Mr. Deputy Speaker, Sir, I want to add my voice to congratulate my colleague for bringing this Bill here. One of the aims of this Bill is to provide autonomy to the co-operative societies. We do not really look at the "teeth" that we have given the Minister because he will be very reluctant to use them, particularly when the co-operative societies will be managed efficiently. Co-operative societies have a lot of resources and a great potential to enable our people to participate meaningfully in our economy. We are now privatizing a number of State corporations where the Government has shares. This is the only

available avenue where our people can participate meaningfully in owning these societies.

Mr. Deputy Speaker, Sir, we urge those people who have been given the responsibility to manage co-operative societies to do so efficiently and ensure that they are used to facilitate investments in our institutions.

Thank you, Mr. Deputy Speaker, Sir.

I beg to support.

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Deputy Speaker, Sir, I want to thank hon. Members for supporting this Bill---

Mr. Deputy Speaker: Order, Mr. Minister! Please, follow the procedure.

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Deputy Speaker, Sir, I beg to move that the Co-operative Societies (Amendment) Bill be now read the Third Time.

The Minister for Water Resources Management and Development Ms. Karua) seconded.

(Question proposed)

Mr. Deputy Speaker: Hon. Members, I can allow one hon. Member to speak, but because the Minister had something burning when I cut him short, I will allow him to say something.

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Speaker, Sir, I wish to thank hon. Members for the support they have given to my Ministry, even before we drafted this Bill. It has not been easy to run the Ministry without the necessary legislative framework. I wish to thank the House for passing this Bill.

I further wish to recognise the fact that there was a lot of lobbying from a group called the "Movement", which is made up of members of the Kenya National Federation of Co-operatives (KNFC), to amend the original Bill. That was ultimately in bad faith. We have discussed this Bill, and even the amendments, with the KNFC. We have also discussed the Bill with the relevant Departmental Committee of this House. Even after we had agreed out there, they have been lobbying for hon. Members to bring their version of amendments, which would have negated the very meaning of the original Bill.

Mr. Deputy Speaker, Sir, I wish to thank hon. Members for having resisted the moves by the so-called "Movement". Indeed, the last time I heard that they were going to lobby for these amendments, I asked them whether they knew who they were talking about. I told them: "You are talking about hon. Members and they are not idiots. They are hon. Members and they can see through what you are trying to do". We are investigating most of those people in their primary co-operative societies.

Mr. Deputy Speaker, Sir, now that we have a new Act, I am asking hon. Members to support us. I believe we need new people to work with in order to implement the new Act. Therefore, as soon I am through with the new rules, we shall be calling nation-wide elections of all co-operative societies in this country.

(Laughter)

Mr. Deputy Speaker: Mr. Minister, I will have to cut you short because you had already been given 30 minutes to reply.

The Minister for Co-operative Development and Marketing (Mr. Ndwiga): Mr. Deputy Speaker, Sir, that will happen very soon. With that, I thank the House.

Mr. Deputy Speaker: Very well! Hon. Members who want to make an intervention, at that

stage, I can only allow one hon. Member to make an intervention. I have already allowed the Minister. So, there is no more.

(Question put and agreed to)

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

Mr. Deputy Speaker: Next Order!

MOTION

ADOPTION OF SESSIONAL PAPER NO.3 ON NATIONAL HOUSING POLICY

The Minister for Roads, Public Works and Housing (Mr. Raila): Mr. Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, this House adopts Sessional Paper No.3 on the National Housing Policy laid on the Table of the House on Tuesday, 8th June, 2004.

Mr. Deputy Speaker, Sir, I take this opportunity, first, to initiate debate on this Paper which I laid on the Table of the House yesterday. As you are aware, the first comprehensive housing policy for Kenya was approved in 1966 as Sessional Paper No.5. At that time, Kenya's population was just over 9 million people, growing at a rate of 3 per cent per annum, nationally, and 5.6 per cent per annum in the urban areas.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, the annual housing requirement then was 7,600 and 38,000 housing units in urban and rural areas respectively. The policy directed the Government to provide the maximum number of people with adequate shelter and a healthy environment at the lowest possible cost. Investment in the housing sector, over the past 20 years, has been minimal and sporadic. As a result of the low investment, the demand for housing has far out-stripped the supply.

Mr. Temporary Deputy Speaker, Sir, high rate of urbanisation, increasing poverty and escalation of housing costs and prices have made the provision of housing, infrastructure and community facilities one of the most daunting challenges in the socio-economic development of this country. Research on low cost housing building materials and construction technics has been limited, thus not providing viable guidance to the development of the sector. Moreover, stringent planning regulations and high infrastructural standards compounded impediments in the housing delivery system. As a result of all these challenges, the 1966/67 policy can no longer address the housing problems adequately. Hence, the need for a revised national housing policy.

What is the current situation? As I have said, the past 20 years have seen very rapid rural-urban migration. This has compounded the issue. As a result of this, there has been acute shortage of housing in our urban areas. This shortage has translated into the proliferation of slums in most of our urban areas. As you can see, our urban areas, including Nairobi, have become more of slum

cities. It is now estimated that 60 per cent of Nairobi's population lives in slums. This is an unacceptable situation. That is the reason why we have brought this policy document to address this issue.

Mr. Temporary Deputy Speaker, Sir, currently, it is estimated that the urban housing need is about 150,000 housing units per year. It is also estimated that there is need to improve the quality of 300,000 housing units per year in the rural areas. This level of production can be achieved if the existing resources are fully utilised by the private sector, while the Government provides an enabling investment environment.

It is estimated that the current production of new housing in urban areas is between 20,000 and 30,000 units annually, giving a shortfall of over 120,000 units. This shortfall of housing is currently being met through proliferation of squatters, informal settlements and over-crowding in the available housing units, which I have already alluded to.

What are the policy goals? The overall goal of the housing policy before you today is to facilitate provision of adequate shelter and a healthy living environment at an affordable cost to all socio-economic groups in Kenya, in order to foster sustainable human settlement. What are the major elements of this policy? The following are the elements of this policy.

(a) The policy targets includes poverty alleviation, public housing, urban housing, rural housing, and vulnerable groups.

(b) The housing inputs include land use, planning and management, infrastructure, rebuilding materials and research work, financial resources for housing, management and legislative and administrative framework.

In order to implement the policy, the Government is formulating a five-year National Housing Development Programme (NHDP) for 2004 to 2008. It is a very comprehensive programme which we will be releasing soon.

(c) The NHDP will set out to operationalise its proposals contained in the National Housing Policy (NHP) by spelling out priority programmes, identifying key activities within each programme, providing budgetary estimates, laying out implementation timetables and giving monetary indicators. The sub-programmes will include, but are not limited to, the following: urban housing, site-and-service, urban renewal and redevelopment, rental housing, tenant purchase, mortgage housing, civil servants housing schemes, slum upgrading programmes and rural housing.

At this point in time, I would like to mention that, as part of the implementation process, the Government is undertaking capital restructuring of the National Housing Corporation (NHC), which is the housing policy implementation arm of the Government. This will include NHC converting its debt amounting to Kshs5.32 billion owed to the Government into equity. The Government will also inject additional funds in the form of equities and grants into the NHC to the tune of Kshs4.8 billion in a period of three financial years. In addition, the NHC will pursue local authorities to recover debts owed to it amounting to Kshs3.23 billion through direct management, or sale of properties developed using its finances. This capital restructuring will enable the NHC to undertake public housing programmes, which have already been underlined under the NHDP.

The Government, in collaboration with the UN Habitat, has already embarked on slum upgrading programmes, which will entail improvement of housing, provision of infrastructure such as sewerage, water, roads, drainage and street lighting. To undertake these activities, the Government is establishing a slum-upgrading and low-cost housing infrastructural trust fund to broaden the base of housing finance resources. The draft housing policy also encourages employers to facilitate provision of houses to their employees. We are making it a policy to ensure that most employers provide housing to their staff. To this end, the Government is establishing a Civil Servants Housing Fund, which will be revolving to assist civil servants to buy or build houses for

home ownership. I encourage other employers to do likewise.

