

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 28th June, 2000

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.175

REMUNERATION OF VILLAGE ELDERS

Mr. Deputy Speaker: Is Mr. Fredrick Kalulu here? We will leave his Question until the end.

Question No.226

CHERRY/MBUNI DELIVERIES TO NYAIGWA/MARANI SOCIETIES

Mr. Deputy Speaker: Is Mr. Angwenyi not here? Let us move on to the next Question.

Question No.332

COMPLETION OF KIMILILI-MAYANJA ELECTRIFICATION LINE

Mr. Deputy Speaker: Mr. Munyasia is not here? We will leave his Question until the end. Next Question, Mr. Ojode.

Question No.110

CONSTRUCTION OF DUAL CARRIAGEWAYS ON NGONG/OUTERING ROADS

Mr. Deputy Speaker: Mr. Ojode is not here? We will also leave his Question until the end. Let us move on to the next Question.

Question No.167

SALE OF LAND RESERVED FOR SEWAGE EXPANSION

Mr. Deputy Speaker: Is hon. Mwenje not here? We will leave his Question until the end. Next Question!

Mr. Muhiha: Mr. Deputy Speaker, Sir, before I ask my Question, I must say that I have just received the written answer to it and I have not had time to look at it.

Question No.297

AWARDING OF TENDERS TO LOCAL CONTRACTORS

Mr. Muhiha asked the Minister for Roads and Public Works:-

(a) what plans he has in place to facilitate the local contractors to participate in, and effectively compete with the established non-African international companies who currently enjoy monopoly in the local construction industry; and,

(b) if he could consider classifying certain tenders to be competed for by the new entrants in order to encourage competent local firms.

The Assistant Minister for Roads and Public Works (Eng. Rotich): Mr. Deputy Speaker, Sir, it is true that the hon. Member has just received the written answer. However, I beg to reply.

I am not aware of that claim. However, we are going to have categories stretching from "A" to "H" in the new criteria, depending on the ceilings of the amount of contracts that somebody can handle.

Mr. Deputy Speaker: Mr. Assistant Minister, are you saying that those categories do not include the fact he has raised now?

Eng. Rotich: Mr. Deputy Speaker, Sir, we have those categories but we are going to add a few more on that. It used to go up to "F" but we are now going up to "H".

Mr. Keriri: Mr. Deputy Speaker, Sir, can the Assistant Minister tell us what these categories are and what they imply in awarding contracts? This is because he is only telling us that they have categories. What are they going to do, and what are they going to be awarded?

Eng. Rotich: Mr. Deputy Speaker, Sir, there will be certain categories. I will start with Category "A" - any project which is over Kshs1 billion; Category "B" - projects between Kshs500 million and Kshs1 billion; Category "C" - projects worth between Kshs250 million and Kshs500 million; Category "D" - projects worth between Kshs100 million and Kshs250 million; Category "E" - projects worth between Kshs100 million and Kshs250 million; Category "F" - projects worth between Kshs75 million and Kshs100 million; Category "G" - projects worth between Kshs50 million and Kshs75 million; Category "H" - projects worth between Kshs25 million and Kshs50 million, and Category "H" - projects of anything up to Kshs25 million.

Dr. Kulundu: Mr. Deputy Speaker, the Assistant Minister says that the Ministry organises training for local contractors. Could he tell this House what--

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

Mr. Deputy Speaker: Order, Dr. Kulundu. There is a point of order from Mr. Keriri. So, hold on.

Mr. Keriri: Mr. Deputy Speaker, Sir, is it in order for the Assistant Minister to avoid answering the second part of my question, which is: What will that categorisation imply in awarding tenders to local people? That is what I asked but he gave me only categories.

Eng. Rotich: Mr. Deputy Speaker, Sir, this categorisation does not imply anything to discriminate against local people.

Dr. Kulundu: Mr. Deputy Speaker, Sir, the Assistant Minister talked about his Ministry training local contractors. Could he tell this House what this training entails and when was the last workshop that his Ministry organised for these new contractors?

Eng. Rotich: Mr. Deputy Speaker, Sir, the training entails supervision, control of funds, management and construction. However, the last workshop for contractors was concluded only one month ago in Kisii Training School.

Mr. Deputy Speaker: The last question, Mr. Muihia.

Mr. Muihia: Mr. Deputy Speaker, Sir, I do not know whether it is the last question because there are several areas he has not really addressed.

Is the Assistant Minister aware that these main companies, that is, S.S. Mehta, Krishal Behal, Crescent and TM-AM have all taken money from this country and they are not performing to the standards required for the roads in this country? We have local building contractors in addition to the road and civil engineering contractors in this country. How much has the Government assisted our contractors in achieving competitiveness, so that they can do our roads perfectly well?

Eng. Rotich: Mr. Deputy Speaker, Sir, I am not aware of the claim that money has been taken out of the country. However, I am aware that some contractors have done shoddy jobs, a thing we have confirmed here very many times. It is true that some jobs are not done properly and money has been paid. That is true and we are not denying that.

I did not capture properly the second part of your question. Please, repeat the second part of your question for me.

Mr. Muihia: Mr. Deputy Speaker, Sir, the second part of my question is: How much money has been advanced to our local contractors to be able to purchase machinery? This machinery is very expensive and that is why our contractors are not able to compete effectively with those few individuals who do curtailing of contracts.

Eng. Rotich: Mr. Deputy Speaker, Sir, we have not advanced any money because we do not have any to advance to anybody at the moment. This is because since the last corporation which used to advance money collapsed, we have not had any other one that can finance money to contractors. These contractors that I am talking about in this list, which I will table, are for road construction and not building construction.

(Eng. Rotich laid the document on the Table)

Mr. Deputy Speaker: Next Question, Dr. Ochuodho!

Question No.042

SHOOTING OF MR. RICHARD ODOYO

Dr. Ochuodho is not here? We will come back to that Question later. Hon. Kalulu's Question for the second time.

Question No.175

REMUNERATION OF VILLAGE ELDERS

Hon. Kalulu is not here? The Question is dropped.

(Question dropped)

Hon. Angwenyi's Question for the second time.

Question No.226

CHERRY/MBUNI DELIVERIES TO
NYAIGWA/MARANI SOCIETIES

Mr. Angwenyi: Mr. Deputy Speaker, Sir, I apologise for not having been present when my Question was called for the first time.

Mr. Angwenyi asked the Minister for Agriculture:-

(a) how much coffee (cherry and mbuni) was delivered to Nyaigwa and Marani Farmers Co-operative Societies, respectively, in each of the following years:

1990/91, 1991/92, 1992/93, 1993/94, 1994/95, 1995/96, 1996/97, 1997/98 and 1998/99;

(b) how much was realised from the sale of coffee in the each of the years referred to in "a" above, for each of the two societies; and

(c) how much was paid per kilogramme to the farmers in each of the years referred to in "a" above.

Mr. Deputy Speaker: There is nobody here from the Ministry of Agriculture? I will defer this Question to tomorrow afternoon.

(Question deferred)

Mr. Munyasia's Question, for the second time.

Question No.332

COMPLETION OF KIMILILI-MAYANJA
ELECTRIFICATION LINE

Mr. Sifuna: Mr. Deputy Speaker, Sir, on behalf of Mr. Munyasia, I apologise for coming late.

Mr. Sifuna, on behalf of **Mr. Munyasia**, asked the Minister for Energy why the rural electrification line from Kimilili through Chwele to Mayanja for which K£980,000 had been set aside according to the Government Estimates for the financial year 1992/2000 has not been put up.

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

Mr. Deputy Speaker, Sir, I would like to inform the hon. Member, together with the House, that the K£980,000 reflected in the budgetary estimates for 1999/2000 financial year is for the Rural Electrification Programme in Bungoma District. The Member should also note that Mayanja Township has already been supplied with electricity

which originated from Kanduyi and extends to Malakisi Township. Thus, no power line has been surveyed to cover Chwele and Mayanja townships. However, I am glad to report that a power line from Kimilili through Chwele to Sirisia has been surveyed and estimated, and is going to cost about Kshs14 million, and we are waiting for the rebate of funds and that will be done.

Mr. Sifuna: Mr. Deputy Speaker, Sir, arising from the Assistant Minister's reply, could he explain to this House what happened to K£980,000? Where did this money go to?

Mr. Manga: Mr. Deputy Speaker, Sir, the Ministry was not supplied with this money. The Member will know that it is because of shortage of funds and, therefore, it did not come.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, did you hear the Assistant Minister say that the Ministry was not supplied with the funds? When he set aside this amount, who did he expect to supply the funds?

Mr. Manga: Mr. Deputy Speaker, Sir, I do not know whether hon. Angwenyi is very serious about his question. However, he knows who supplies the Ministry's funds. It is Treasury and this time it did not have enough money to supply. That is all.

Dr. Kulundu: Mr. Deputy Speaker, Sir, is the Assistant Minister implying that the figures we see in the printed estimates are phantom figures?

Mr. Manga: Mr. Deputy Speaker, Sir, I did not get the question properly.

Dr. Kulundu: Mr. Deputy Speaker, Sir, what I am asking is this: Is the Minister implying that the figures we see in the printed estimates are phantom figures?

Mr. Manga: Mr. Deputy Speaker, Sir, I did not imply that. What I said is that, this particular allocation was not given. The hon. Member knows very well that the Budget is not just a show. Things have been happening, and that means some money has been coming. But you know the availability of all the money that was estimated during that year was not achieved.

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, Sir, it came to our attention yesterday that Kshs19 million that was intended for Migori was equally not given. Now, since Migori and Sirisia areas are Opposition zones, could the Assistant Minister tell us why they were not given any money?

Mr. Manga: Mr. Deputy Speaker, Sir, it is not true that the allocation for Migori District was not given. Currently, there is a project being undertaken with part of the money that was allocated to Migori District. It could be that the money is not enough, but there is some money which was given and the job is currently going on.

Mr. Sifuna: Mr. Deputy Speaker, Sir, could the Assistant Minister be very serious now and confirm to this House that during the 2000/2001 Financial Year, the Government will provide electricity from Kimilili to Chwele without further delay?

Mr. Manga: Mr. Deputy Speaker, Sir, the moment the Ministry has the money, electricity will be provided. Already, most of the work has been done. Money has been used to do the surveys, and it is the interest of the Ministry to complete the job.

Question No.110

CONSTRUCTION OF DUAL CARRIAGEWAYS
ON NGONG/OUTERING ROADS

Mr. Deputy Speaker: Is Mr. Ojode still not here? His Question is dropped. Let us move on to the next Question.

(Question dropped)

Question No.167

SALE OF LAND RESERVED FOR SEWAGE EXPANSION

Mr. Deputy Speaker: Is Mr. Mwenje still not here? His Question is dropped. Let us move on to the next Question.

(Question dropped)

Dr. Ochuodho: Mr. Deputy Speaker, Sir, I apologise because, as I was crossing over to the Attorney-General to get the written answer, I missed asking the Question the first time round. However, I would like to ask the Question although I have not received a written reply up to now.

Mr. Deputy Speaker: Even you, Mr. Attorney-General?

The Attorney-General (Mr. Wako): Mr. Deputy Speaker, Sir, the position is that the weekly list which we normally get from Parliament somehow indicated, or I read it to indicate that, this Question would be asked in the afternoon. It is only at about 9.00 a.m. that I received the Order Paper, and realised that it was coming this morning, and then, I instructed photocopies to be made and be brought immediately. I am sure they are lying somewhere---

Mr. Deputy Speaker: But the point is that, the answer ought to have been here a lot earlier than today, even if the Question was to be answered in the afternoon!

The Attorney-General (Mr. Wako): The answer could have been here this morning, in readiness for the afternoon.

Mr. Deputy Speaker: Proceed!

Question No.042

SHOOTING OF MR. RICHARD ODOYO

Dr. Ochuodho asked the Attorney-General:-

(a) whether he is aware that one Richard Odoyo of Kagan West Location, Homa Bay District, was shot dead by a prison warder during the vote-counting exercise in December, 1997, outside the counting hall in Homa Bay Town;

(b) what action has been taken so far to bring the perpetrators of this heinous act to book; and,

(c) whether the Government will compensate the parents of the late Mr. Odoyo and, if so, in what manner.

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

(a) I am aware that one Richard Odoyo Okeyo died as a result of the injuries arising from a stray bullet, and being crumbled on by a riotous crowd during the vote-counting of the presidential, parliamentary and civic elections in 1997.

(b) The circumstances surrounding the death of Richard Odoyo Okeyo were investigated under Inquest No.1/98. The matter was taken to court and is now before the Senior Resident Magistrate Court under File No.5/98. So far, 17 prosecution witnesses have testified in the case out of 23 prosecution witnesses. The inquest hearings have taken place on the following dates: 31st of May; 6th of July; 6th of August; 23rd of September; 24th of November; 27th of January, 2000; 7th of March, 2000, and 10th of May, 2000. The next hearing is due on 29th June, 2000.

(c) The issue of compensation has not yet been considered as the matter is still pending before the court. We have not received a formal demand.

Dr. Ochuodho: Mr. Speaker, Sir, the bullet that killed my brother, Richard Odoyo, was meant for me during the run-up for elections time! Before the vote counting day, my vehicle was burnt down. I was beaten and left for dead at a funeral. We reported to the police and no action was taken. My driver's eyes were gouged out and we reported to the police but no action was taken. My vehicle was shot at, at Oyugis by people believed to be plain-clothes policemen. We reported the matter to the police, but no action was taken.

Mr. Deputy Speaker, Sir, the day Richard Odoyo was shot dead---

Mr. Deputy Speaker: Ask your question now!

Dr. Ochuodho: Could the Attorney-General tell us who was arrested in connection with the shooting of Mr. Richard Odoyo, considering that on the day that he was shot dead, I had been tipped off that on the vote counting day I was the one to be cleared? When we got wind of this, I decided not to go to the vote counting.

Mr. Deputy Speaker: Order! Now, you are making a statement! Ask your question now!

Dr. Ochuodho: My question is: Who has been arrested in connection with the shooting of Mr. Odoyo, who died in my place, having allowed my wife and my brother to go for the vote counting when I was tipped off that the police wanted to kill me? They ended up killing my brother!

Mr. Deputy Speaker: Order! Do not make a statement when you are asking a question! Our Standing Orders are very clear!

Mr. Wako: Mr. Deputy Speaker, Sir, I think the hon. Member knows that where there is a public inquest, we have to await the outcome of that inquest before a decision can be made as to whether or not any person is responsible for death. As to the number of allegations that he has made, they are not substantiated. They are not part of the specific Question which is before the House.

Mr. Shill: Mr. Deputy Speaker, Sir, there are so many cases where police kill innocent wananchi. The Office of the Attorney-General takes a lot of time before such cases are dealt with. Could the Attorney-General tell the House why such cases take so long? I have in mind other such cases which happened in Garissa in 1994, and up to now, nobody has been taken to court.

Mr. Wako: Mr. Deputy Speaker, Sir, unless I get particulars of the specific cases, I cannot answer on that. But, generally, before one orders an inquest, or before one orders that somebody should be arrested and charged with murder, there must be proper investigations carried out. Normally, part of the delay is at the level of investigations being carried out into the alleged murder or manslaughter.

Mr. Muithia: Mr. Deputy Speaker, Sir, the Question is very specific! The Questioner says that Mr. Odoyo was shot by a prison warder. Why has the prisoner warder not been arrested?

Mr. Wako: Mr. Deputy Speaker, Sir, not even the Questioner has named the warder. That was a situation where there were many police officers and prison warders, at the time of the general elections. The whole purpose of the inquest is to delve into all those issues.

Dr. Ochuodho: On a point of order, Mr. Deputy Speaker, Sir. In the event that many people kill, what I have seen as normal practice is that all the policemen who were there would have been arrested for being accomplices. Is the Attorney-General in order to tell us that in a situation where ten policemen kill one person, you leave them free because you do not know which of them killed? The shooting was in a hall which was a confined place! Is he in order to mislead the House?

Mr. Wako: The hon. Member is aware that when that happened, all of them were acquitted by the court.

Mr. Deputy Speaker: Order! If you look at the Order Paper, we must move on to the next Order not later than 9.30 a.m. So, all the Questions listed under Private Notice are deferred to tomorrow afternoon.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, I also beg you to defer my Question because I will need further information!

Mr. Deputy Speaker: All right, I will defer your Question.

(Question deferred)

QUESTIONS BY PRIVATE NOTICE
BREAKDOWN OF LAW AND ORDER IN ISIOLO

(Mr. Maore) to ask the Minister of State, Office of the President:-

- (a) What is the genesis of the breakdown of law and order in Isiolo in April/May, 2000?
- (b) What steps has the Government taken to ensure that violence does not recur?
- (c) How many people were arrested and prosecuted for direct and indirect involvement in the violence?

(Question deferred)

REGISTRATION OF PERSONS IN TANA RIVER

(Mr. M.A. Galgalo) to ask the Minister of State, Office of the President:-

- (a) Is the Minister aware that registration of persons exercise has not been taking place in Tana River District for the last two years?
- (b) Is he further aware that many eligible youths in the district were denied registration for lack of screening cards?
- (c) In view of the voter registration exercise, what urgent measures is the Minister taking to ensure that eligible youths are not disenfranchised or denied their rights as Kenyans?

(Question deferred)

ALLOCATION OF PUBLIC WORKS DEPOT

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

- (a) Why has the Ministry allocated the Public Works Depot at Wilson Airport in Nairobi to a private developer?
- (b) Could the Minister give the name of the two private allottees and the sizes of plots allocated?
- (c) In view of the strategic importance of this depot to the Ministry, could the Minister nullify the allocation?

(Question deferred)

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(The Minister for Finance on 15.6.2000)

(Resumption of Debate interrupted on 27.6.2000)

(Fifth Day of the Budget Debate)

Mr. Deputy Speaker: Who was on the Floor?

An hon. Member: Hon. Parpai, but he had concluded!

Mr. Deputy Speaker: Okay, Mr. Ndilinge!

Mr. Ndilinge: Asante sana, Bw. Naibu Spika, kwa kunipatia fursa hii nichange machache kuhusu Bajeti iliyosomwa katika Bunge hili.

Bw. Naibu Spika, kwanza ningependa kumpongeza Bw. Waziri kwa kuzungumza kuhusu chakula ambacho hakitazozwa ushuru. Lakini nitamshutumu kwa kuongeza ushuru wa VAT kutoka asilimia 15 hadi asilimia 18. Ushuru wa VAT katika nchi hii unahusu chochote ambacho mwananchi wa kawaida hununua. Kwa hivyo, hii itamaanisha kwamba Waziri alipopandisha ushuru wa VAT, alimwathiri mwananchi wa kawaida. Ningependa, kwa hisani yake, Waziri aiangalie sehemu inayohusu VAT tu. Bila mwananchi wa kawaida, wewe na mimi hatuwezi kuwa viongozi! Kwa hivyo, ningependa Waziri aangalie upya sehemu hiyo ya VAT.

Bw. Naibu Spika, tuna shida ya pesa katika nchi hii. Ikiwa mtu hajashiba, hawezi kuwa na fikira za kutafuta pesa. Kwa hivyo, ningeiomba Wizara ya Fedha ifikirie sehemu zilizo na rutuba kama vile sehemu za Ukambani, kwa sababu kile kinachokosekana katika sehemu zile ni maji. Kwa hivyo, ningemwomba Bw. Waziri aangalie ni jinsi gani mito zaidi ya 16 ambayo inapitia katika eneo la Ukambani inaweza kutumiwa kwa kunyunyizia mashamba maji na kuwawezesha Wakamba kukuza chakula cha kuwatosha na kitakachobaki, kipewe Wakenya katika sehemu nyingine za nchi.

Bw. Naibu Spika, maji mengi hutiririka hadi kwenye Bahari ya Hindi na hizo pesa ambazo Wakamba na watu wengine--- Lakini wakati huu, Wakenya wengine watajua njaa ni nini kwa sababu ukosefu wa chakula uko kila mahali. Kwa hivyo, huu ni wakati wao kutambua tunapoomba chakula si kwa sababu sisi ni wavivu, lakini ni kwa sababu tunakosa maji.

Bw. Naibu Spika, kuhusu Halmashauri ya Kenya Meat Commission (KMC), Waziri wa Kilimo, kama anayajali maslahi ya Wakenya katika roho yake, angehakikisha mradi huo wa KMC umefufuliwa. Hii ni kwa sababu wafugaji wengi watapoteza ng'ombe wao wakati huu wa ukame. Lakini kama KMC ingekuwa inaendelea kufanya kazi kufikia wakati huu, ngo'mbe wengi wangepelekwa kuchinjwa huko na kutumiwa na Wakenya siku za usoni. Lakini ng'ombe hao wote wataangamia.

Bw. Naibu Spika, tuna hakika kwamba mambo mengi yalitajwa katika Bajeti, lakini ukweli ni kwamba Bajeti haiwezi kupangwa bila pesa za kutekeleza yale mambo ambayo yamekadiriwa katika Bajeti. Tungependa kuwaomba Wakenya wote, mkubwa kwa mdogo, wakomeshe mtindo wa kutumia pesa ovyo ovyo. Hii ni kwa sababu tunapojishughulisha na kutafuta pesa za chakula na kadhalika--- Ningewaomba wale ambao walichukua pesa za nchi hii wabebe misalaba yao, kwa sababu, wakati umefika ambabo kila mtu atahitajika kuleta talanta zake alizopewa kwenda kuuza.

Bw. Naibu Spika, ningeziomba pande zote mbili za Bunge hili kwamba, ikiwa kuna jambo ambalo linahusu nchi hii, tusianze kusema mambo ya Upinzani wala ya KANU; tusahau hayo na tuongee kuhusu nchi ya Kenya badala ya kusema, "ninamchukia huyu na kumpenda yule." La!

Ningependa kutumia wakati huu kuwapongeza Wabunge wa Upande wa Upinzani kwa sababu jambo ambalo linahusu nchi, likifika katika Bunge hili wote pamoja, na wa upande huu wa KANU, wanaunga mkono jambo hilo mkono bila kujali mambo ya kisiasa. Ningependa tuendelee vivyo hivyo. Pia ningependa kutoa mwito kwa upande huu wa Serikali kwamba, jambo likipendekezwa kutoka upande ule wa Upinzani, tuiseme kwamba limetoka kwa upande wa Upinzani, lakini tuliunge mkono kwa sababu linahusu maisha ya wananchi wetu katika Kenya. Tukiendelea namna hiyo, tutafikia kiwango cha maana.

Kwa sababu sitaki kuongea kuhusu mambo mengi, ningependa kushutumu Idara ya Polisi. Itafika wakati ambapo hatutaweza kuunga mkono Voti ya pesa za Idara ya Polisi, ambayo iko katika Ofisi ya Rais. Hii ni kwa sababu

pesa zinazotengewa Idara ya Polisi katika Ofisi ya Rais hutumika kuwanyanyasa viongozi, sana sana Wabunge katika Bunge hili. Kuna wakati mmoja, nilipokuwa na mkutano, mkutano huo uliharibiwa na polisi. Walipoulizwa sababu ya kitendo hicho, walisema kwamba, "uamuzi wa kuharibu huu mkutano umetoka juu". Ningependa wananchi na viongozi wenzangu wajue kwamba, vinavyotoka "juu" ni vitu viwili: Mvua na Yesu Kristo Mwana wa Mungu, tunayemngojea siku zote. Sijui kitu kingine ambacho kinaweza kutoka juu. Kwa hivyo, awe ni polisi viongozi wa aina gani, wanaponiambia, "hayo maneno yanatoka juu", wananishangaza sana. Hii ni kwa sababu, maneno hayo si mvua wala Yesu Kristo; kwa sababu kutoka juu, ni haya mawili tu tunaweza kutarajia.

Kwa hivyo, ningependa kiongozi, awe katika Idara ya Polisi au wapi, ajue kwamba viongozi huja wakipita. Vile vile, asitumie sheria ambazo ni kando na zile alizofundishwa. Hii ni kwa sababu, siku moja huenda akajikuta taabani, maana kila idara; iwe ya polisi, GSU, Jeshi na kadhalika, zote ziko na sheria zao. Ofisa yeyote ambaye atakuja kutumiwa vibaya na kutumia sheria hizo vibaya, siku moja ataitwa na kuulizwa: "Je, unakumbuka tarehe fulani, mwezi fulani? Unakumbuka kwamba uliharibu mkutano wa Mbunge fulani"? Aseme, "ndio, nilikuwa nimetumwa kutoka juu." Halafu, ataulizwa aeleze "juu" ni wapi na ni nani aliyemtuma. Kwa hivyo, ningependa kuwatahadharisha kwamba, hakuna haja ya kupitisha mambo hapa na badala ya--- Siku hiyo hiyo, baada ya mkutano kuharibiwa, wezi waliba vitu kutoka duka la mfanyabiashara mmoja umbali wa kilomita tano kutoka mahali hapo, wakati polisi walikuwa wanakimbiza wananchi wa kawaida. Polisi wangezua kisa hicho cha wizi badala ya kuharibu mkutano.

Bw. Naibu Spika, ningependa kwamba, viongozi wakitofautiana kisiasa, wasitumie polisi, Jeshi au vijana. Hawajui kitu! Ukweli ni kama Mungu! Ukipanda ukweli kwa mawe, kesho yake utapata umeota. Ukipande urongo kwenye mbolea, kesho utapata umetokomea. Kwa hivyo, ningependa viongozi wajue kuwa, chochote kitakachopitishwa katika Bunge hili na kiwe kinatuhulumu, tutakuwa tukikipinga hapa hapa! Nitakuwa katika msitari wa mbele kupinga jambo hilo. Sitaweza kupitisha pesa zitakazotumiwa kunidhulumu! Kwa hivyo, ningependa Wizara zote zikipewa pesa katika Bunge hili, ziende zikatekeleze yale ambayo yamenuiwa kutekelezwa kwa pesa hizo.

Bw. Naibu Spika, ningependa kuipongeza Wizara ya Fedha na kuwashutumu wale wanaopewa hizo pesa kutekeleza miradi ya maendeleo. Watu kama wakuu wa wilaya na wanakamati wa kamati za wilaya--- Wizara ya Fedha inatuma pesa nyingi lakini kazi zinafanywa kwa vitabu tu. Lakini ukiangalia, utakuta kwamba hakuna kazi iliyofanywa. Kama wawakilishi wa wananchi, tungependa kujulishwa pesa hizo zilipotoka katika akiba ya Serikali, zikaenda katika ofisi ya DC, zilifanya kazi gani. Sisi ndio wawakilishi wa wananchi ambao wanatumiwa hizo pesa kutekeleza miradi ya maendeleo.