Mr. Temporary Deputy Speaker, Sir, the other key factors in provision of houses include co-operative societies, local authorities, individual households, building societies, private developers, non-governmental organisations, community-based organisations, professionals and development partners. The draft National Housing Policy recognises the key role of the Government as that of creating an enabling environment for provision of adequate housing to the majority of the Kenyan population by all the stakeholders. Private sector and Government partnership is crucial in attaining this goal given the scarce resources available from the Exchequer.

I would like to underline this point because, time and again, I have been asked where the 150,000 houses promised by the Government are. At no point in time did the Government promise 150,000 housing units. We said that the Government was going to facilitate the development of the 150,000 units. We said that there are several stakeholders in this exercise as I have already mentioned. There are private individuals, the Government, building societies, co-operative societies and NGOs. Collectively, these stakeholders are expected to produce 150,000 units, with the Government acting as a facilitator.

In conclusion, the approval of this NHDP by this august House will enable the Government to facilitate all the stakeholders in the housing sector to provide affordable housing to our people. We would like to create, as I have said, a working nation. There can be no working nation if our people live in slums. People who live in slums are under a lot of pressure. They, therefore, cannot produce to the best of their ability. That is why we are trying to reverse a sorry state of affairs that we inherited by facilitating the development of more houses. We are trying to improve the living conditions in the slums, because they can be improved. They must be improved by putting up more decent structures, and providing water, proper sanitation and electricity.

I would like to urge hon. Members of this House to support this policy document which gives the framework on which we can embark on dealing with this very gigantic issue, which is of great importance to our country.

With those remarks, I beg to move. Mr. Munyao will second this Motion.

The Minister for Livestock and Fisheries Development (Mr. Munyao): Mr. Temporary Deputy Speaker, Sir I stand to second and support this Motion. I want to congratulate the Minister and his officers who burned the midnight oil to prepare and seriously look at this Sessional Paper. It is my hope that since it was published and laid on the Table on the 8th of this month, hon. Members have had time to read it since we are all concerned about the living standards of Kenyans. I hope that we will all support this Sessional Paper, and contribute effectively and fairly well because we want everybody in the country to live in better housing conditions.

Housing is a very important facility. By now there should not be such a big difference between urban and rural housing. Life is the same whether you are living in a rural or urban areas. The facilities offered in urban areas should be more or less the same as those offered in the rural area. This is becoming very important as more people are opting for early retirement. When you retire, you do not want to live in the city; you want to go back to the rural areas. One of the reasons why most people find life in retirement difficult is because of the different type of housing facilities that you will use once you retire. It is for this reason that I am supporting the Minister when he says that the same housing policy should cover all areas. We should also standardise our living conditions in the cities and rural areas.

I am happy that the Government as a whole is providing all types of facilities. There is provision of electricity and water in the rural areas. If you are used to these facilities in the urban areas, you will enjoy them in the rural areas. This will ensure that we develop our country equitably. It is true that there is an acute housing problem. This is an issue of great concern because you will

find a family of 10 living in one small house, while at the same time you find another family of three living in a five-bedroomed house, where some of the bedrooms are, probably, meant for a cat and a puppy. We want Kenyans to live under the same housing conditions.

I am congratulating the Minister because I know he is sincere and that he would like all our people to enjoy the same living standards. It is true that the Government said it would create about 150,000 housing units annually. We did not say that the Government would build these housing units. But, it is upon the Government, through the Minister, to ensure that investors put up beautiful houses in Kisumu, Mbooni, Kakamega, Mandera and elsewhere, so that we can house our people well. We do not have to crowd in some areas. There is overcrowding in towns because of availability of facilities.

There is also the issue of land, which is very important. Land must be made affordable and not sold at the current market rates. There is no sense in selling a quarter of an acre of land in Nairobi at Kshs3 million or Kshs4 million, when 0.2 acre is being sold at Kshs50,000 in Athi River. The prices of land are exaggerated. I would like the Ministry of Lands and Settlement, municipalities and town councils to give the Ministry of Roads, Public Work and Housing some land, so that the houses and estates we are talking about can be developed. I would like most of the cities and markets in this country to have nice-looking and affordable estates, but we cannot have this if the cost of land remains as it is now. Therefore, the cost of land must come down, so that we can have affordable houses.

As we consider construction of cheap houses, we should also consider availability of construction materials. I felt like weeping when a week ago some hon. Members shot down the Forests Bill, which was very important because it dealt with afforestation. Afforestation is not only meant to bring about rains, but also to provide building materials. Each day we delay in planting a tree, which takes 30 or 40 years to mature, then we are increasing our waiting time. We will keep on importing wood from other countries when we have land where we can grow forests.

I know that even those who shot down the Forests Bill are now regretting inwardly. We would like to have the full support of the House for this Bill when it comes back to the House, because we know that its passage is another another way of ensuring our survival. As we think of housing and construction, I would urge the Ministry, more so its professionals, to think about using fire-proof materials in construction of houses. Fire outbreaks in buildings is becoming very rampant. You can imagine a situation where a fire burns down your home, which you have lived in for 20 years and everything is destroyed. There are certain building materials which can be used to prevent buildings from burning down.

I am made to understand that criminals move to the rural areas, wake you up and warn you that if you do not do this and that they will throw petrol on your house. You know what will happen if they throw it on the house and you are asleep. Since most people now sleep in burglar-proof houses, if they do not open the petrol bombs are thrown on their houses. Last week a family friend of mine was threatened in such a manner. Before issuing the threat the thugs had disconnected all the telephone lines. Thank God, we have got mobile telephones now; somebody called the police using a mobile phone. Thank God the police came within minutes. But on arrival they found the whole house on fire.

If houses were constructed with fire-proof materials, arson cases will decrease. It is important to take into account fire-proofing safety measures when constructing these housing units.

Mr. Temporary Deputy Speaker, Sir, as the Minister plans to re-locate people to some areas so that he upgrades the slums, I would like to thank him for assuring us that, once those housing units are completed, those people will be given the first priority to occupy those houses. I would like

to request him to ensure that his officials keep proper records of ownership of those plots so that he will be seen to do everything in a transparent manner. We all know that it is not only the Kibera slum that needs a facelift, but most slums in Nairobi and other towns. It is now time that we had proper planning of our towns and cities. If this is properly done, most Nairobi residents will have decent houses.

Mr. Temporary Deputy Speaker, Sir, once these housing units are completed, I would like to urge the Minister to take into consideration the issue of rent. It should be proportional. I would like to suggest that those persons who will surrender their plots so that we put up decent storey buildings to accommodate more Kenyans, should be handsomely compensated. For example, we could consider giving them rent waiver for a period of about one year, or two years. This is because it will be a real sacrifice for this country so that other Kenyans enjoy good housing units.

Mr. Temporary Deputy Speaker, Sir, I know it is not the responsibility of the Minister to control housing building companies. However, a company like the Housing Finance Company of Kenya (HFCK) is actually reaping from where it never sowed. These companies are milking Kenyans to the last drop of their blood. They charge them very high interest rates on mortgages. For example, if you had borrowed Kshs5 million from the HFCK in January, 2002, at the end of the year, you will realise that whatever you have been paying covers only the interest and not the principal amount of your mortgage. So, instead of paying a mortgage loan for 15 years, you end up paying it for about 30 years. This trend must be checked because Kenyans are suffering. The Government should monitor the activities of the HFCK to make sure that Kenyans do not suffer.

Mr. Temporary Deputy Speaker, Sir, recently, His Excellency the President officially opened Makueni District Headquarters. We also had built a housing estate with over 100 units for civil servants. However, before these units were completed, the policy of housing civil servants was changed. Now, most civil servants prefer getting house allowance to living in Government housing units. Now, could something be done to ensure these housing units do not go to waste? If nothing is done, those housing units will go to waste. I would like to see Government resources put to good use.

Mr. Temporary Deputy Speaker, Sir, I know there is more talk about this Sessional Paper, but I would like to appeal to hon. Members to quickly dispose of it because it has been discussed by the relevant Departmental Committee.