Jambo lingine ni kuhusu mamlaka ya wale wanaotunza pesa. Viongozi wengi hushutumu maofisa ambao wanahusika na kazi hiyo. Nikitumia pesa za Serikali vibaya, ninaanza kumshutumu ofisa anayehusika na kumuuliza, "kwa nini ulitumia hizi pesa za umma vibaya?" Ningependa Bunge hili liwapatie maofisa wa Wizara ya Fedha na Mipango nguvu za kumchukulia hatua mtu yeyote, hata kama ni Mbunge, ambaye amepora pesa za umma. Huu utakuwa mfano mzuri kwa watu wengine. Maofisa hawa wa Wizara ya Fedha na Mipango na wizara nyingine hawana uwezo. Wanaona mabaya yakitendeka, lakini hawawezi kusema kwa sababu wanaogopa kuhamishwa hadi Garissa au mahali pengine. Ningependa Bunge hili limtete afisa yeyote anayeonewa kwa sababu ya kutambua maovu katika Wizara yoyote.

Bw. Naibu Spika, ninajua kuna waheshimiwa Wabunge wengi wanaotaka kuchangia Hoja hii, na ninaomba Bunge hili liunge mkono Bajeti hii na Wizara ya Fedha na Mipango ihakikishe kwamba pesa zote ambazo zitatengwa kwa maendeleo zimetumiwa kwa miradi hiyo.

Bw. Naibu Spika, kwa hayo machache, ninaunga mkono.

Mr. Maore: Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to share a few words about the Financial Statement for the year 2000/2001.

First, I would like to state that I have always been hesitant to support those rhetorical statements because, you find that every year, the Minister for Finance, who happens to take the American version of the State of the Union Address by the President of the United States, highlights what he intends to do. Year in, year out, they state that they want the GDP and the economy to grow; unemployment to come down, industrialisation and so many visions that always end up being nightmares.

Mr. Deputy Speaker, Sir, you must have been a public servant in 1972 when they were bringing the Sessional Paper on Water by the year 2000. Come the year 2000, that dream has not been achieved. The Budget for the year 2000/2001 was like a reconstruction or a recovery Budget. This is the same Government we have had for the last 22 years. Recovery from what? There has not been a typhoon or detonator that has cleared everything in the country to warrant a recovery budget. We are doing a recovery from our own mismanagement. I do not understand how the same managers, or the same men and women who have brought down the country down to its knees, can do recovery and reconstruction. They start shouting loudest that, "we need to support the Minister for Finance, so that he can turn the economy around. We also need to support the President, so that he can run the country effectively." Who has been responsible for the destruction of this economy?

Mr. Deputy Speaker, Sir, if you turn around on every sector that requires the attention of the Government, it has collapsed. For example, on agriculture, who is supposed to supervise extension officers in the villages? Who is supposed to supervise the maintenance of boreholes? Those people went to sleep. Then all of a sudden, we call in the Head of the Public Service to bring in sanity. Even if we call all the people from the private sector into the Government, we would have the worst corruption than the one we have in the public service. The inefficiency and corruption in the public sector is maintained by the people in the private sector. Those are the people we are calling to head this and that sector. It does not make sense.

Mr. Deputy Speaker, Sir, on insecurity, we have a Government sitting tight, whereas in about 50 per cent of its own territory, we cannot drive from one district to another. In 17 districts, actually stretching from Tana River to West Pokot; the whole of that region, namely, Garissa, Wajir, Mandera, Moyale, Marsabit, Isiolo, Samburu, Turkana, West Pokot, part of Trans Nzoia and even part of Nyambene, you cannot drive freely in any of those territories. We have people who meet every Thursday masquerading as a Cabinet. What do they discuss?

Mr. Deputy Speaker, Sir, the other issue is that of the infrastructure. There is no infrastructure you can instal, abandon and expect it to last forever. It is only those things that have divine names that last forever. You do not construct roads, abandon them, wait for money to be voted in every annual estimates and the money is never released to those projects and expect those infrastructures to be there. When we have other installations by the Government, like what has happened to the water system in the City of Nairobi, they are looking up in the sky and starting to blame God. Look at what has happened to electricity; it is being put off 12 hours in a day. They look up in the sky and start saying they are not rainmakers. Siltation is not an act of God. It is supposed to be cleared by a Government that plans. It is not God who is supposed to provide rain when we are not prepared to receive it.

The *El Nino* rains could have lasted us a minimum of five years without any other rain whatsoever, if the energy sector was properly managed. If they knew there would be drought, what they did do? They just sat down, waited and now when there is nothing, they start thinking of how to make money with a misfortune they have created. We do not have a problem with the Kenyan public. We do not have a problem of disunity, because I hear a lot of people saying that the Government should be supported, and that we need to be united. Kenyans have always been united, but the Government is provoking them too far. What is the Government doing with the unity and support it is getting from the people? The fact that people are quiet and calm--- When there is a problem of price adjustment, they start adjusting their pockets to the bad the management in Government. When there is a misfortune, Kenyans are called upon to arise and unite. We always stick together. What does the Government do with that ceasefire it gets from its own people?

Mr. Deputy Speaker, Sir, we are having problems with our development partners, namely, the World Bank and the International Monetary Fund (IMF). We have exposed ourselves to the vagaries of international cartels who have never managed any economy successfully. On retrenchment, the World Bank and IMF cannot force any country in the world to retrench professionals. When we accept strange and ridiculous demands, we start blaming the World Bank. The world knows that the population of this country has been growing at 2.4 per cent annually for very many years, and our economy has not been growing. If you look at the current Estimates, they have been estimated at 1.3 per cent. There is no way the World Bank and IMF will tell us to retrench teacher. It is not possible. There is no way the World Bank is going to force us to close down teachers' training colleges when we are producing at a rate of 2.4 per cent annually. Those are the issues to which the Government should be able to say 'no', straight into the eyes of our development partners.

Mr. Deputy Speaker, Sir, the other major point has been the stories regarding the political uncertainty or stalemate over the constitutional review. This economy will not grow even by 1 per cent for the next three years until the Government shows genuine commitment to reforms.

Mr. Deputy Speaker, Sir, we are expecting investors to come to this country after the World Bank and the International Monetary Fund (IMF) give us a clean bill of health. People will use that period to transfer their money; there will be massive capital flight from this country. During his Budget presentation to this House, and during his briefing of the Cabinet before he came here, the Minister for Finance had a "don't-worry-be-happy attitude". That is not fair. Let us have a Government commitment that there will be reforms and transition. It is actually that hope for transition that is holding this country together. Kenyans, who have been suffering under the nightmare of the Moi administration for 22 years, hope that a ray of light will come in the Year 2002, when there will be a change.

Any attempt by those fellows who hang around State House for "kitchen cabinet breakfasts", and who shout that there will be no change, will bring problems in this country. When people realise that there is no hope of having change in this country, they will rise up against the Government, and it may never be possible to control them. Nobody has ever managed to control chaos. Chaos always manages everybody, with disastrous consequences. This country has been peaceful for all the 22 years of the Moi administration. This Government should not continue mismanaging this country's economy through corruption and inefficiency and tell Kenyans to adjust their belts and brace themselves for a

rough ride. It is the Government which needs a rough exit, so that we can have prosperity for our country.

Thank you.

Mr. Maundu: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to make a few comments on the Budget for the year 2000/2001.

For the purpose of this new millennium, this is an important Budget. It begins the chapter to a new horizon, that of either redemption or total destruction and annihilation. This is not an ordinary Budget. It is a Budget that must start giving hope and refreshment to an economy that has been breathing cold for far too long. If we are unable to capture the mood of our times in the concept of this particular Budget, this country is unlikely to have a future.

Mr. Deputy Speaker, Sir, when the Minister for Finance discussed, intensively, the methods he intends to apply to bring in changes, or revive the economy from what it has been struggling, we were unable to agree that this Budget gives the necessary kick and momentum into the future. Generally, the Budget has made Kenyans walk on a tight rope during these difficult times. The programme for now and the future has not been very clear-cut. This Budget is only struggling to get out of the jaws of the past, but its programme for the Year 2000/2001 and beyond is not very clear.

If you look at the various sectors that have been covered within the three-year plan of this Budget, you will realise that those areas show no significant amount of money allocated for the purpose of growth. Many people wondered when the Minister for Finance said that this country's economy would grow beyond the insignificant 1 per cent rate. How is that growth going to be achieved? What are the sources of the finances that will help this country's economy to grow? The optimism that we will get funding from our development partners, such as the World Bank and the IMF, which previous Budgets used to contain, was lacking in this particular one. All that we have is an expectation, which may materialise or fail.

I would like to urge the Minister to pursue the lines that we have seen him pursue - persuading our international development partners that there is a good case for development in this country. We would like the persistent and relentless disputes which this country has had with the World Bank and the IMF resolved, so that we may open up this country to the international market of finance. In fact, nobody will put his money, more particularly investments, in an area he considers risky. Even Kenyans themselves will find it difficult to invest in this country if they are uncertain about its future. I would like to join my friends who said that it is important to have a constitutional framework that provides a new dispensation on the political and economic fronts of this country. Unless we have a new constitutional order, I doubt whether many Kenyans will find it possible to proceed on the basis that all is well in this country. Unless Kenyans and the country's political leadership can demonstrate that they are capable of having a process of constitutional change, our international development partners are unlikely to be persuaded that this country is a safe place for their money.

Mr. Deputy Speaker, Sir, we had hoped that, with the immediate former Minister for Roads and Public Works in that docket, and since he was courageous, forthright, visionary and incorruptible, that Ministry would start to break away from the past. We are disappointed that, whereas particular areas of that Ministry take the centre stage of the development of this country, the person who was spearheading that particular move found no place in that Ministry. For example, recently, there have been tenders for the recarpeting of the Mombasa-Nairobi Road. The list of the firms which have been short-listed for the purpose of recarpeting that road are the same ones which have fleeced this country of billions of shillings. The owners of those firms and the relevant Government officials know how they inter-relate with each other. Is it fair for this country to be, once again, subjected to looting in the 21st Century? Why is it that there was no invitation for tenders from reputable international organisations? I would like to say that the cartel that has continued to exist within the Ministry of Roads and Public Works is, again, rearing its ugly face on the Mombasa-Nairobi Road.

We, in that region, will not allow any of the companies that have been named in shady deals to do any recarpeting work on that road. We have suffered enough due to shoddy work that has been carried out by such companies to the extent that this country's economy is collapsing. Therefore, we are not going to just sit down and watch Kshs4 billion put to waste by companies that do shoddy work. The Ministry of Roads and Public Works should re-consider this matter quite properly and ensure that we have the right companies doing the job.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, the Minister's Budget Speech did not indicate the ways in which he intends to complete projects that have become white elephants for a long time. What measures is he taking to ensure

that those projects do not deteriorate to a point where, in time, they will be a waste? He has not said that he intends to allocate money for their development, or dispose of them in one way or the other, and make sure that the losses that have been incurred cease to be incurred. For example, Makueni District Headquarters project, which was almost 70 per cent complete, is now deteriorating at a very fast rate. When the Ministry allocates money for the completion of that project later on, it will cost a lot more money than was initially envisaged. So, we would like the Minister to tell us the actions he is taking to ensure that incomplete projects in this country are either completed or disposed of, so as to defray unnecessary expenses.

Mr. Temporary Deputy Speaker, Sir, the other area that has been of concern to most of us is in the increase in the VAT level. That increase has created unnecessary complications to our programmes for poverty eradication. We expected the poor mwananchi to get some reprieve from VAT. Some of the items that are being charged VAT are very sensitive items. For example, the increase in VAT for the tourism sector means that it is not going to have any serious growth. Secondly, the increase in VAT in the agricultural sector is going to cause problems within that sector. These are some of the areas the Minister needs to look at, and other areas that are likely to be affected by VAT in such a way that development is not going to accrue.

Mr. Temporary Deputy Speaker, Sir, the biggest problem we are faced with today is lack of electricity and water. There has not been proper planning in these particular sectors. Makeshift arrangements have been made within the Budget to make sure that generators and other items that are going to assist in the generation of power are provided. But even when people are not getting electricity, the bills are continuing to soar. Nobody is explaining this particular scenario and we are not aware who is importing those generators. We have been made to understand that as soon as the Budget was read, generators started finding their way from the Port of Mombasa to Nairobi. I wonder when those people knew that the Budget was going to give them that reprieve. We are worried that the energy sector is being managed by the same cartel of mafia-like group that wants to fleece Kenyans of their meagre resources. We know these people, and they know themselves. But every day, when they come to this Parliament, they think nobody knows them. There is no amount of whitewashing that will make Kenyans believe that when they speak loudest in this House, then they have become clean. There is no amount of detergent, whether "Omo" or "Jik" that is going to clean certain people of the mess they have plunged this country into.

Mr. Temporary Deputy Speaker, Sir, so many people have been pouring scorn on the Report of the Select Committee on Anti-Corruption. Some of them want exemption and rubber stamping of the Report by this House so that they remain clean. When that time comes, things will be explained.

I beg to support.

Mr. Kihara: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this year's Budget Speech.

This Budget has been read during a very serious crisis; political, economic and social. I do not wish to repeat what has been said by others on both sides of the House. We all know that all these problems are a result of poor and mediocre leadership and governance. When a similar thing happened in the Kenya Commercial Bank, we had a Mr. Gareth George brought in to turn the bank around. I think the entire country also requires its own Gareth George to turn it a round because the people we have on the opposite side of the House are the ones who have brought us to where we are, the mess that we are facing in--

Mr. Maundu: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member has made a blank statement that hon. Members on the Government side of the House have caused the mess in the country. Could he be more specific because some of us do not want to be lumped in the same bag?

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, it is not every hon. Member from that side of the House, but some of them.

Mr. Temporary Deputy Speaker, Sir, as I was saying, this country requires its own kind of Gareth George to turn it around. We are tired of some Ministers who keep on insulting Kenyans every day that there is no suitable successor to Moi. If KANU does not have a replacement for Moi, we on the Opposition side have a replacement for Moi, who would even do a much better job

Mr. Temporary Deputy Speaker, Sir, Kenyans are very poor. They live in very poor housing conditions; they cannot afford education and school fees. The Government has to blame for all these problems for condoning corruption. When we talk about corruption in this country, some people refer to the infamous Chepkube saga. I think it is time we put history in its proper perspective. Those of us who lived during the Chepkube times know that it was beneficial not only to Kenya, but also Uganda because it denied Amin the foreign exchange to oil his war machines. That was the time Ugandans were living in chaos. They could not sell their coffee. So, they got an avenue for selling their coffee to Kenyans and, in turn, Kenya earned foreign exchange. For people to speak about Chepkube as a defence for today's corruption, I think, is the height of ignorance. They do not know what Chepkube was all about. It was good for both Kenya and Uganda.

Mr. Temporary Deputy Speaker, Sir, in the Budget Speech, the Minister talked about criminalising bouncing cheques. This is a welcome idea, but the Government must first put its own house in order. I am happy that two Assistant Ministers from the Ministry of Finance are here. I would like to inform them that Government cheques are no longer respected. Before, even LPOs were as good as cash. But nowadays, nobody accepts Government LPOs. For example, when we get our salary cheques and deposit them in the banks, they cannot pay us until those cheques are cleared. So, the Government should first put their own house in order because Government cheques are notorious for bouncing.

Mr. Temporary Deputy Speaker, Sir, the Budget failed to invest in agriculture which is the backbone of this economy. There used to be something called Guaranteed Minimum Return which assisted farmers growing cereals. That GMR was abolished by the Government, and now farmers have no access to credit. I would like to urge the Minister to do something to empower the farmer, so that we are able to produce food.

Before the late President died, he put up silos all over the country to store maize. At the time of his death, they were full of grains, but as soon as this regime came into power those silos were opened and maize exported. When the then Head of Civil Service, Geoffrey Kareithi pointed out that, that was going to cause famine, he was sacked because this Government cannot entertain anybody who is clean. The President had sworn that Kenyans would never again eat yellow maize, but as soon as President Moi took over, we had yellow maize in 1983.

Mr. Temporary Deputy Speaker, Sir, I would like to turn to the question of pastoralists. Pastoralists are our brothers, and we understand their problems. I raised the question of pastoralists invading my constituency, Naivasha, and I was threatened by the District Commissioner, Nakuru, with arrest. The same thing happened in Laikipia, but because those pastoralists entered former White settler farms and farms of big people, action was taken immediately. As I am speaking here, some of them are in police cells. One wonders what the difference is between the title deed of Wanjiku in Naivasha and Mr. Smith in Laikipia. Why was immediate action taken in Laikipia and not in Naivasha? Is it because those people there do not matter? Why is the law being applied selectively? That is an issue we would like this Government to address; that, pastoralists should be educated to keep animals they are able to look after in their own land. There is no other Mt. Kenya for grazing anywhere.

Mr. Temporary Deputy Speaker, Sir, this Government needs a policy on horticulture. Naivasha and Nyandarua feed Nairobi with vegetables. However, our farmers are at the mercy of the consumers because there is no way they can sell their vegetables and potatoes. We used to have Pan African Vegetable Mills but it was looted. Therefore, our farmers cannot sell their crops when the prices are better. We need a policy on agriculture in our Budget.

Mr. Temporary Deputy Speaker, Sir, water is another very serious problem facing my constituency and Nakuru District as a whole. All the way from the escarpment to Nakuru, there is only one river, Malewa River, that flows into Lake Naivasha. There is no water anywhere else. The Government had entered into an arrangement with the Catholic Diocese of Nakuru in which the diocese would contribute 70 per cent of the cost of sinking boreholes, while the community would contribute 30 per cent and the Government would supply power at Rural Electrification Programme rates. The Government failed in its part of the agreement. The community and Catholic Church contributed their 30 per cent and 70 per cent respectively, but the Government failed to fulfil its obligation. As a result, peasant farmers have to pump water with generators, which are very expensive. We would like the Government to fulfil its obligation in this project.

Mr. Temporary Deputy Speaker, Sir, the other problem we have in this country is unemployment. Unemployment is a time bomb waiting to explode. Of course, we are adding to it by retrenching civil servants. We do not know what plans the Government has to absorb all school leavers that are graduating from universities and other training institutions, if we are retrenching those who are already in employment.

Mr. Temporary Deputy Speaker, Sir, I would like to conclude by talking about our Constitution. I think the Constitution is the single most important issue facing this nation today. We have many men and women of goodwill on both sides of the House who should sit together and find a solution, so that we can write a Constitution for posterity. Let us not be worried of our positions now or the succession issue, but look into the future of our children. Some of us have only a few years to go and we would like to make sure that our children live well. Let us not follow those who run with the hare and hunt with hounds. Let both sides of the House and those in Ufungamano House sit down, have a dialogue, forget arrogance, stubbornness and find a solution to our constitutional stalemate. I think it is the most important issue which we should address now for the sake of our future and for the posterity. Let those who feel that their fate is tied to this Government, and that if there is a change, they will lose out, realise that Kenya is more important than they are.

Finally, Mr. Temporary Deputy Speaker, Sir, I would like to appeal to the Government to stop demonising organisations.

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

Mr. Kanyauchi: Mr. Temporary Deputy Speaker, Sir, I wish to make my contribution to the Budget Speech. But I did not wish to do so because this year's Budget is much more of an academic exercise because it does not seem to have any practical solutions to our problems. At the moment, Kenyans have numerous economic problems. We have problems from all fronts. The moment you have economic problems, then all the other problems follow suit. What I had expected the Budget to address itself to was how to solve economic mess in this country. But what have I seen in the budgets? Nothing like that. In many countries, the Budget Speech is actually the engine of the country for one year, until the next Budget is read. But what I have seen here is just a piece of paper, not giving solutions and suggesting to numerous economic problems. In fact, it is like the kind of thing we used to see when we were in primary and secondary schools during debates on Budget. But that is not what the Budget should entail; it should give practical and concrete economic solutions. So, that is why I am reluctant to discuss the Budget, but I will do so.

Mr. Temporary Deputy Speaker, Sir, the theme of this year's Budget is: Poverty Eradication. How do you eradicate poverty when you are increasing VAT? What a contradiction? How do you eradicate poverty when you are not offering practical solutions to economic problems, or when you are not talking about the mainstay of the economy in this country? For example, there is no mention of agriculture, tourism or fishing in the Budget Speech. I come from a constituency where the main activity is fishing. Gwasi Constituency wholly relies on fishing as its mainstay. How does the Minister expect to eradicate poverty in my constituency without looking into the state of the fishing industry? We all know that, for instance, one or two years ago, the European Union countries slammed a ban on the importation of fish from East African countries. But what has now happened in Uganda and Tanzania is that, those governments have taken a concrete step to ensure that the reasons why exportation of fish was banned were rectified. As a result, there is now massive exportation of fish from those countries to the EU. But what has happened in Kenya? Nobody seems to bother about fish and yet, that is one of the biggest foreign exchange earners in this country. How will you eradicate poverty when you are not looking into the core of the exports or foreign exchange earners? So, this is why I am saying this year's Budget is very much academic. It is, perhaps, what you will call a gimmick. This is because it is not addressing the core of the mainstay of the economy of this country. Mr. Temporary Deputy Speaker, Sir, my other disappointment with the Budget is that, it appears it was not prepared just by technocrats or the so-called recovery team, it appears as if it---

QUORUM

Mr. Anyona: On a point of order, Mr.

Temporary Deputy Speaker, Sir. I wonder whether the House has got a quorum.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Anyona, what did you raise?

Mr. Anyona: Mr. Temporary Deputy, Speaker, Sir, I was wondering whether the House has a quorum. I do not think there is a quorum in the House.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Anyona, what do you think?

Mr. Anyona: Mr. Temporary Deputy, Speaker, Sir, I was bringing to the attention of the Chair that the House has no quorum, but it is not for me to determine for the Chair. So, I was asking the Chair to find out.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Certainly, there is no quorum and I will ask that the Division Bell be rung.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Poghisio): Order! We now have a quorum, and Mr. Kanyauchi was on the Floor.

Mr. Kanyauchi: Thank you, Mr. Temporary Deputy Speaker, Sir. I was trying to say that it appears that this year's Budget was not only prepared in Kenya by the so-called "Recovery Team", but apparently, it was also prepared either with the nod or the approval of Washington. That is a big shame. This is a shame to Kenya as a country, and, probably, a shame to the so-called "Recovery Team", because, what are they recovering if they cannot even prepare a Budget? We expect the so-called "Recovery Team", particularly in view of the very massive salaries which this country pays them--- I am told that the minimum salary of the "Recovery Team" is about Kshs1 million per month. That is a massive amount of money, and if the taxpayers have to be burdened with that kind of salary, then we expect a much better job than having the Budget being written in Washington. Otherwise, we probably do not need the "Recovery Team" at all.

I have seen a provision in the Budget which we dealt with conclusively, last year. That was with regard to the Catering Levy Trustee (CLT), where apparently, the Minister---

(Mr. Mbitiru consulted with Mr. Nderitu)

The Temporary Deputy Speaker (Mr. Poghio): Order, Mr. Mbitiru!

Mr. Kanyauchi: Thank you, Mr. Temporary Deputy Speaker, Sir. I was saying that last year, we dealt with the issue of the CLT. This year again, the Minister has sneaked in the issue of the CLT with regard to retrenchment. The total number of employees of the CLT which he had put forward for retrenchment is actual the total number of employees who are employed at the CLT. What the Minister ought to realise here is that the CLT was set up by an Act of Parliament, and he cannot just, in a Budget Speech, sneak in a provision to kill off an independent and on-going organisation like that one. That is not proper and word is going round that the prime target of this kind of manoeuvre is one of the properties which is being managed by the CLT. This property is Utalii Hotel. We do not want this to happen because we are trying to open up this country, eradicate corruption and be more open in our dealings. So, I would like to caution that any back door manoeuvre to bring in corruption in some of these cases will not be tolerated, particularly by Parliament.

Finally, there is a big problem in the country now because there is restructuring, particularly of chiefs and assistant chiefs, merging of locations and things like those ones. I would like to inform the Government that we recognise that money is hard to come by, but the most important thing is that when they embark on some of these programmes, like retrenchment and even merging locations and divisions, let them do it in an open manner. For instance, in my own constituency, the Government has sneaked in mergers of some locations without involving elected leaders. They have for instance, sought to "kill" one of the locations without involving the area Member of Parliament or councillors. That is not acceptable. We do not have any quarrel if any locations will be merged because of lack of money, but we want this to be done in a transparent manner. The leaders have to be informed. Let them sit down and decide on which location to merge rather than sneaking in these mergers without the consent and knowledge of local leaders.

I beg to neither support nor oppose.

Mr. M.A. Galgalo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Budget Debate.

(Messrs. Angwenyi and Musila consulted loudly)

Can you move in that direction?

The Temporary Deputy Speaker (Mr. Poghio): Mr. Galgalo, what is happening?

Mr. M.A. Galgalo: These people are making noise so, you will not hear me.

Mr. Temporary Deputy Speaker, Sir, I support the Budget in total, but the biggest problem we have now is that of handling poverty. I do not see anywhere where the Minister for Finance has actually considered this problem even with the MTEF Programme. Currently, the KMC, the cashewnuts factory, the KCC and the National Cereals and Produce Board are not functioning; neither are the irrigation schemes producing. There is insufficient supply of electricity and a serious water shortage all over the country. Given these conditions, you cannot talk about poverty reduction. I do not see anywhere in the Estimates where the Minister actually addresses these issues. This is a very rich country. The people of this country are very hard working. Since they are not rewarded, we have been turned into beggars.

We have borrowed money from the European Union to put up the Bura Irrigation Scheme which was supposed to take care of 10,000 families. It cost a total of Kshs9 billion, and nothing is working today. Those people are depending on relief food. My colleague here can confirm this because he was a District Commissioner in Tana River. Hola Irrigation Scheme, which was apparently put up by a *Mzungu*, was doing well until 1970, na maofisa walienda wakapora na kumaliza---

The Temporary Deputy Speaker (Mr. Poghio): Order! What language are you using?

Mr. M.A. Galgalo: Mr. Temporary Deputy Speaker, Sir, I would like to use English. We went to Ahero, which is an area that can produce rice for the whole of this country. That scheme is not functioning now because they cannot find money to fuel the diesel engine. Mwea Irrigation Scheme is also having problems now. I just wonder whether this Budget has been designed to benefit the people of this nation or a few individuals. Tana River, Athi River and River Nzoia have been flowing all along. Why do we have power shortage? Is it that we were creating market for people to import generators? What is it? Whereas I support this Motion, I still have to mention these shortcomings.