I would like to end my contribution by supporting this Sessional Paper. I would urge my colleague, once this House passes this Sessional Paper, to move with speed and make sure that rural areas look like the urban areas. This is because every Kenyan would like to live in a beautiful place.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to second this very important Sessional Paper.

(Question proposed)

The Temporary Deputy Speaker (Mr. Khamasi): Who is the Shadow Minister? Mr. Maore!

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, I beg to say a few things about this Sessional Paper. Since a Sessional Paper is the foundation on which a legislation will be anchored, it is important for the House to have a preview of what it should be. It is important that we sort out between what we would call a "white paper" and a "white elephant". I do not intend to fight the foundation, but to raise a few issues with regard to this Sessional Paper. I would like to say that it is a timely and a wise decision that the Government has come up with it. However, it has come up with this Sessional Paper after we raised a few issues regarding housing. I would like to say that it is

the Government and the Minister who have been promising Kenyans over 150,000 housing units per year in order to alleviate the housing problems that we are experiencing in this country. Now, already one financial year is gone. Tomorrow we will listen to the Minister for Finance reading the Budget for the second financial year. Here, the Minister is talking about Kshs4.8 billion to be allocated in the next three years. So, I will be listening very keenly tomorrow to see what percentage of the Kshs4.8 billion will be factored into the Budget, so that we are able to monitor whether those houses will actually be there.

Mr. Temporary Deputy Speaker, Sir, you will find that a lot of issues that are being raised about the 150,000 housing units are just like, for example, when a Minister comes for clarification to say they are not aware who promised those 150,000 units. It is the same thing with the Constitution. The Government is saying they are not aware of who promised to deliver a new Constitution in 100 days. I know they are also not aware of who promised to create the 500,000 jobs.

The Minister for Trade and Industry (Dr. Kituyi): Talk about housing!

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, when you hear Dr. Kituyi getting jittery, he is getting the sense hammered into him, and he does not know how to respond to it, apart from trying to intimidate me.

So, for the next five years, as the Sessional Paper is projecting, we want to get the portion factored into the Budget. We expect to see this in the next three years when this Government is in office. We hope the "Tower of Babel" which is the NARC Government will survive till then.

(Laughter)

Mr. Temporary Deputy Speaker, Sir, in urban and rural housing, we need to emphasize on standards of materials and building plans. We see people building houses in slums and we worry about the quality of the houses, without remembering that many of those people are replicating what they have in their rural areas. They build little nests without any infrastructure water, roads, sewerage, electricity, social security services and all the other services that are needed for a decent house. We want a comprehensive programme which will even define what is a house and where everybody, whether in the rural areas or in urban areas, will be forced to build a house of a certain standard. We need to set aside land for agriculture. It should not be encroached on by either urbanisation or rural settlement expansions. If you go to many areas, there is an obsession that every Kenyan is entitled to some land. There is no link between your survival and land. We should set aside land for agriculture and maintain it as such.

Mr. Temporary Deputy Speaker, Sir, if you read some of the overtones being raised in the Sessional Paper, there is a mixture of populist rhetoric and some communist influences which are actually premature.

An hon. Member: What do you mean?

Mr. Maore: I am saying that policies in the Sessional Paper and your politics are not mature enough to actualise what you are talking about. If you went to a country like Romania, when there was very little democracy under Ceausescu, they embarked on a programme, just like many other communist countries, of education, industrialisation and, mostly, urbanisation. In urbanisation, they actually succeeded in putting up decent houses for most of the people. Here, we are in a country which is neither socialist, capitalist, African nor anything. Here, you will find an amorphous social system. Then, you want to put in a few points here and there in a Paper, which does not have an end or a beginning.

I am saying so because, if we want to empower the National Housing Corporation (NHC) to

construct houses for sale per value, the question is: Where shall we be able to locate that kind of money? Under what circumstances will you consider the poor and vulnerable people to access the houses? How would you factor in somebody who is living in the rural areas, and who has not been captured in any data by the Central Bureau of Statistics (CBS), into owning a house and starting paying mortgage? Those are the issues we need to raise.

Mr. Temporary Deputy Speaker, Sir, we need to encourage dialogue between the Treasury and the Ministry of Roads, Public Works and Housing whereby, they could actually use pension funds to construct houses. For example, instead of the National Social Security Fund (NSSF) building office blocks or stashing most of its monies in national banks, it could go into housing schemes that are meant for the poor! It should not start schemes that are meant to fleece its money.

The issue that needs to be emphasised is the Africanisation policy in this Ministry, more than any other Ministry. It is wrong to start thinking of foreigners to come and be incorporated locally to build houses for the poor. We have our own Kenyans who can be funded by the Government to do that. The Government can even borrow the same money, be it US\$50 million or US\$100 million, build those houses, sell them and repay the loan! The Government can do that, instead of calling the foreigners to do the work. For example, if you want to plant rice in Yala, you cannot have a local company to do that. You have to invite some Americans. The same Americans are likely to be invited to build the houses. If you want to collect garbage, you invite the Italians. We need an African sense in this Government. We have had over 24 years of undefined policy over this one. After a very successful 15 years of the Sessional Paper of 1965, which talked about Africanisation, we lost 24 years in between and now, we are losing the 25th and 26th year. We want housing schemes that can help our people.

Another issue is the---

(Loud consultations)

I do not think Mr. J.M. Mutinda can comprehend the issues we are raising here to start heckling!

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Maore!

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, he is heckling so loudly that I am hearing him.

The Temporary Deputy Speaker (Mr. Khamasi): Order! Order, Mr. Maore!

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, the issue of land tenure in our urban areas, specifically in the slums, where landlords hold title deeds to that land--- The tenants are the most visible and active participants in this system--- We need to define the land tenure system, so that when we want to upgrade housing schemes in Kibera, Mathare or any other urban slum, we do not need to say so just for the sake of being cheered in a political platform, like this one today, but when we know that the Government owns that land. The Government can set aside land or buy land from private individuals, build houses there and settle the poor, the vulnerable groups and low income earners, instead of saying that we are upgrading slums, when we are not in charge of those title deeds.

Mr. Temporary Deputy Speaker, Sir, we need to define a housing system, especially in urban areas, where we have been operating in a vacuum because of failed local authorities. The local authorities in this country neither collect garbage nor fight fires. They only collect rates and squander the money. So, when the Ministry of Roads, Public Works and Housing is planning to build houses, it should assume that it is working in a vacuum. It should come up with a Housing Act that is anticipated in this Bill as though the local authorities do not exist. Everybody thought, with

the changes that were promised in January last year, we would have vibrant local authorities clearing kiosks from the main neighbourhoods in the estates and defining how to issue a licences for buildings that look tired and about to collapse. But, in the absence of that, we would like to encourage the Ministry of Roads, Public Works and Housing that, when it is preparing the Housing Bill, it should emphasise on a lot of legislation that does not require interference by the local authorities, since we are not sure whether they will be able to handle the situation.

Mr. Temporary Deputy Speaker, Sir, the Minister raised the issue of fire-proofing or flammable materials in the Sessional Paper. In the Housing Act, we need to have it definite that whoever wants to construct a house must have standardised and specific materials, whether for roofing or the walls. We need similar housing structures all over the country such that, if a *mzee* has three or four sons, some of them could be forced to inherit some of their parent's houses, rather than thinking of cutting trees or destroying forests to build their own houses when they want to get married. If that was well-defined, we would not have a problem with building materials.

We should forget the issue of research. A lot of materials that are not easily flammable or fireproof are available all over the world. It is a matter of importing that technology rather than the materials. We would then be in a good position.

Mr. Temporary Deputy Speaker, Sir, the other issue that we need to look at is the National Housing Scheme. Instead of just ambiguously thinking of giving houses to poor people who you may have a big problem in raising the mortgage from, in many countries, like the USA, many companies work on their own. On graduation day, all graduands and undergraduate students who have been able to secure jobs are given car keys so that they can pay their car loans immediately they start work. Here, we can have a system whereby the Ministry works deliberately with the National Housing Corporation and contact freshly employed graduates. Since the mortgage will be controlled by a Government corporation, we would have these graduates who are entering into the payroll, instead of starting with ARC for furniture, they start paying mortgage immediately. That way, we would be sure that we are starting from some point and not just to say that we want to provide houses when we are sure we may not be able to provide any houses.

Therefore, I would like to say that I support this Sessional Paper. As I have said, this is just a foundation and it seems to be a well-founded foundation, only that it will need some policing to differentiate between the budgetary provisions that are needed and the political rhetoric that is likely to come up in the process.

With those words, I beg to support.

The Assistant Minister for Transport and Communications (Mr. Ligale): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to support this very important Sessional Paper.

At the outset, I want to congratulate the Minister for coming up with this Sessional Paper. It is well thought-out and I believe, for once, we may be able to set up a scheme for improving housing stock not only in our urban areas, but also provide opportunity for our rural folks to be able to put up their own houses.

The very first thing that the Minister has done, which I think is truly laudable, is to clean the balance sheet of the National Housing Corporation. To convert Kshs5.3 billion owing into equity and to promise that over the next three years, the corporation will receive another Kshs4.6 billion is quite laudable. This is because that is the main implementing arm of the housing stock in this country. To do that, to me, is to set the scheme for ensuring that we shall have housing.

But there are three or four basic elements that I would like the Minister to address while he implements this housing policy. First, I would like the Minister to take it upon himself to safeguard the existing housing stock. It is no good talking about future houses if the existing housing stock is

being besmirched, downgraded and run down because of policies which are being implemented, particularly by our local authorities. Let me explain. If you go to some of our best housing estates in this town, and indeed, in most other towns, you will find they are being run down first, because of kiosks which are springing up everywhere. Areas which in the past have had good houses, because of the kiosks which are springing up everywhere, the housing stock is being run down. Because of the by-laws that have changed over time, you will find that a housing estate which started off as a single storey and where people have bought houses of very good standards, because people are putting up storey buildings next to them, the value of those houses has gone down because those were not anticipated.

Mr. Temporary Deputy Speaker, Sir, the question of licensing bars and restaurants all over the place, in estates, which runs down our houses' values, is a matter that I would like the Minister to be proactive about and not to leave it purely to local authorities to take action because they will not. Some of our best housing areas in this town were Kileleshwa, Upper Hill and Westlands. Ten years ago, these were some of the best estates in this country. However, because of these three elements, their values have gone down. The question of kiosks, highrise buildings juxtaposed to single housing stocks and the question of bars and restaurants must be addressed. This is very bad.

An hon. Member: And brothels!

The Assistant Minister for Transport and Communications (Mr. Ligale): Yes, and brothels. Boarding and lodging houses are all over the place. Then, there is the question of infrastructure. Because the roads are not maintained, the sewers are not clean, the drains are not working, you find that good housing areas are suddenly run down within such a very short period.

So, I am saying that the Minister should be pro-active to ensure that he works in liaison with the local authorities and in many ways, he should take action himself, to protect existing housing stocks. That is the starting point. We cannot begin to talk about new housing scheme when we are running down the existing housing stocks.

Of course, where there are existing housing stocks they are not maintained, whether they belong to Government, local authorities or whoever. They are not being painted or repaired and so on and that is another way of running them down. I would like the Minister to take that as an important aspect of his work. The houses that we have currently should be maintained.

Mr. Temporary Deputy Speaker, Sir, secondly, an important element in the housing business is land. Without land, you cannot build houses. Unfortunately, in the recent past, some of our best public land in our major towns has been allocated to speculators; people who do not have any intention of putting up housing or building anything, they just want to speculate. I would like the Minister to work closely with the Minister for Lands and Settlement and particularly the Presidential Commission into Illegally Acquired Land to ensure that those pieces of land come back to public hands, either to local authorities or the central Government so that it becomes a major land bank for the housing stock. Without it, we cannot get very far. One of the reasons why housing becomes very expensive is when you are dealing with privately-owned land, particularly in the hands of speculators who have no intention of putting up houses.

Of course, if an investor has been allocated land and it is his business, he actually intends to put up housing properly, then he should be allowed to go ahead. But it should be understood that whatever money they spend, if they acquire that land from Government and they paid very little for it, they should not charge their houses excessively high because they obtained the land at very reasonable rates from the Government and local authorities and other public sources. It is important that our land costs particularly in the construction of houses in the urban areas must be brought down so that we can make it affordable to our people.

Mr. Temporary Deputy Speaker, Sir, the second area is on standards and by-laws of the

local authorities; what we require in terms of putting up housing. If we are going to demand for low-cost housing, that they put up very high standards of infrastructure and materials that they are going to use in putting up housing, they will not be able to afford it. We must look at our standards. We should be able to formulate standards that are affordable, particularly, where we are talking of low-cost housing. I, for one, have never really believed in some of the standards that are imposed on us. For instance, the Site and Service Scheme is not our own idea. We know it was imposed on us by the World Bank, and we took it lock, stock and barrel. We know that a lot of our people to whom we have allocated service sites, do not end up putting up their own houses. They end up speculating and selling the sites to those who are able to put up houses; those who have the money or who can borrow to put up houses. The low income earners really are the people who would want as much assistance as possible from us as the Government and from local authorities. When we give them such sites and expect that they are going to put up housing of their own, the majority end up speculating and putting them on sale and they move to the next vacant plots anywhere to put up a makeshift arrangement; a slum, we are deluding ourselves.

I am suggesting that we must come up with standards of housing. I am sure there is a lot of talent. We used to have a Housing Research and Development Unit at the University of Nairobi. We have also had a research organisation in this country that can be able to do adequate research and come up with standards of infrastructure and materials that can be afforded, in order to put up housing for our people. Standards is an important element that we must try and do something about.

The other issue is in terms of financial resources. This is because we need money to put up housing. We really must try and harness as many of our financial resources locally as possible, before we go out to borrow money. This is because any borrowed money from outside, particularly with our rate of exchange, is always disadvantageous to us and ends up being too expensive. Therefore, we must try and harness a lot of our local resources. I, to a certain extent share what Mr. Maore said. I know that it is in the Sessional Paper, but I am encouraging the Minister to go out, be active and encourage our various sources. We should utilise the various pension funds in this country and the various resources through the co-operative movement. The SACCOs are saving large sums of money. I agree that we do not have to encourage them to put up office blocks any more, because we have so many of them in this town which are lying empty. A lot of those resources can go into housing, if we encourage them, harness and give them good conditions in which they are able to put up houses for their own members or give them loans to buy or invest in housing stock.

Mr. Temporary Deputy Speaker, Sir, in fact, the Minister should get some of his officers to sit down and look at all available financial resources and how best to utilise them so that we can access finances locally before we go abroad. I am not writing off or excluding external resources altogether but I am suggesting that we should target our own local resources initially. The question that the Minister for Livestock and Fisheries Development talked about with regard to the rates that are paid every year, must be looked into. This is because if one is going to borrow some money and find that by the time the year ends, he is paying more than double, because the interest is increasing on the principal as well as on the interest, it becomes extremely difficult for somebody to access and repay the loan. Those, therefore, have to be looked into.

Mr. Temporary Deputy Speaker, Sir, we must emphasise that to increase our housing stock and go out of our way and put up additional housing for our people, it is not just a question of shelter. It is also an important element of creating jobs. The construction industry - it has been proved - is one area in which we can create a lot of jobs in the country. We would be hitting two birds with one stone; we would not only increase the housing stock, so that our people are housed better, but we shall also ensure that jobs are created in the construction sites. That is an important

element. However, we are also creating wealth for the country. A middle class that ends up owning property, particularly in the urban areas, is a class that has an interest in the wealth of its own country. When you own property, you are more responsible than somebody who does not own property. This has a multiplier effect, and we want to encourage our people to own property. Executives who have started work recently, must be given an opportunity to save money and put up a deposit for a mortgage, for a tenant housing scheme. The more we do this, the more these people take an interest in the welfare of their own country and the more they will form welfare organisations in towns. We know, for example, of Karengata; people who live in Karen-Langata, who are so concerned about the standards in their own areas. It is because they own that property; land and houses. We want to encourage our people to own property. If they do so, they will have an interest in ensuring that, that property is safeguarded. They will, therefore, have interest with peace in this country. This is because if you own property, you want peace. You do not want it disrupted, because ownership of property is an important element.