We urge the Government to revive KMC because it is our livelihood. At the moment there is drought all over the country. Areas like Samburu, Pokot, Baringo and Maasailand have not had rains. They cannot find market for those cattle anywhere. The only market to absorb them for canning purposes is KMC. The President committed himself

publicly that the Government could allocate Kshs500 million to revive KMC. Even when I was a Member of the Finance Committee, the Minister promised us that the Government would allocate that money. It is nowhere in the estimates. The Government should revive KMC so that these people can take their cattle there for canning. We only want the canning lines as of now. We can take our cattle to Dagoretti Market, but these animals that have lost so much weight because of drought that they cannot be absorbed into the market. They can only be used for canning purposes. We are pleading very seriously that the Minister for Finance must find money to rehabilitate KMC now, not tomorrow.

There is insecurity in this country, but the Minister does not seem to address this issue. Today, if you go and report a crime to a police station anywhere, they do not have vehicles. If you go to the District Office's office when there is a crisis, they cannot move because they lack vehicles. Insecurity is building up because of the poverty that this system has induced in this country. Therefore, is there enough finance for the police force?

Mr. Temporary Deputy Speaker, Sir, in the area you come from, along the border, there are the Karamajong. We have read in the Press that your area is being attacked---

The Temporary Deputy Speaker (Mr. Poghiso): Mr. Galgalo, could you, please, address the Chair? The Chair has no area.

Mr. M.A. Galgalo: But the man on the Chair is a Pokot and Pokot District is a very vulnerable district.

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. Galgalo! Address the Chair.

Mr. M.A. Galgalo: We have seen cross-border attacks and we cannot handle the situation. Where in the Budget has the Minister allocated money for trans-border security? All I am saying is that this Budget is a very defective one because it has not addressed basic issues. This Budget should have addressed alleviation of poverty. However, it is increasing poverty because of the retrenchment exercise. Whom is it assisting? Are we prepared to put our people out in the cold, and yet the economy has not even grown? The GDP is now at 1.4 per cent and it is going further down. So, I am saying that those are the issues I would have wanted the Minister to specifically address himself to.

Mr. Temporary Deputy Speaker, Sir, certainly, we must have a country that is a model for Eastern and Central Africa. I think there are serious shortcomings in our constitutional arrangement, and unless we address them before the year 2002, this country will sink into chaos. We now need to have constitutional reform because there are imbalances in the country, because for instance in my district, recently, we had the registration of voters going on there, but the area people have not been issued with the Identification Cards (IDs), and they are Kenyans. It is deliberate---

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. M. Galgalo! Your time is up.

Mr. M. Galgalo: Mr. Temporary Deputy Speaker, Sir, I support the Motion.

Mr. Anyona: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to make some contribution to the Motion.

I think it is a common phenomenon that special situations and circumstances require special measures to deal with them. I believe that this country is in very serious national crises, on the economic, political and social fronts and, therefore, they constitute special circumstances. Therefore, one would have thought that the Budget, being one of the instruments which is used to manage crises, would have measures of a crisis nature in it. When countries are at war, every aspect of national life is placed on what is called "a war-footing." That is the only way you can combat a situation of war. We are in some kind of an economic war crisis, and I would have expected the Minister for Finance to present a Budget that is based on "war-footing".

I have noticed that, indeed, the Printed Estimates were totally prepared in absence of the problems that face this country. We were told that the process of preparing the Budget was not even aware of the problems arising from the energy sector and, therefore, in the Estimates and generally in the Budget, there was no provision for money at all. I would, therefore, want to think that this Budget is unsuitable in the circumstances in which we are in, and I would like to propose that the Government considers the situation as it is in its totality and comes up with a Budget based on "war-footing". That is the only way we can deal with the problems that face this country and no amount of words, lamentations and self-praises will solve the problems.

We are told that the theme of this Budget is, "Poverty Eradication Through Sustainable Economic Growth." The assumption is that the Government will reduce poverty, because there will be sustainable growth, but there is no indication and guarantee at all that there will be sustained growth. That theme has been on for the last 10 or more years, and, as we have heard, economic growth has been going down. So, clearly, at the end of the day, we will not be able to achieve poverty reduction, and if anything, poverty will deepen. Now, I do not know what we will do at the end of this financial year, if the Government, the country and, we, in Parliament have not delivered to the people of Kenya in terms of the theme that we have set in this Budget.

This Budget is important in one or two other aspects. One aspect is that it is a Millennium Budget - a millennium that is supposed to open up new visitors of hope and progress. If, indeed, at the end of the financial year the new visitors of hope have not been opened for, then clearly, we shall have no basis to hope that in future things will

improve. This Budget is also important because we have been told that it is a Budget based on a totally new concept - the Medium Term Expenditure Framework (MTEF) and I am hoping that those are not academic clichés, which are manufactured by young men/women at the International Monetary Fund (IMF) and the World Bank in order to give an impression that we are moving forward, when we are not. But since we have been told that it is something different from the past, I would like to hope that, that will be the case. I would like to believe that this Budget was prepared for us by the World Bank and the IMF, because they claim to have the answers, and yet, so far, there has been no news of aid resumption to Kenya from them. So, if that is the only way we will move forward, what point is there to follow their guidelines, and also when aid is not forthcoming? What are they waiting for to happen, or are they waiting for something not to happen, and then, they have an excuse for not releasing aid to Kenya?

Secondly, the whole series of crises that have been set up have arisen from something called the Structural Adjustment Programmes (SAPs), which has been a total disaster for many African developing countries. There has been no admission from the World Bank and the IMF that the SAPs have failed, or confirmation that they are working, and yet, that is the basis of this Budget.

Mr. Temporary Deputy Speaker, Sir, on the whole question of retrenchment, when you are reducing poverty, are you doing it for some people, and are you condemning others into poverty? If over-employment is part of the totality of our problems, the Government cannot off-load workers, throw them out into the sea and say that it is now making progress. When civil servants are retrenched, you know what happens, and those who are retrenched are not the ones who stole from the public coffers; they are not the sacred cows; they are the small people. When you throw them out, they will go out there and perish with their families. The Government wants to retrench teachers when this country is in great need of them. Why does the Government not manage the crises in such a way that the whole process is positive with time? For whom are we doing the retrenchment exercise? Every single Kenyan has a right in this country, and the Government has the right to protect every Kenyan. In that case, why do you not start with those who are able to fend for themselves, other than throw away workers who cannot fend for themselves?

How can you talk about the eradication of poverty in the country without considering two very basic things? When you start studying economics, you start with basic economics, and you will be told that the factors of production are three - land, labour and capital. We do not have capital, and so, let us forget about that. That is why we are begging and crying for foreign aid. We do have land and labour, but what is there in this Budget about land use? There is absolutely nothing. A time has come when we must base our development on land use, and therefore, we must change our land policy so that we have maximum production. You cannot have this when we have squatters and other people who are landless and yet, there are huge chunks of land in the country, owned by a few people. So, we need to have land redistribution policy because we cannot take anybody's land for free. If we do that, it will be a pure recipe for chaos. But as an instrument of economic development, land should be redistributed in such a way that every Kenyan is involved in production. The rest of the land that is not arable at the moment should be put under irrigation. There are large sheds of water in this country and so, we have no business complaining that we have got some arid land. If the Egyptians can do it with water from River Nile, why can we not do the same and yet, we have got water everywhere? So, we have got to consider a new land policy which aims at redistribution and a maximum utilisation of land.

Mr. Temporary Deputy Speaker, Sir, whatever we want to do, we will not develop if we do not have a productive labour force. If our young people are idle, then who is going to produce? Machines do not produce! So, in future, we should consider putting the Budget on a well footing. We should consider these critical factors so that we can turn the situation around.

Mr. Temporary Deputy Speaker, Sir, Presumptive Tax on all agricultural crops should be scrapped if we have to reduce poverty.

With remarks, I beg to support.

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, I stand to support this Motion. But there are areas where the Minister needs to be advised.

Mr. Temporary Deputy Speaker, Sir, when we achieved our Independence in 1963, each political party then, promised in its manifesto that it was going to create jobs for Kenyans. The KANU Manifesto today, is very clear that the ruling party is going to create jobs for Kenyans. But a situation has arisen so that Kenyans who were employed will now have to be retrenched from the Civil Service. This is not a nominal number but a big one! When we talk of 25,000 people, then we are talking of a big number of people losing jobs! These people used to buy foodstuffs and other goods from shops hence, their departure will have a multiplier effect. Other people who are working in those shops will also have to lose their jobs. The Minister should reconsider this issue and stop the retrenchment of these workers from the Civil Service. The Government should come up with something which will be acceptable to all Kenyans. I am saying this because the amount of money which each retiring worker is going to be paid is peanuts.

Mr. Temporary Deputy Speaker, Sir, in this Budget, there is an increase of Value Added Tax (VAT) by 3 per cent. This is not a bad idea, but Kenyans need to be told what the money accruing from such taxes is going to do. In

my view, this 3 per cent increase in VAT should replace cost-sharing in hospitals. Kenyans should get free treatment in Government hospitals. The same increase should also go towards meeting the cost of text books in schools.

Mr. Temporary Deputy Speaker, Sir, this is not the Budget of a developing country like ours. It is the Budget of a developed country! This Budget was prepared under the supervision of the World Bank and the International Monetary Fund. It was not done by the leadership of this country. I am saying this because there are areas which have not been addressed in this Budget. Farmers in this country should have been considered because of the drought which we are experiencing right now. We should have given incentives to farmers to produce more. What is there in this Budget for the farmers of this country? A farmer today, can still buy a tractor and pay Import Duty. It is time that duty should not be imposed on agricultural equipment. That will be an incentive to Kenyan farmers. By so doing, they will work hard and produce food for this country.

Mr. Temporary Deputy Speaker, Sir, I strongly feel that the Minister for Finance should have considered waiving Import Duty on all medicines and medical equipment imported into this country. I am saying this because the cost of medicine has become prohibitive for the common mwananchi. The low-income group in this country is not able to buy medicine! We should be able to assist them so that they can meet their daily needs.

Mr. Temporary Deputy Speaker, Sir, the laws governing land regimes in this country have been violated. People are issued with letters of allotment from the office of the Commissioner of Lands for pieces of land which they have never seen. Such people go to displace the original owners of that piece of land, hence rendering them squatters. Most of the towns in this country do not have a master plan. The *Wazungu* left us with master plans of our cities and we knew what was to be done in particular areas of our towns. But that is no longer happening. Local authorities have failed to produce master plans for our cities. So, the Ministry of Local Government has failed totally in addressing this issue. What is going on in our towns in Kenya is very bad. You will find that wananchi are staying in areas where we have garages with heavy commercial vehicles parked there. The environment has been interfered with. We have a country and land to plan. Planning must go together with land administration.

Mr. Temporary Deputy Speaker, Sir, corruption is a big problem in our local authorities. This is because in the City of Nairobi, Mombasa or anywhere else, you will find that unauthorised structures are coming up. The local authorities officers see these unauthorised structures coming up. They are bribed to allow these structures to be constructed. In the end, they give notices to have these unauthorised structures demolished. Courts also issue orders directing such demolitions. The local authorities officers are aware of what is happening and make the wananchi victims of circumstances for nothing. In my area, about a fortnight ago, 1,000 structures were demolished through a court order at Kaa Chonjo, in Tudor area. That was victimisation. Time has come for us to pass a legislation that will protect our people at the grassroots level.

Mr. Temporary Deputy Speaker, Sir, in my view, the local authorities should be given full powers. It is very awkward that if you go to Nairobi or Mombasa, there is a mayor, a District or Provincial Commissioner. So, whatever the local authorities do through the mayors and the councillors who have been mandated by the people, these DCs or the PCs, come and say: "No, gentlemen, that is wrong and it is not allowed". We must have a system responsible for administration.

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

Mr. Shakombo: Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili niunge mkoni Bajeti hii ambayo ilisomwa na Waziri.

Wakati ninapoiunga mkono, nina maswali ambayo ninajiuliza na mpaka sasa bado sijapata jawabu. Baadhi ya maswali ambayo ninajiuliza ni kwamba: Hii Serikali kweli inamaanisha kwamba Bajeti hii inaweza kuondoa umaskini? Inawezekana Serikali inazungumza kwa sababu ni lazima izungumze au ina haja kweli kuondoa umaskini huu au kuupunguza? Ninasema hivyo kwa sababu, mpaka sasa hakujatengenezwa sheria ya kuonyesha kwamba wale Wakenya wengi ambao hawawezi kupata makazi wamepata ardhi zao.

Huko kwetu kazi ni haba sana na ardhi iko kubwa sana, ingawa tunaonekana kama kila mara tunarudia jambo hilo, lakini tusipolirudia na kuonyesha umuhimu wake, basi, pengine watu wengine watafikiri sisi tunazungumza tu, lakini hatuyathamini mambo haya. Hatuwezi kuwa na maskwota, watu wengi ambao hawana kazi na kuwafuta kazi waatu wachache ambao waana kazi na tuseme kwamba tunnnaapunguza umaskini. Wananchi hawana vyeti vyovyote ambavyo wanavyooweza kutumia ili kukopa pesa ili wajisaidie kuondoa umaskini. Mpaka sasa Serikali yetu hailishughulikii jambo hili.

Serikali hii yetu ambayo inasema inaondoa umaskini, inaondolea wale wanaoleta majenereta ushuru. Wanaoleta majenereta ili tupate umeme ni matajiri huku Serikali ikiongeza ushuru wa value added tax (VAT) kufikia kiwango cha asilimia kumi na nane. Hii nyongeza ya ushuru inamdhuru kila mwananchi, awe na kazi au asiwe nayo. Tunamaanisha kuwa tunataka kuondoa umaskini au tunapiga porojo na siasa?