Mr. Temporary Deputy Speaker, Sir, I want to conclude by saying that some of our local authorities have come up with very erratic policies; they are not consistent. We have, for example, some houses in this City, and for some reason or another tenants have lived there for years. You will find that local authorities want to evict them; move all of them out and bring in other people. They want to settle some of their own friends. I have in mind, for the example, the noises we have been hearing from Woodley, Kibera in the City of Nairobi. There are tenants who have lived there for the last 40 years. They have been there for a very long time and suddenly we hear that they are being evicted for no reason at all. They are being evicted because the City Council and the councillors have their own friends whom they want to move in and sell those properties to them. If they want to sell the property, then the first priority must go to the tenants; the people who live there and not to bring in new people. We do not want to have these kinds of erratic policies that are not helping anybody. We want to be consistent so that, if for instance, where Government houses are concerned, if civil servants have lived there and the Minister or the Government intends to sell them, or if they are originally rental housing, the people who are living there must be given first priority. If it is the City Council, the National Housing Corporation or whoever it is, the people who were originally there must be given first priority. If they refuse, then there is no harm in giving to whoever else comes forward. We want to be consistent and I would urge the Minister, particularly in the case of Woodley Estate in Kibera, to take it up. There are some good tenants there. The other day they were burning tyres to prevent the City Council *askaris* from taking those houses. The Minister should take some action to safeguard those people.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

Dr. Shaban: Mr. Temporary Deputy Speaker, Sir, I rise to make a few remarks about the Sessional Paper on the National Housing Policy. The Minister has come up with a very good idea because Kenyans will be given some kind of direction as far as housing is concerned. Lack of adequate housing has been a pressing problem, especially in all urban areas. Kenyans with very low incomes have had to put up even in very far away places from their working places simply because houses have become an impossibility for them.

It is very important for the Minister to work on the issue of the houses which are already existing in the Government. After people were given house allowance, some of them opted to leave the Government houses. Those houses are not being utilised. In fact, they are being vandalised. Some of the structures which were constructed by the Government some years back have been left without being completed and, therefore, people cannot occupy them. I think for the Minister to ensure that this Sessional Paper becomes a reality, he has to really work on those houses. For example, I have in mind a place like the National Youth Service (NYS) where we have hundreds of

houses which are lying unoccupied. These houses have become a source of vandalism. The Government looks like it is losing out after putting in so much funds in the project. The other example is what was mentioned by Mr. Munyao. He talked about houses in Makueni which were put up and they cannot be utilised. There are many other examples all over the country. So, I think the Minister should, first of all, do something about those houses. They should be sold to civil servants. From there, he can move on to start constructing, maybe, the first 150,000 housing units.

Mr. Temporary Deputy Speaker, Sir, it is very important that the Ministry of Roads, Public Works and Housing, which has the technical know-how, be involved on issues of housing for Kenyans because they have all the necessary facilities and manpower. It would not be a very good idea if we were to bring some people from outside the country to come and do the work which can actually be done by Kenyans. Kenyans know how important it is to make sure that they get the maximum out of the money which is available. This Minister should be able to tap monies through his officers. If these officers are involved from the beginning to the end of these housing schemes, the money will be recycled back to construct more housing units. This is because the mortgages will be paid by the civil servants and the other workers in Kenya. This money will get back to the kitty which is supposed to be utilised for the housing schemes.

Mr. Temporary Deputy Speaker, Sir, the housing financial institutions are notorious in ripping off Kenyans. Property belonging to Kenyans has been auctioned in the process because of the high interest rates. Of late, we have noticed that the banking sector is, at least, making some efforts to lend money to Kenyans. Even though, the interest rates which stand at between 12 to 15 per cent, are still very high. I think the Government should do something about these interest rates. The banking fraternity in this country was so badly hit when the Eighth Parliament decided that their mortgages be paid at a higher interest rate. As a result, banks have been able to take away all the profits which would have been recycled back to the workers. This was very unfortunate. Most of that money went out of the country because most banks which are doing very well are not Kenyan-owned. They are foreign banks. We read about the money in billions, but it ends up going somewhere else.

The same Eighth Parliament which decided that the banking personnel had to be sat on like that by banks, went ahead and made it possible for the Ninth Parliament to get a mortgage facility which is very good. I do not know why the same kind of thing cannot be extended to other workers in the country, especially the banking personnel who make money for banks. I think this Ninth Parliament must, therefore, make it possible for Kenyans to own houses easily. This is because if people have shelter, it makes it easier for them to go to work. Our President has always said he wants a working nation. However, we cannot achieve this effectively when we have professionals, for example, doctors and engineers driving for many kilometres to their work places. In the end they get to work late. Therefore, it is very important for the NARC Government to take this issue of housing very seriously.

Mr. Temporary Deputy Speaker, Sir, there has been a rumour that the Government is planning to construct 150,000 housing units per year. I do not believe in that because we cannot give people free houses. There are very few countries where people are given free houses. I do not think Kenya has those kinds of resources. However, it has to be made possible for all Kenyans, especially those who work, to buy houses. In addition, the peasants and farmers should also be able to buy houses.

With those few remarks, I beg to support this Motion.

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

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

Mr. Muchiri: Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to make a few remarks regarding this Sessional Paper. This is a very important Sessional Paper and I thank the Minister for Roads, Public Works and Housing for bringing it to Parliament.

Mr. Temporary Deputy Speaker, Sir, the one thing that comes to my mind, and which I think the Executive should think about is, whether the housing docket belongs to the Ministry of Roads, Public Works and Housing. I think it should be under either the Ministry of Lands and Settlement or the Ministry of Local Government. I say this because land is a very important input as far as housing is concerned and it contributes to about 20 to 30 per cent of the housing costs in this country. Also, as we all know, providing housing is a multi-sectoral activity which involves many other Ministries. Therefore, the Executive should think about this issue.

Mr. Temporary Deputy Speaker, Sir, a lot has been said. I want to mention that I have dealt with housing for many years. One of the reasons we have shortage of houses in this country is because, for example, the planning of houses in this country is hogwash. The one thing that I think this Sessional Paper has not addressed is the reasons as to why we have few housing units in this country. I would have wished to see this Sessional Paper stipulating that there would be revision of plot ratios, site coverage and minimum plot sizes after every five or ten years, so that we can address the issue of housing units from that start point. The reason why some plots have high rise buildings while others have low rise buildings is because of that element of plot ratio and site coverage. These are planning parameters that I think the Government must think about. These parameters are being misused by the same local authorities that are actually trying to police them in our urban areas. I am suggesting that this should be looked into. The plot ratios must be increased so that we can see land being used in a more appropriate and meaningful manner. Therefore, it is important that when we talk about land use, planning and management, that particular aspect is looked into.

Mr. Temporary Deputy Speaker, Sir, the price of building materials in this country has now skyrocketed for reasons we cannot understand. I wish the Minister for Trade and Industry was here. It is impossible to build houses because building materials have become very expensive. The price of reinforcement bars, cement and other building materials has gone up. Even timber is very expensive these days. I join my colleagues in asking why we shot down the Forests Bill. This is because it could have encouraged production of more timber in this country. I would like the Minister for Finance to, perhaps, reduce the tax levied on building materials so that they can be cheaper in order to encourage people build houses.

Management and maintenance of houses has been cited in this Sessional Paper. I would like to say non-maintenance of buildings is making us lose housing stock. We should have what I would like to call the "Properties Maintenance Act" so that landlords and tenants can be mandated to maintain houses so that we do not continue losing our housing stock. This is happening even in our institutional houses. The houses which belong to local authorities are not maintained. I think that aspect should also be addressed.

Management of houses has to do with rent collection. It has been cited in this Sessional Paper that if we improve the management of houses then we might see many more being built. But I would like to say that we have many bogus estate agents who are fleecing Kenyans their hard-gotten wealth by selling or renting non-existent houses. I am saying this because the Estate Agents Act has not been enforced by the Minister for Lands and Settlement. We want to see enhanced

policing of that so that people do not exploit others because of the high demand on houses. The agents come in and play about with the law of supply and demand. The high demand on houses has made our rents to escalate in our urban areas. The rents are actually escalating because of the law of supply and demand.

A two-bedroom house will cost you Kshs6,000 in Eastlands and Kshs Kshs10,000 in Buru Buru Estate. The same house will cost you Kshs15,000 in South "B", while in Kilimani it will cost you Kshs25,000. That is the case, and yet it is the same house. The only difference could be the finishing done on it. I would like to call upon the Government and the Ministries concerned to ensure that management of houses is streamlined.

This Sessional Paper has mentioned the Rent Restriction Act, which proposes that we should lower the standard rent from Kshs2,500. I would like to say that increasing the standard rent so that more houses can be put under the Rent Restriction Tribunal will actually lower the number of houses. The developers would not be encouraged to build houses if the Rent Restriction Act stipulates that. We want to see a repeal of that Act because it will affect the housing industry. Nobody is encouraged to put up low cost houses because they will earn you rent which is within the ambit of the Rent Restriction Act, Cap.296. The landlords will not be willing to put up more houses once the rents are fixed by the Tribunal. Therefore, we shall continue to have shortage of low cost houses because of that particular Act. I am saying that, that Act should be repealed because it is an impediment to the provision of housing stock in this country. We want to encourage those people who can put up houses to construct them. What the Government or the various Ministries are doing is discouraging developers to put up houses.

Mr. Temporary Deputy Speaker, Sir, for example, the local authorities have really discouraged people to put up houses. How do they do this? First of all, it takes many years to get your plan approved. It will take you one year for your plan to be approved by a local authority. The local authorities will take you round in circles asking for bribes when you want them to approve your building plan. We should make approval of building plans simple. Of course, we want houses to be approved by local authorities, but we do not want it to take a long period. We also do not want it to be a cumbersome process to the extent that it deters people willing to put up houses from building them. Planning is the problem. Provision of electricity to new houses is also a problem. It is very expensive to have electricity connected to a new house. It will cost you a lot of money to get electricity supplied to your house. Two electric posts will cost you Kshs60,000. It is very expensive to have electricity connected to your house. We understand why it is not easy for those people who want to put up houses to do so. We are now blowing hot and cold. The planners are now telling us to put up one dwelling house, and yet in the next plot, they allow high-rise buildings to be put up. What is all this? We want standard land use policies which can be respected by everybody. If a by-law is unreasonable, it should not be obeyed. If you allow somebody to put up a storey building and you do not allow me to construct a storey building on my plot then I should not obey that by-law. That is the law which I learnt in school.

Mr. Temporary Deputy Speaker, Sir, we should encourage the Sectional Properties Act because it will encourage people to own segments of houses in the same plot. I think this Act, which has been cited in the Sessional Paper is not known to Kenyans. The Ministry of Lands and Settlement which administers that Act should popularise it so that people can own a flat or a section of a house. The housing industry in this country is going towards flats development and not towards private dwelling houses. The future of housing industry in this country lies with high-rise buildings because that is where the land is. The supply of land is said to be inelastic and because we cannot increase it horizontally, then we should think of ways and means of increasing it vertically. There is a lot of land in space, if only we can improve on those aspects.

Mr. Temporary Deputy Speaker, Sir, sometimes I wonder. Why can the Minister for Local Government not liaise with the Minister for Lands and Settlement and say that those who have put up a servant quarter should construct another one on top? What law would be broken if we did that? They should tell all the owners of Buru Buru Estate, Golden Gate or Plainsview to put up another unit on top of the built servant quarter so that they can house their grown-up son or daughter. What we are being told here is that planners are not mindful of our social aspects. They say that we have to do this and expect us to live with our grown-up sons in the same house. It is anti-African.

I would like to call upon the Minister for Local Government to order all people with servant quarters to put another one on top of it. That will be a sure way of dealing with housing problems. What do you need? The technocrats and the engineers are here. What do you need other than putting up pillars? If you do that, you will be told that it is an illegal structure. The housing units will continue being depleted in this country because people want to play about with semantics. These people are not tackling the root problem. The way to go about the root problem is to encourage development of houses.

For example, how can planners tell us that your house should cover only 50 per cent of your plot. What do they want you to do with the remaining 50 per cent? Should it be turned into a play group? If you want a play ground, they are many in rural areas. Land is so expensive in urban areas. I am talking about planning. That is why I proposed that the Housing docket should be moved to the Ministry of Lands and Settlement so that the Minister, his planners and maintenance officers can take care of all those aspects.

Mr. Temporary Deputy Speaker, Sir, it is very good that this Sessional Paper has been brought before this House. I hope that the House will pass it so that we can see the housing stock being increased in this country.

I beg to support this Motion.

The Assistant Minister for Regional Development (Mr. Mungatana): Thank you, Mr. Temporary Deputy Speaker, Sir. First, I would like to congratulate the Minister for bringing this Sessional Paper at this time. I believe this is the appropriate time in the history of our country.

The Shadow Minister for Roads, Public Works and Housing raised certain fears for the Opposition. One of the things that he raised was the question of standardization. If you look at the Sessional Paper, it is the intention of the Minister to set up a Buildings By-laws Review Board which, as he has clearly explained, will be operationalised. It will review all housing standards. So, I wish to allay his fears because that Board will come up with regulations on a continuous basis.

The Board's mandate, as the intention of the Minister is stated in this Sessional Paper, will be to take into consideration all technological and socio-cultural values that would be required to be factored in, when those standards will be made.

Mr. Temporary Deputy Speaker, Sir, the Shadow Minister also raised the fear that, maybe, we are being too ambitious as a Government, and what we have proposed would only be possible in such eras as the time of Causescu and in communist countries. I have gone through this Paper very thoroughly, and I do not see any intention of bringing any principles of communism in this Paper.

If one looks at page 24 of the Sessional Paper, he or she will see the intention of the Government, through the Minister is that---

QUORUM

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. We are discussing a very important policy Paper, but I do not think we have a quorum.

The Temporary Deputy Speaker (Mr. Bifwoli): We do not have a quorum. Ring the

Division Bell.

(The Division Bell was rung)

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

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

The Temporary Deputy Speaker (Mr. Khamasi): Order, hon. Members! We now have a quorum. Mr. Mungatana, please, proceed!

The Assistant Minister for Regional Development (Mr. Mungatana): Thank you, Mr. Temporary Deputy Speaker. I was addressing the second fear that the Shadow Minister expressed. He said that there might be some communist influence in the thinking of the Government, and that the project that we are embarking on through this Sessional Paper, is too ambitious. He gave us examples of people like Causescu. I was saying that I have looked at this Sessional Paper with a tooth-comb, and there is nothing communistic in all the proposals that we have put before this House.

(Applause)

Mr. Temporary Deputy Speaker, Sir, on page 24, Section 90, it is the intention of the Minister, through financial institutions, to develop a secondary mortgage market to encourage investments in low-cost housing, to provide mortgage finance for housing development and house purchase, to establish mechanisms for the creation of seed capital to assist developers involved in housing delivery. So, again, we want to assure the Shadow Minister that those fears are well taken care of in this Paper.

He also said that this Paper does not bring out the African sense. He gave examples that the Paper seems to be targeting overseas people to come and put in their money. But, again, those fears are unfounded. If you look at the proposals that the Minister has brought before us, the Sessional Paper involves international agencies only as far as research and dissemination of appropriate building materials and technology is concerned, training and capacity building, exchange of experience and base practices, partnerships and access to financial resources.

Mr. Temporary Deputy Speaker, Sir, if you look at the fears that the Shadow Cabinet Minister had, they are unfounded. In fact, we, as the Government want, through this Sessional Paper, to encourage community savings for housing constructions. All that has been set out in this Paper. Having mentioned those two points or so, I would like to state some of the points that I have in support of this Sessional Paper.