Jambo lingine ambalo ninaona ni hatari kwa nchi yetu ni kwamba, huu umeme ambao hautoshi unauzwa kwa bei ghali sana tukilinganisha na bei yake katika nchi nyingine nyingi jirani. Uniti moja ya umeme tunauziwa kwa

Kshs8.50. Katika nchi nyingine jirani, hii uniti moja haigharimu kuzidi ya Kshs4. Hizi nchi jirani hujitengenezea bidhaa zao na sisi pia tunasema kuwa tunatapa kujitengenezea bidhaa zetu na hasa, tuwe nchi ya viwanda katika mwaka wa 2020. Sasa ikiwa gharama ya kutengeneza bidhaa zetu iko juu, tutashindana vipi na majirani zetu? Nchi hii itakuwa ni nchi ya walaji na sio nchi ya watengenezaji. Hii ni kwa sababu tunaendelea kuwa nchi ya watumiaji. Tukiisha kuwa watumiaji na vile viwanda vichache ambavyo viko vifungwe, kazi zitapatikana wapi? Hii ndiyo maana ninauliza kama Serikali imejitolea kuondoa umaskini au hizi ni porojo na siasa.

Jambo la tatu ni kwamba watu kule Pwani wanatumia wakati mrefu kutafuta riziki zao baharini. Wao ni wavuvi wadogo wadogo. Serikali yetu inatoa leseni kwa wale ambao wana meli za kuvua samaki. Baada ya kutoa hizi leseni, haiwazuii kuvua kando kando ya bahari bali inawaachilia na badala ya kwenda kuvua samaki huko katikati ya bahari, wanavua kando kando ya Bahari pamoja na wavuvi wadogo wadogo wanaotumia mitumbwi midogo midogo, na hivyo huwamalizia samaki wavuvi hao wadogo wadogo. Utaona kwamba wengi wa wavuvi wadogo wadogo wanashinda baharini bila kupata chochote. Taabu inazidi kuongezeka. Je, hii Serikali kweli ina nia ya kutimiza yale inayosema au ni siasa tu? Serikali ni lazima ionyeshe kwa vitendo bila kusema tu, kuwa kweli tunawahurumia watu ambao tunawatetea hapa.

Jambo lingine ambalo linahusu ardhi vile vile, ni ubagusi katika utekelezaji wa sheria. Huko katika Wilaya ya Lamu, kwa mfano, kuna mpango wa makao unaoitwa Mkepetoni. Karibu asilimia 95 ya wale wakazi makao haaayo si wakazi wa Wilaya ya Lamu bali ni watu waliopolekwa huko kutoka sehemu nyingine za Kenya. Jambo la ajabu ambalo tunaona ni kwamba wale wakazi ambao si wa kutoka Wilaya ya Lamu, kila mmoja wao ana hati ya kumiliki shamba. Lakini Mbajuni, ambaye Lamu ndio kwao na hana mahari pengine po pote pa kwenda, hana hati ya kumiliki shamba. Kwa hivyo, Serikali ikiwa iliyaanzisha yale makao ili kusaidia kuondoa umaskini, kwa nini basi inadharau au haitilii maanani shinda za wale wakazi wa pale?

Kwa hivyo, kama nchi tufuate sheria na zikiwa zinatumika, zitumike kwa kila mmoja katika watu wa Kenya. Huu ubaguzi wa kutekeleza sheria vile tunavyotaka sisi wenyewe, kwa wale

[Mr. Shakombo]

tunaowapendelea na kwa wale wengine ambao tunaona si muhimu kwetu na tunawaacha kando, unazidi kuleta chuki kati yetu, na ile amani na huo umoja tunaozungumza kila siku huenda ukakosekana. Maanake kuna kiasi mtu anaweza kuvumilia lakini ikipita zaidi ya hapo, watu huteta. Wao hufikiria na pia ni wakenya kama wengine na wakiwa hawatendewi sawa, basi huenda saa zote tunawalaumu wao bali mzozo ule utakuwa umetokana na sisi wenyewe ambao tunatekeleza sheria hiyo.

Bw. Naibu Spika wa Muda, jambo lingine ningetaka kuunga mkono wazo la Waziri wa Fedha hivi karibuni kuongeza matumizi ya sekta moja yetu inayoitwa National Intelligence and Security Services. Hivi karibuni Bunge hili lilipitisha sheria ya kuondoa hii idara ya National Security and Intelligence Services kutoka kwa idara ya polisi. Mimi nilikuwa mmoja katika wafanyi kazi wa serikali kwa miaka mingi na ninaona wana wajibu mkubwa hapa ndani ya nchi na pia kujua nchi hii watu wanatufikiria aje juu ya maisha ya maendeleo yetu. Yaani, kama ni marafiki au wana njama ya kuja kutudhuru. Mpaka sasa, watu wale ambao nimeona wamechukuliwa katika Wizara hii ni watu ambao wana ujuzi tofauti tofauti na ni raia. Si polisi kama vile walivyokuwa zamani. Kwa hivyo, naunga mkono kuongezwa kwa matumizi yao na nafikiri sote kama viongozi au kama Wanakenya ni lazima kitu cha kwanza kitakacho tustahili tukitie nguvu na thamani ni amani na usalama na tuwe tunajulishwa au Serikali iwe inajulishwa mapema kabla ya kungoja taabu ikingia ndio tujue tutakwenda wapi.

Bw. Naibu Spika wa Muda, msemaji aliyezungumza kabla mimi sijasimama hapa alieleza shida zetu kule Mombasa. Mimi nataka kuongeza au kuunga mkono zaidi ya jambo hilo haswa kwa watu katika sehemu ya uwakilishi Bungeni yangu. Mashamba, kama nilivyosema hapo mbeleni, yapo lakini umilikaji wa mashamba hayo umepewa watu wachache kwa sababu ambazo sisi wenyeji wa kule zinatushinda kuelewa. Tunauliza Serikali ihakikishe kuwa upimaji wa ardhi katika Mkoa wa Pwani umefanywa katika Bajeti hii, na unafanywa kikamilivu ili wale walioko kule wafaidike kwa hizo taratibu za upimaji.

Kwa hayo mafupi, naunga mkono.

The Minister for Medical Services (Dr. Anangwe): Mr. Temporary Deputy Speaker, Sir, thank you for giving me the opportunity to make my contribution to this important Motion on the Budget. Much has been said about this Budget. Some sentiments have been critical while others have been supportive. However, this is what I would like to say: "A litmus test for a good Budget must address three or four elements". The first question one needs to ask oneself here is: Are the Budget goals realistic? Secondly, are the fiscal and monetary policy strategies sound enough? Are the assumptions made in the paper about the macro-economic environment correct? Lastly, is the Budget itself politically- feasible?

On the basis of these questions and criteria, I find that this particular Budget Speech by hon. Chrisanthus Okemo passes this "litmus test" and he did, of course, deliver it in a very brilliant manner. I have no problems with the Budget the way it is. Of course, one may question some issues here and there but overall, the Budget itself is good. The

goals there are realistic. The strategies are sound. The assumptions about the macro-economic environment are correct and it is politically-feasible.

Issues have been raised in terms of implementation and I know the past budgets have been criticised because year in, year out, a Minister for Finance comes and makes a statement here and at the end of that particular period, when a review comes on how the Budget performed in the previous year, of course, the picture is always not very pleasant. In that respect, criticisms end up being laid upon the Government. However, this is what I would like to say: A Government in power has a responsibility to formulate goals and policies, but when it comes to implementation, it is a question of the Civil Service having to undertake their responsibilities effectively to the extent that the previous budgets have not performed well. It is largely because the civil servants have not taken full responsibility of what they were supposed to do.

Mr. Temporary Deputy Speaker, Sir, I always like to draw a distinction between actions of individuals in Government and the Government itself. Do not always mistake that everyone who is in the Government is with the Government. You can be in Government but you are not with the Government. What do I really mean? When you are in Government and you are with the Government, you pursue the policies meticulously, you follow the policies meticulously, you strengthen the performance of the Government itself, you adhere to the rules and regulations and you implement the laws the way they are supposed to be done. However, when you are in the Government and you are not with the Government, you do to the contrary, to the extent that you are not doing what the Government expects. Whereas you may be in the Government, you are actually an individual - a busy body as it were in Government and yet you are not with the Government at all.

Mr. Temporary Deputy Speaker, Sir, this is a scenario that can account for the poor performance of policies, the Budget and other policies of Government. This is because here we are with good intentions as the Government in power, meant to adhere to what we promised our populace and voters; that give us five years and we shall be able to do a, b, c, d. We bestow that particular responsibility sometimes to people who are in Government, but they are not with the Government. These are the people who are civil servants and are employed but their loyalties are elsewhere. They come to the office at 8 O'clock in the morning and leave at 5 O'clock in the evening. Between 5.00 p.m. and 8. a.m. in the morning, they are "hobnobbing" with people who are not with the Government. They go and conspire how to sabotage Government programmes from within; to sabotage policies and even to undermine the public laws. What do you expect us to do? Yes, criticisms may come from the other side that it is part of the Government, but it is out of naivety and sheer inexperience on the management of Government. Wait until you will have access to power; that is when you realise it is more complex than you are really putting it.

Mr. Temporary Deputy Speaker, Sir, let me come and talk specifically about my Ministry which is the Ministry of Health. Let me thank the Minister for Finance for the statement he made on the proposal of sectoral priorities in the Ministry of Health.

Hon. Members may recall the Minister saying that, resources will be shifted to districts and rural health facilities, away from tertiary institutions and provincial hospitals. That is meant to underline the shifting policy within the Ministry of Health, with a view to emphasise preventive and promotive health. The assumption is that lower level health institutions dispense preventive and promotive health services. Therefore, that is where resources will be put. You will find that, in the next financial year, more resources will be allocated to communicable and vector diseases, family planning, maternal and child health care as well as other activities that relate to primary health.

Mr. Temporary Deputy Speaker, Sir, the Minister for Finance said that there will be an improvement in the procurement system, to make it more transparent and accountable. May I confirm here that, we have made a lot of strides in the last one year or so, to improve the procurement system within the Ministry of Health. We are a lot better but, of course, perceptions may continue. But, we on the ground, know that there has been a fundamental improvement. Many of the loopholes that Kenyans used to complain about have been sealed. It is no wonder that, in recent times, you do not hear much of scandals in the Ministry of Health. Such scandals have gone down largely because of the serious concern on the part of those bestowed with the management responsibilities, to ensure that those who are assigned roles to play in the procurement system do perform according to the requirements.

Mr. Temporary Deputy Speaker, Sir, in the next two weeks or so, I will be inaugurating the Kenya Medical Supplies Agency (KMSA). This particular agency will take over the responsibility of the procurement of drugs from the Ministry. It will be a separate agency with a mandate to procure, distribute, plan and mobilise resources with the support from the Ministry of Health. The Ministry will only be represented at the policy making level by the Permanent Secretary and the Director of Medical Services. But in the near future, the management of drug distribution and procurement will be under the guidance of professional staff, who will inherit the system as it is now, but have the mandate to continue improving it.

In addition, we will set up a revolving fund in which the Government and the donors will be invited to chip in. The money arising from the cost-sharing money in hospitals will also be put in. It will be used to beef up and

ensure the capitalization of the KMSA. The same measures to improve on the management of resources have seen good results with respect to the management of cost-sharing resources in the Ministry. There has been tremendous improvement in the collection of cost-sharing money. From a humble collection of about Kshs70 million a few years back, we are about to hit a target of Kshs400 million. If you look at the debts from the various provincial hospitals, it is a different story. Even those hospitals that were known for pilferage of cost-sharing money have minimised such tendencies. If you look at the Coast Provincial General Hospital, it is now collecting Kshs6 million per month. If you go to the Nyeri Provincial General Hospital, it is collecting about Kshs4 million per month. If you go to the Rift Valley Provincial General Hospital, it is a lot better.

With those few remarks, I beg to support.

Mr. Khamasi: Thank you very much, Mr. Temporary Deputy Speaker, Sir. First, I would like to say that I saw no difference in this year's Budget Speech from the Budgets I have seen since I came to this Parliament. To me, it seems to be a common ritual. I am going to demonstrate that in the next few minutes. A political scientist like Dr. Anangwe has said that a litmus test for a good budget is that which looks after the ordinary mwananchi, to make sure that there is food on his table, clothing, shelter and so on. That is the only litmus test for a good budget.

Mr. Temporary Deputy Speaker, Sir, since 1998, we have heard the same story year-in year-out. My major problem is the implementation. Whatever is presented here as a budget is not implemented. Only very little is done. For example, during June, 1998, when I heard my first Budget sitting in this Parliament, the then Minister for Finance, who was none other than hon. Simeon Nyachae who is very critical of the Government now, came here and presented a Budget. If you allow me, let me tell you a little of what he said. I am quoting from nothing but the HANSARD of that particular date. He said in part: "This Government wants to reduce domestic debt and interest rates, to improve physical infrastructure particularly roads, which in their current state - at that time in 1998 - were a major constraint in growth." He wanted to: "Improve the delivery of common public services such as telecommunications, water, energy; and improve the efficiency in the Civil Service to make it more friendly to the public." He went on further to say how he was going to do it. This is what he said to achieve that: "Firstly, the Government has a large fleet of vehicles which cost a substantial amount of money to maintain. Consequently, purchase of new motor vehicles will be strictly controlled." I am not sure whether that has been done. He went further to say: "The Government will also quickly dispose off the large numbers of bonded vehicles lying in various yards, Ministries and wherever." Secondly, he wanted the Government's expenditure on telephones which was increasing to be reduced to reasonable levels. That was in 1998.