Mr. Temporary Deputy Speaker, Sir, one of the fundamental issues that has been given a lot of weight is the construction of houses or alleviation of housing problem in rural areas. The Sessional Paper has identified that the problem in rural areas is not so severe. It is not the question of unavailability of housing or housing material that is the problem but it is the quality of the housing in rural areas that is the problem. The biggest problem in rural areas is that people do not have appropriate technology. There is no proper information or direct Government input in those areas. This Sessional Paper has come up with some proposals for rural areas. It is good to speak of urban areas and all these other problems that we know are associated with urban housing. However,

this Paper makes history as far as I can see by specifically talking about rural areas. It is my hope that rural housing will be taken as a central focus because that is where most of our people live.

Mr. Temporary Deputy Speaker, Sir, I see it is possible through the proposals made here of creating a secondary mortgage market that the people who are living in rural areas, for example, teachers can have access to cheap loans and proper houses which can be constructed through direct Government efforts. I would also want to congratulate the Minister for putting the question of research in the centre of this Sessional Paper. Research in low cost housing in this country is non-existent and you will find that a lot of times, people have had to depend on what their grandfathers and forefathers knew but we have moved from those areas. It is my hope that local technology will be harnessed and we shall combine and have the best technology possible.

Dr. Khalwale: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead the House that there are no research institutions in this country when, in fact, we have a special centre at the University of Nairobi specifically for the development of housing?

The Assistant Minister for Regional Development (Mr. Mungatana): Mr. Temporary Deputy Speaker, Sir, sorry if he did not get me right.

An hon. Member: Apologise!

The Assistant Minister for Regional Development (Mr. Mungatana): I apologise for that. I said that there is little---

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Mungatana! Address the Chair! Do not listen to them! Talk to me!

(Laughter)

The Assistant Minister for Regional Development (Mr. Mungatana): Mr. Temporary Deputy Speaker, Sir, thank you for your protection. As a matter of fact, there is little incorporation of local technology with the advancement of technology that we have had. As a result, we have had little development in terms of constructing our roads which is a basis for advancement in this country.

Mr. Temporary Deputy Speaker, Sir, I hope, and it is the intention of this Paper, that research will be given a bigger boost. More resources should be created so that we can have the full benefit of technology for low cost housing.

Mr. Temporary Deputy Speaker, Sir, one of the other things that this Sessional Paper has addressed is the question of civil servants or public servants and their housing. It is not uncommon to hear that many of these public servants after serving for a very long time, they go home and immediately you hear they have succumbed to death. It is because of the shock of leaving the comfort of their rented houses into these areas. If one looks at countries outside Kenya, you will find that even policemen upon employment, there are mortgage arrangements for them because that is stable income. This Paper states that public servants will be taken care of and it is not going to be a matter of just renting or providing for them while in service, but there will be plans to create ownership as they go towards retirement.

There are certain other issues that I would have hoped and I know they will be taken care of when the substantive legislation comes. In areas such as Frere Town in Mombasa or Lamu we have a real serious problem. These are restricted areas because we are told they are historical towns or places and yet families exist in those areas. People live in those houses and they are stopped from doing any form of renovations for purposes of their daily living. I hope in the legislation that is envisaged here, this issue will be taken care of including even the homeless people that we find in the streets of Nairobi. It is my hope that the envisaged legislation evolving from this Sessional Paper

in collaboration with other Ministries, the homeless, orphaned and the urban poor who we find all over will also be taken care of.

Mr. Temporary Deputy Speaker, Sir, on the whole, I would urge the House to support this Sessional Paper. It is a good Sessional Paper. It has addressed most of the problems that we face for now and it is a Paper that should have the support of all of us.

With those few remarks, I beg to support.

Mr. Sungu: Thank you very much, Mr. Temporary Deputy Speaker, Sir. Like those who have spoken before me, I would like to congratulate the Minister for bringing such a very important Sessional Paper to this House. This is the way to go and all Ministers should be advised that before they bring a Bill to this House, it is important to let Members ventilate and see the issues involved by bringing such a Paper to the House.

Mr. Temporary Deputy Speaker, Sir, may I begin by saying that housing ranks very high in the hierarchy of human needs. The United Nations Habitat in general has actually listed housing as a human right and that is a very important thing. Therefore, speaking as a Member of Parliament from a town constituency where slums are a major problem and I know also the Minister has got a major portion of his constituency being a slum called Kibera, this is a very important matter for me. Therefore, I want to say that when we are looking at this issue, we must also look at the issue of the appalling conditions under which our people live, that is the majority of our people, our voters. We must look at, for example, the question of even "flying toilets" in Kibera and even places like Nyalenda in Kisumu. We also have to address the drainage situation. Even access to some of these slum areas where most of our population live, and these are the workers in this country, is impossible to imagine. Whenever there is an emergency you will find a situation where even a fire brigade engine or an ambulance cannot reach the scene and these applies to every urban centre in this country.

Mr. Temporary Deputy Speaker, Sir, I, therefore, want to support this sessional paper to the highest extent possible. When we are looking at the question of provision of housing, we must look also look at the question of affordability. When we embark on upgrading the slum areas, we need to take care of all the other necessary aspects because if we do develop and upgrade the slums, the net effect will be - given the hard economic conditions that the people of these country are faced with - that the middle class will move to those upgraded areas and the poor who actually deserve to live in those areas, will be left homeless. I want to agree with the sentiments expressed by one of my colleagues that the Minister should ensure that whenever there is housing developed for the low-income groups, then, it is that particular class of people who should occupy those houses.

Mr. Temporary Deputy Speaker, Sir, I do hope and believe that when the Minister shall be implementing these policies, he shall consider the question of problems facing the residents of Kibera, Mathare, Nyalenda in Kisumu Town, Kisumu Ndogo in Mombasa and Malindi and other urban centres.

The Sessional Paper refers to a very important area that has not been properly grasped. That is the area of research. The most common problem we have in Africa is that we tend to judge ourselves by the standards set by the West. We tend to ignore those building materials that were used by our forefathers in the past. We have never tried to modernise the use of such materials. We need to remember that we live under climatic conditions that are different from the ones obtaining in, for example, Greenland, England or USA. The building material required in those places is obviously different from ours. It is fallible that our forefathers never thought about proper building, for example, in Jericho where we have buildings which get so hot during the warm season that one cannot stay in-doors. The same situation obtains in Changamwe in Mombasa. We must do a lot of research to confirm what kind of materials are necessary and useful for building in our areas. We

must also take cognisance of the weather conditions and the cost of building materials which should be affordable to the ordinary person.

Mr. Temporary Deputy Speaker, Sir, I have already talked about access to the areas where our people live. When the Ministry finally manages to upgrade the slum dwellings, it must also consider other basic needs such as water and electricity. The Sessional Paper also talks about the private sector participation. I am aware as an hon. Member of this House that this is now a major policy in the Government. The Government needs private sector participation in almost everything. Already, this House is discussing the Privatisation Bill which also addresses Government-owned corporations. Let us hope that the promise, and I do not want to challenge the Minister, but I know that I as one of the campaigners of this Government promised at one stage that we would provide approximately 160,000 housing units per year to the people of this country. I hope that this policy will not be lost in the midst of the hullabaloo generated by us politicians.

Mr. Temporary Deputy Speaker, Sir, I want to revisit the time and period when municipalities used to provide housing. I do not know what they had at that time that we do not have now. For example, Kisumu Municipality built Ondiek, Makasembo and Mosque Estates. In Nairobi, Jericho, Harambee and Jamuhuri were built by the City Council. Every town in this country boasted of estates provided by the municipalities. Today, the opposite is the case. We know that one of your parents settled, in fact, in the process of trying to repossess some housing units from municipalities because of mismanagement. I do hope that when the Minister finally comes up with a Bill to address this issue, those facts will be considered. The question of migration of people from the rural areas to the urban centres is a reality we cannot escape. It is paramount. The population in the urban centres is increasing up to ten fold and as much as you can imagine. During our days in college, they used to say the urban populations are increasing by "geometric progression". I think that is the correct description. We must take cognisance of this fact when we start to provide housing for our people. We, therefore, must provide our people with enough houses.

Mr. Temporary Deputy Speaker, Sir, the Sessional Paper also refers to the question of civil servants. I believe housing for civil servants has been ignored to a large extent.