Mr. Temporary Deputy Speaker, Sir, then in 1999, came hon. Masakhalia! In his Budget Speech which is also contained in this HANSARD, he talked of the same things. He said amongst other things, almost similar things as hon. Nyachae. He wanted to reduce poverty, Government spending and so on. My major problem is that, nothing seems to be implemented. One reason why those things were not implemented is because of the large turnover in the Ministry of Finance with regard to Ministers. How can you have a Finance Minister every other year, and expect the programmes which have been put in place to be implemented? What is wrong with the people who choose Ministers? Why does he choose a Minister who cannot perform? We should not be changing Ministers as if we are changing underpants!

Mr. Temporary Deputy Speaker, Sir, there is no point in reshuffling Ministers for Finance every other day. We need to have consistency so that the policies which are put in place can be implemented easily. That is a fact and it should be. There are very many things which have been said in the Budget presented by hon. Okemo. He has been praised on his eloquence and the Budget has been praised for being people-friendly. I do not see anything in it. If there is anything in the Budget Speech, then it is eloquence with which he displayed when presenting the Budget and it has nothing else! For instance, what is in the Budget for farmers?

Mr. Temporary Deputy Speaker, Sir, recently, we went to Nyanza Province to see how the rice farmers are doing. We went to Ahero, West Kano and Bunyala; there is nothing happening there! Those people have not even planted the current crop because there is no assistance given and there is no water.

In this particular Budget, the question of energy is addressed. We have a lot of independent power producers elsewhere who can put something in the national Grid. The Mumias has got extra power which they can sell, Bamburi as I have said has got extra power which they can sell, Pan Paper has got extra power which they can sell and nobody is interested in making sure that they exploit those opportunities. Why? This is simply because there are no kick-backs! They are prepared to go to Westmont and pay in advance to get some little electricity and yet there are opportunities in prospective places where we can get power, but we cannot get it. It is annoying!

Mr. Temporary Deputy Speaker, Sir, I am very concerned because there is nothing in the Budget to show how the farmer is going to access credit. All the institutions which were helping farmers to access credit have been very carefully and systematically killed by this Government! The Kenya Farmers Association (KFA), because of one single person, was changed to Kenya Grain Growers Co-operative Union (KGGCU). Just because of one person! By the end

of the day, the damn thing was dead.

The Temporary Deputy Speaker (Mr. Poghio): Is that not unparliamentary language?

Mr. Khamasi: Mr. Temporary Deputy Speaker, Sir, I am using very parliamentary language! I am saying that, this Government has killed those institutions which were supporting farmers to get cheap credit.

The Temporary Deputy Speaker (Mr. Poghio): What would be the "damn thing"?

Mr. Khamasi: Whatever it is! I am saying, KCC and AFC which were helping farmers to get cheap credit have been killed! Now, even you, Mr. Temporary Deputy Speaker, you come from a pastoralist area. We were promised that, Kshs500 million was to be put in the Budget to resuscitate the KMC. Where is the money in the Printed Estimates?

The Temporary Deputy Speaker (Mr. Poghio): Mr. Khamasi, where does the Chair come from?

Mr. Khamasi: The current Chairman comes from a pastoralist area.

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

Mr. Khamasi: Mr. Temporary Deputy Speaker, Sir, what I am effectively saying is that, we were promised Kshs500 million to be put in the Budget to make sure that the KMC is resuscitated and there is nothing in it. How do you---

The Assistant Minister, Office of the President (Mr. Haji): On a point of order, Mr. Temporary Deputy Speaker, Sir.

Mr. Khamasi: He is wasting my time!

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

The Assistant Minister, Office of the President (Mr. Haji): Is the hon. Member in order to say that, "we were promised Kshs500 million?" Where was he promised and who promised who?

Mr. Khamasi: Mr. Temporary Deputy Speaker, Sir, because the hon. Member does not belong to the pastoral community, that is why he is ignorant. We were promised in---

The Temporary Deputy Speaker (Mr. Poghio): Order! Order, Mr. Khamasi! Mr. Khamasi, you have to withdraw the word "ignorant".

Mr. Khamasi: Mr. Temporary Deputy Speaker, Sir, I withdraw the word and say that, he is not knowledgeable.

The Temporary Deputy Speaker (Mr. Poghio): Order! Could we hear hon. Maizis?

The Assistant Minister for Labour and Human Resource Development (Mr. Maizis): Bw. Naibu Spika wa Muda, ninakushukuru kwa kunipatia nafasi hii nami nichangie Makadirio ya mwaka huu na mwaka ujao wa matumizi ya pesa za nchi yetu.

Ninamshukuru Waziri wa Fedha kwa kuonyesha ufasaha na ujuzi mkubwa katika kusaidia mwananchi ambaye hana mapato ya juu sana kujizatiti na kuweza kujimudu katika mahitaji yake ya kila siku. Ningependa kusema kwamba - ijapokuwa hakueleza sana kuhusu jinsi mkulima angesaidiwa, ningependa kumpongeza kwa kujaribu kuzingatia maendeleo ya viwanda katika nchi hii.

Bw. Naibu Spika wa Muda, ningependa kugusia juu ya kilimo. Ijapokuwa hatuna ushuru katika kuagiza vifaa vya kilimo, bado gharama ya kukuza mimea ni ya juu sana. Kwa mfano, bei ya mbolea bado iko juu sana. Ningeomba Wizara ya Kilimo ibuni njia ya kuweza kutafuta kampuni ya kununua mbolea moja kwa moja kutoka nchi zinazotengeneza mbolea ili tusiwe na wafanyabiashara walaghai wanaopandisha bei za mbolea.

Katika Wilaya ya Uasin Gishu, tumebuni chama cha ushirika kutuwezesha kununua mbolea moja kwa moja kutoka nchi zinazotengeneza mbolea ili tuwauzie wakulima kwa bei nafuu ya Kshs800. Kama Wizara ingetusaidia kwa kutupatia mkopo katika ushirika huu, tungeweza kuthibiti bei ya mbolea kwa dhati. Wakati mwingine tunatumia mbolea kutoka kwa kinyesi cha wanyama; kama kuku, ng'ombe, na kadhalika. Lakini mbolea hiyo haiwezi kuthibiti ukuzaji wa mimea. Kwa hivyo, kama Wizara ya Kilimo ingetusaidia kwa kutupatia mikopo, tungeweza kuthibiti ununuzi wa mbolea kutoka nchi za nje, ili tuwauzie wakulima wetu kwa bei nafuu.

Vile vile, tukithibiti bei ya mbolea, yafaa wakulima wawe na masoko ya nafaka. Hafai kuwaacha majangili kutoka sehemu mbali mbali kununua mahindi huko kwetu kwa bei ya Kshs300 na kuharibu kabisa kilimo cha mahindi.

Baa la njaa limesababishwa na utaratibu kutoka kwa Wizara ya Kilimo kuweza kuthibiti soko la nafaka.

Mhe. Mbunge mmoja alisema kwamba Halmashauri ya Kenya Farmers Association "ilikufa". Sijui kama ni kweli kwa sababu siwezi kuthibitisha, lakini ninaamini halmashauri hiyo ilififia. Biashara ya nafaka ilikuwa inafanya vizuri wakati KFA ilipokuwa inafanya kazi barabara. Ningeomba Wizara ya Kilimo itafute soko kabambe ya kununua na kunadi nafaka ya wakulima. Kama Halmashauri ya Nafaka na Mazao (National Cereals and Produce Board) haitanunua mahindi kutoka kwa wakulima; soko huru itaharibu bei ya zao hilo. Soko huru haiwezi kutoa bei nzuri, lakini Halmashauri hiyo inatusaidia kwa kuweka bei juu. Wakinunua kwa Kshs1,000 kwa gunia, wakulima wote hupeleka mahindi yao huko---

(Power failure)

The Temporary Deputy Speaker (Mr. Poghisio): (Inaudible)

Mr. Magara: On a point of order, Mr. Temporary Deputy Speaker, Sir. Are you implying that the House has been adjourned temporarily?

The Temporary Deputy Speaker (Mr. Poghisio): No, we had problems with electric power and our systems were not working. So, we could not proceed at that time. I think we are back now and we can proceed.

The Assistant Minister for Labour and Human Resource Development (Mr. Maizis): Bw. Naibu Spika wa Muda, ninaendelea kuchangia Hoja hii--- Mhe. Gatabaki anataka kuvuruga maoni yangu.

Mr. Gatabaki: On a point of order, Mr. Temporary Deputy Speaker, Sir. In view of the fact that this august House has experienced the catastrophe of power failure, can we declare that the power crisis is a national disaster for Kenya?

(Applause)

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

The Assistant Minister for Labour and Human Resource Development (Mr. Maizis): Bw. Naibu Spika wa Muda, nilikuwa ninazungumza juu ya mambo ya kumsaidia mkulima. Waziri wa Fedha hakugusia juu ya mabwawa. Huko kwetu kuna kiangazi na tungenda tusaidiwe katika kurekebisha mabwawa. Kwa mfano, bwawa la Kereta lilipasuka wakati wa *El Nino* na tungenda Waziri wa Kilimo pamoja na Waziri wa Maji warekebisha bwawa hilo, ili tupate maji. Hatuwezi kuwatosheleza wakulima kama bwawa hilo halitarekebisha. Vile vile, tungenda waangalie kiwanda cha maziwa (Kenya Co-operative Creameries). Sasa ni wakati wa majira ya masika huko kwetu na hatuna mahali pa kuuza maziwa. Katika hali ya kujaribu kuinua uchumi, tungenda watusaidie kuinua kiwanda cha KCC na kile cha nyama (Kenya Meat Commission). Pia, tunataka wahakikishe kwamba pesa zinazotengewa barabara na afya zinatufikia.

Bw. Naibu Spika wa Muda, ningependekeza kwamba makadirio yafanywe kwa kuzingatia majimbo na tupewe kiwango sawa cha pesa za stima, barabara na afya. Ukienda mahali pengine, unaona stima imesambazwa kote, ilhali kuna watu wengine ambao hawajaona stima tangu kuumbwa kwa ulimwengu. Tukikubaliana jinsi ya kugawanya pesa kulingana na majimbo, kila mmoja wetu katika Bunge hili anaweza kupata haki yake. Tusivyotumia kigezo cha kugawanya fedha kulingana na majimbo, tutangojea stima mpaka Yesu arudi.

Bw. Naibu Spika wa Muda, kodi ya nyongeza (VAT) kwa bidhaa inawaumiza wakulima wadogo.

The Temporary Deputy Speaker (Mr. Poghisio): Your time is up, Mr. Maizis!

Mr. Mugeke: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute on the Financial Statement.

Looking at the Budget Speech, one gets the impression that we have not clearly addressed the needs of the lower class in this country, like the Jua Kali sector. The biggest employer in this country at the moment is the informal sector. If we intend to tackle poverty, it is important to address the Jua Kali sector. In the Budget, we have catered for those who are able. We are rationing power to the Jua Kali, but at the same time supplying power seven days a week, to those people who can afford to buy generators. We have forgotten the Jua Kali sector. The biggest problem we have in this country is employment and about 70 per cent of the working force is employed by the informal sector.

Mr. Temporary Deputy Speaker, Sir, if you look at Makadara and Industrial Area, most factories have closed down and our people are running to the informal sector. They are opening their small businesses. If we do not have power, we will be sending them home. Despite the fact that a place like Jogoo Road Market has employed close to 3,000 people, it gets electricity only three hours every day. If we are serious about alleviating poverty in this country, we should avail electric power to the informal sector. The *Jua Kali* sheds there have employed close to 2,000 people but, like their colleagues at Jogoo Road and Jericho Markets, they do not get adequate power. So, if the Government is serious about tackling the problem of poverty in this country, it is important that it pays a lot of attention to the *Jua Kali* sector, which includes the markets and small-scale business people.

Mr. Temporary Deputy Speaker, Sir, we have a problem. We have allowed importation from South Africa of commodities that can be grown in this country. We import oranges despite the fact that we are capable of growing the commodity. At the same time, we import eggs from that country. Are we levying sufficient duty on those imports, to make them expensive in this country? There is no point in claiming that we are tackling poverty when we at the same time kill the poultry industry. We have very many people in this country who rely on poultry. We have, however, allowed the importation of eggs, from South Africa, in plenty. If you move into super markets, you will find that we

have a lot of commodities that have been imported from South Africa.

I think the best way out of this problem would be to levy duty to the tune of over 100 per cent, to ensure that products from South Africa are not cheaper than those being produced in this country. We must be seen to be supporting the small-scale business person of this country. However, the Budget does not adequately address this issue. There is no point in saying that we support farmers and at the same time allowing imports of even commodities such as oranges and potatoes from South Africa. When we talk of a liberalised economy, the best way to protect the interests of Kenyans is to levy heavy duty on imports from South Africa. At the moment, the trade imbalance between Kenya and South Africa is in the tune of Kshs10 billion. We import from South Africa goods worth Kshs20 billion and export to that country goods worth about Kshs4 billion. We must address this issue.