Mr. Temporary Deputy Speaker, Sir, if, for example, you take the question of housing for police officers, it is appalling to note that some police officers of lower ranks or the junior officers are forced to share a room, with as many as four officers in one room! These people are married! This is a situation which has been revisited over and over again in this Parliament. It is high time that we considered the question of provision of housing to civil servants. I think it is a fallacy that was created by the previous Governments in this country. In fact, they tried to get rid of housing built by the Government to private people and individuals; these were people who were well placed, thus leaving civil servants without housing.

Mr. Temporary Deputy Speaker, Sir, I do remember a case in point in Kisumu. There was a conflict when one house was allocated to two people. A nurse was living in a house in Milimani, and a police officer who was allocated this house went and, at gunpoint, handcuffed the nurse to a tree in an effort to evict her from the house. It was appalling! Many of our civil servants do not have a place to live because we have mismanaged this facility. The houses that used to be there for civil servants no longer exist. I do hope that this will also be taken into consideration.

Mr. Temporary Deputy Speaker, Sir, there are many "white elephants" in this country. For example, the Nyanza Provincial headquarters is 95 per cent complete, and yet the Government continues to hire offices for almost all arms of the Government at a whopping cost of approximately Kshs600,000 per month. The amount of money required to complete the new Nyanza Provincial headquarters is small compared to how much is just spent on rent for ten years!

(Applause)

Why can we not rationalize this expenditure and cut our losses and say: "We have reached this stage, let us now complete this project so that we can then make use of it?" There is no point for it to just lie there. It is not helping anybody! It is not just the case for Nyanza Provincial headquarters, you can also talk about Vihiga District headquarters, you can talk about countless buildings and even hospitals. You go anywhere, name it and you will find it.

(Applause)

Mr. Temporary Deputy Speaker, Sir, I want to look at one aspect that has been ignored, and that is the question of private development. The policy issue must be revisited. This is one area which has been riddled with corruption. In fact, it is stated that corruption in Kenya became eminent when the Ndegwa Commission of 1968, recommended that civil servants could actually engage in business. I think I am right, but if I am wrong, I stand to be corrected. The question of private development of property for profit by individual civil servants and people in private business has really resulted in a lot of corruption in this country. That corruption even extended to Government parastatals such as National Social Security Fund (NSSF). There must be a rational policy under which this kind of thing can be looked at so that it can be done in a rational manner. I do not mind the private sector playing a role in the development of housing, except that it must be controlled. We must also stop, once and for all, the acquisition of Government houses and property by private individuals, particularly those who are well placed.

Mr. Temporary Deputy Speaker, Sir, the question of rural housing cannot be ignored. There was a time when the National Housing Corporation (NHC) had a policy of providing loans to individuals who could build houses in the rural areas. This has been ignored, but there is another aspect that is being ignored. In most parts of this country, you will find that people take a lot of time to build big homesteads, leaving very little land for farming. Those homesteads cannot provide the food that is required. I believe that there should be a policy which states that certain areas should be left for agricultural purposes, and some areas left for the provision of buildings so that we can have some sort of planning. We must envisage Kenya which is similar to those developed countries that we are seeing now, because that is where we are going. We cannot live in the past. We cannot keep shifting homes.

Mr. Temporary Deputy Speaker, Sir, I come from a place called Kajulu in Kisumu Town East Constituency. We, the Luos, have a habit of moving out of our homes when we grow up and building other homes. A lot of people have run out of land. For example, people in the Mamboleo area, and they have nowhere to go. We must also consider changing the attitudes of our people, so that when we develop housing, we take care of some of those aspects, so that these traditional practices are not allowed to interfere with planning.

With those few remarks, I beg to support, and congratulate the Minister for bringing this Sessional Paper to the House.

The Assistant Minister for Environment, Natural Resources and Wildlife (Prof. Maathai): Thank you very much, Mr. Temporary Deputy Speaker, Sir. I stand to support this Sessional Paper on this very important issue of housing. I also want to congratulate the Minister and his team for an excellent Paper and for bringing this issue to the fore.

Definitely, we urgently need a national housing policy. One of the most important things that a person needs to have in order to have self respect and dignity is a decent shelter that is in accordance with human dignity. The way our people live in the slums is so dehumanising that

sometimes they are ashamed of themselves or without knowing, they under-value themselves. It is not surprising that this is reflected in the way people behave in the rural areas. This is partly because of the deplorable inhuman conditions in which our people live.

Mr. Temporary Deputy Speaker, Sir, the rural-urban migration that the Minister mentioned is greatly aggravated by the fact that there is very little that the young people can do in the rural areas apart from farming. Many small-scale industries and business would do very well if we supplied electricity to many shopping centres. I know the Minister for Energy is prioritising shopping centres for this purpose. I think there should be synergy between this Ministry and the Ministry of Energy because supplying electricity to shopping centres, especially in the rural areas, would reduce the rural-urban migration, especially of the young people. This, therefore, would reduce the mushrooming of slums by people who migrate to the cities and cannot afford to live in decent shelter because they are very expensive.

I would also like to join those who have raised the issue of the rate of interest on loans from the National Housing Corporation (NHC). For many years, the NHC has been allowed to rip-off the people of this country. It is partly the policies of the housing financing institutions that have encouraged our people to move to the slums. It has been virtually impossible even for middle income earners to buy decent houses. This is partly because by the time you finish paying for a house, you will almost have paid three times the original cost of the house. We know that there was a lot of corruption in these financial institutions. Sometimes even politicians were incorporated as board members in these institutions in order to protect them from being challenged when they overcharged our people. I hope the Minister will look into these financial institutions, so that we deliberately have a national policy that encourages Kenyans to own houses. This Sessional Paper caters for the high-income earning groups. These are people who can pay a lot of money to buy houses. We should have a national policy that makes sure that if one is going to buy a house, he or she gets encouraged because interest rates on loans are low. This is very important because a house is a basic need. We need to provide our people with houses. A house is as basic as food and clothing. It is one of the ways in which we can make our people feel proud as Kenyans. They will be coming out of decent houses every morning where they will have bathrooms and toilets.

Using flying toilets is repulsive and makes people feel very degraded. When people live under such deplorable sanitary conditions, they are disregarded by others. I hope that the Minister will look into this and make sure that financial institutions, or the money that is made available, is at low interest rates to ensure that our people get proper housing. Mr. Temporary Deputy Speaker, Sir, if one came into this country from the First World, he or she would hardly believe that this is an African country. This is because we have adopted the Western style of building. It is amazing that we have a very beautiful environment and the best climate in the world. We have a lot fresh air. However, we deliberately build walls around our houses. These walls make the houses very dark inside, and we have to install electricity as a source of light. This is very expensive, yet we could use building material that would allow us to use natural light. We would then use electric light only in the evenings. We also use stone, cement and glass for building. These materials are very expensive. I am not saying that we should not use them. However, if we are going for decent low cost housing, there is no reason why we must use cement, stone and glass. It is possible for us to use wooden windows. The best material for us to use for windows would be the very fine mesh wire which would also prevent mosquitoes from getting into the houses. I hope that the Minister will look into the possibility of using materials that are relevant to our circumstances.

Mr. Temporary Deputy Speaker, Sir, I find it ironical that we campaign to have mosquito nets in every household in order to keep mosquitoes away from children, yet one

can prevent mosquitoes from getting into houses by using the very fine mesh wire. One can also have an extra door in front of the main door, which can remain permanently closed, especially in the evenings when mosquitoes start flying. We should have a by-law that requires that all our windows have a mesh wire for protection from mosquitoes.

An extra door in front of the main door would keep mosquitoes away from our people, and we should use it instead of promoting technologies that worsen our situation. Those who cannot afford the new technology are left at the mercy of the mosquitoes, which spread about malaria.

We do not need to adopt very expensive building material just because it is what the white man came with, and made us start using. When the white man came to Africa for the first time, he started building with mud. The first houses were made of mud.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Order, hon. Members. Hon. Prof. Maathai, you have a balance of 20 minutes to contribute to this Sessional Paper when debate resumes. The House stands adjourned until tomorrow, Thursday, 10th June, 2004 at 2.30 p.m.

The House rose at 6.30 p.m