Mr. Temporary Deputy Speaker, Sir, when the Budget was presented to this House, prices of small things such as spareparts were increased the following day. We do not appear to be helping the common *mwananchi* of this country. When the Budget was presented to this House, the prices of vatable goods were increased by an even bigger percentage than that announced by the Minister. This is because there is no way in which we can control business on River Road. If you buy a car, you are taxed heavily. Some of the cars that are imported into this country are second-hand, because most Kenyans cannot afford new cars. Three or four months after you import such a car, you will be required to buy spareparts. So, the ordinary person continues to suffer in this country. This is because two or three months after he buys his second-hand car, he goes to the shops to buy spareparts, through which he is taxed heavily.

I would now like to talk about the issue of water and power rationing. The person who is suffering from power rationing is the same one who is suffering from water rationing. We have not addressed the issue of water. There was a mission statement by the Government that by the year 2000, every homestead would have clean piped water. We are now in that year, but even those who had water before no longer have it. It is very surprising that even the City Centre, where you expect to have water, the commodity is lacking. In Makadara Constituency, starting from Kaloleni, Mbotela, Jericho and Maringo Estates, people waste a lot of their precious time, looking for water. The moment you start looking for water as if you were upcountry, you waste a lot of manpower.

Mr. Temporary Deputy Speaker, Sir, these are issues which should be addressed clearly. At the same time, I would like to appeal to the Ministry of Local Government to ensure that the Nairobi City Council comes up with a formula of rationing water. There should be a programme similar to that drawn up by the Kenya Power and Lighting Company, indicating clearly which areas will be affected by the rationing during which days and times. However, the City Council is carrying out its water rationing programme haphazardly. You will find that some areas are supplied with water daily, while others remain without the commodity for close to two weeks. Therefore, the Ministry of Local Government should ensure that there is a proper water rationing programme. In that programme, the Nairobi City Council should consider the fact that residents of some areas of the city can afford to buy water tanks. However, people in areas such as Makadara rely on tap water. Those are the people whose welfare should be looked after. There is no point in giving special treatment to areas such as Lavington, Kileleshwa and ignoring people in areas such as Mukuru Kayaba, who are not capable of buying water tanks to store water for themselves. So, if power and water have to be rationed, those areas must be taken as they are. People in those areas are not capable of storing water. However, those who stay in Lavington, Kileleshwa and the Central Business District are capable of buying generators. The rest of people, who stay in areas referred to as "Third World" cannot afford water tanks to store water for themselves. So, we are appealing to the Government to let us know the programme of rationing water and to consider less fortunate Kenyans, who are not capable of buying water storage tanks.

Mr. Temporary Deputy Speaker, Sir, there is another issue which is not being addressed properly. Creating employment is another way of reducing poverty. However, there are very many industries in Nairobi's Industrial Area which have closed down. If we do not encourage the opening up of those industries, we will be failing.

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order! Your time is up, Mr. Mugeke. Could you proceed, Mr. Muturi?

Mr. Muturi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to air my views on the Budget Speech.

When I went through the various areas indicating how the Minister intends to raise revenue, I note that, among other things, the Minister proposes in his estimates that he will be able to raise about Kshs60 billion from Customs and Excise Duties. I would like to say that the Minister could raise even double that amount if the various loopholes in the Customs Department were sealed. Unfortunately, successful Ministers for Finance find it appropriate at every opportunity, when they think they are not raising sufficient funds, to increase the taxes to go to a person that does not comply. The effect of that is that, civil servants who are in the various Departments of Government also hike their "under-table takings". So, it is no wonder that the Customs Department has over years not computerised its operations because they still want to maintain the various latitudes that are there in the Customs and Excise Act, Cap.472. They do so, so that they are in a position to be approached by importers.

We also have companies like Swipco, and I am not sure that a case has been laid in this House or anywhere to show that since Swipco was contracted to do whatever it does, there have been any significant improvements in revenue collection. I speak with the knowledge of an insider. I do know for a fact that even if Customs officers were to interfere with certain imports, they would still be overruled by Swipco, notwithstanding that even the cost of the goods being imported may have required pre-shipment inspection and an appropriate certificate, the CRF issued.

Mr. Temporary Deputy Speaker, Sir, another Government Department whose operations should also be seriously looked into is the Registrar of Motor Vehicles. We have been told that there has been some slight increase in the revenue collection. I believe a lot more could be earned from that Department. All we need to do is to appreciate the fact that over 95 per cent of the officers working for KRA were the same ones working in those various Departments before KRA came into being and they are therefore, people who are used to the old ways of undervaluing after being approached by importers, the majority of who are not even indigenous Kenyans. I am proposing to the Minister for Finance that he imposes heavy penalties for people who make improper declarations or try to avoid the various taxes. I am also proposing that the Minister considers imposing a realistic minimum period within which an importer must clear his goods when they land either at the airport, the Port of Mombasa or any other entry point. In Singapore, for example, an importer is supposed to clear their goods within 15 minutes upon arrival. In this country importers go to the airport, the inland container depot or the Port of Mombasa and lodge their documents through a lot of processes which are there not to ensure that the Government earns its due revenue, but purely for corruption purposes.

Mr. Temporary Deputy Speaker, Sir, while still on the issue of revenue collection, I would suggest that the Minister considers reducing the period within which any importer is supposed to clear their goods from three days to one day. In the event of any importer's documents not being approved for clearance of goods, there be a written communication. If there is any dispute, it should not be handed over to one officer of Government, it should be taken to a tribunal. The same should apply to people who have been assessed for Income Tax purposes. The current trend is that the moment you receive an assessment report, you merely walk into KRA offices get an officer who is willing to do a deal with you and then the next day, you pay less. For example, you may have been assessed to pay Kshs1 million, but you end up paying only Kshs100,000. That is the current practice. We cannot talk about poverty eradication, unless we know that we cannot put new wine into old wine skins. We will not go far in tax collection if we continue with the same trend. Again, KRA will lament that they did not achieve their target of tax collection. They are fond of saying such things.

Mr. Temporary Deputy Speaker, Sir, I do recall during graduation ceremony at Jomo Kenyatta University of Agriculture and Technology, His Excellency the President said that we have produced so much manpower that we could even export to other countries. We are talking about alleviating poverty and creating employment in this country, but how can we do that when people we have trained well cannot even get passports? If we have reached that level, why is it so difficult for an ordinary Kenyan to get a passport? We want to raise money by way of taxes, but at the same time, we make the whole exercise so stringent. Before an individual is given a passport, he or she is supposed to present a bank statement to the officer issuing it, among other things. Of course, we know that there are those people who do not even present anything, but they can still get passports within one or two hours. Why can we not be serious on this area and see to it that we seal all loopholes and collect enough taxes? We can also help our people to travel outside the country where they will be employed. If they are employed, they will assist in poverty eradication in this country.

Mr. Temporary Deputy Speaker, Sir, I would also like to address the question of Stamp Duty in Ardhi House. The Ministry of Lands and Settlement Headquarters is the hub of corruption. The fourth floor of Ardhi House was appropriately described as "the corridor of corruption". I am happy to note that the Ministry has now allowed KRA to handle Stamp Duty. However, we need to computerise that office, so that people who are supposed to pay Kshs1 or Kshs2 million as Stamp Duty do not pay Kshs200,000 or less. These things are happening every day. What is KACA doing? Why can they not employ enough personnel to be hovering around those offices, so that they can arrest those people who evade to pay taxes? For example, they should zero on the headquarters of the Ministry of Lands and Settlement, Nyayo House, Customs and Excise Department or the entire KRA.

Mr. Temporary Deputy Speaker, Sir, I also want to associate myself with my colleagues who have complained about the issue of land. We have a lot of idle land which can be utilised to feed this nation. I would have expected the Minister for Finance to impose tax as a penalty on many tracts of land that are underutilised. For example, he should have imposed tax on any land that remains idle for one year. The owners of such land should be penalised. That way, we shall be aiming at eradicating poverty in this country. We cannot say that we will be industrialised by the year 2020 when we are just shadow boxing.

Mr. Temporary Deputy Speaker, Sir, another area I wish to comment on and which I feel was not sufficiently tackled by the Minister in his speech is the Jua Kali sector. We are talking of alleviating poverty and creating jobs and,

yet, many *Jua Kali* people in the rural areas are suffering. I would like to say that all that those people require is for the Government to be bold enough, and say that every market centre in this country shall be supplied with electricity. We should forget about the issue of power rationing, because it can be addressed in a different manner. Every market centre should be supplied with electricity.

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

Mr. Ochilo-Ayacko: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to make my remarks about the Budget Speech, which was presented by the Minister for Finance. I will begin by saying that this Budget was done in such a manner that ordinary Kenyans cannot own it.

We, in this House, are the representatives of Kenyans. We became aware of what is contained in the Estimates only a day or two before the Minister read his Budget, and that is quite anomalous. I am aware that in developed economies, for instance, the United States of America (USA), they have what they call "Congressional Budget Committee", which is constituted by the Members of the Congress, who put the Budget together. In other words, representatives of the people are involved in the making of the Budget. Here, in our country, representatives of the people get to know about the Budget a day or two before it is read in this House. That is very unfortunate because the Budget talks about the peoples' funds. It talks about the amount of money the people will pool together and how it is going to be applied in trying to render services to them.

Mr. Temporary Deputy Speaker, Sir, I have some information that what is contained in this Budget proposal has a big chunk of input from foreigners. In other words, this country has surrendered its sovereignty. What we are debating today is what has been served on us by foreign governments. When we attained Independence, nearly 40 years ago, the forefathers of this country swore that they would run this country by themselves and for the people of this country. Today, nearly 40 years down the road, we are deliberating or discussing a Budget proposal given to us by "faceless" foreigners that we do not know. Where has our sovereignty gone to?

The Assistant Minister for Finance and Planning (Mr. Arap-Kirui): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am afraid the hon. Member is misleading this House. These Budget proposals were prepared by Kenyans and presented by a Kenyan Minister. There was no foreigner who was involved.

An hon. Member: By Dr. Leakey! You are wasting his time!

Mr. Ochilo-Ayacko: Mr. Temporary Deputy Speaker, Sir, I am glad that that interjection is being made by an Assistant Minister who himself got surprised the way hon. Members of this House got surprised. I am sure that he was privy to the content of the Budget.

As I am speaking here today, I am aware that there are certain conditionalities that are fundamental in this Budget that were inflicted on us by foreigners. In fact, what I am saying is that this Budget is donor-driven. It is intended to please or appease certain donors who are putting certain conditions. It is very sad that there is no indication in the present Budget that we are about to regain our economic sovereignty; we are losing it by the day and month to the foreigners. That is why there are certain things that we would like to do in our own way and according to our own styles, but we are unable to do them, because we have been poor and because we are almost a beggar state. This is a very unfortunate scenario.

Mr. Temporary Deputy Speaker, Sir, the theme of the Budget is wonderful. This Budget proposes to lessen poverty in this country. It proposes to do it by way of sustainable growth but, unfortunately, this is unlikely to work. It is unlikely to work because our economy as it is, is largely an agrarian one that depends on agriculture. There is very little in the Budget that intends to translate our economic activities into gainful ventures that will benefit those who venture into them. For instance, there is nothing in the Budget proposals that will translate traditional pastoralism into an activity that will eventually put money into the pockets of the pastoralist. There is no provision in that budget to cushion the pastoralists from the adversities of the climate. Even as we debate the acceptance in totality of this Budget, we are still exposing our pastoralists to the adversities of the weather. There is nothing that will help them. Take, for instance, sugarcane farmers. I represent a constituency where sugarcane is grown. There is no provision in the Budget that is geared at expanding the crashing capacities of our sugar industries. The sugar industries and the sugar farms are major employers in this country. Although we still have a deficit and we still have to import sugar from God-knows-where, we are not doing anything to be self-reliant.

If we talk about providing employment to our people and we are not taking advantage of farming activities where we still have to rely on imports, that will not help us provide employment and therefore, eradicate poverty as this Budget intends to do. There are traditional activities that are intended to earn revenue for this country. There is no allocation in that Budget for the provision of cold storage for local fishermen and women along the shores of Lake Victoria and Lake Turkana. There is no allocation in that Budget for the provision of electricity or building of roads for those people. People whose revenue is dependent upon fishing activities cannot say that this Budget is intended to alleviate their poverty. We have put in place KACA to fight corruption, but we have done very little on the judicial front. Right now, there are a lot of pending cases in court. In the areas where hon. Magara and I come from, that is the

Kisii jurisdiction of the High Court, we have only one Judge. If you were charged today with murder before the Kisii High Court, then the hearing of the case would begin about a year and a half from now. That means that the court is overburdened.

If you take the lower courts, previously the Chief Magistrates Court had five magistrates. Right now there are only three magistrates in Kisii. If corrupt people were to be taken before those courts, they may not dispose of the matter in good time. If you come to Migori Senior Principal Magistrates Court, you are unlikely to get justice because there are only two magistrates and there are criminal matters that have been pending for the last three years. There is not enough that has been put aside in the Budget proposal for the administration of justice. It is not enough to talk about KACA because it will have to take these people to court and they will have to be heard by these courts and the matters be disposed of.

We have this monumental corruption case called "Goldenberg" which has not been heard to-date. Why is it so? It has not been heard to-date because our system of administration of justice is so small in comparison to the velocity of corruption in this country. So, the Budget in itself cannot challenge the magnitude of corruption that bedevils this country.

If you look at the money allocated for security in the Printed Estimates, particularly the security of the mwananchi, you will find that there is no much that is put there. Instead, money has been taken and allocated to people who spy on politicians; that is the National Security Intelligence Service (NSIS). Why is the NSIS asking for that kind of money when we know very well that in the Kenya Police Force, as it is now, there are very few police officers. I am told that there are about 1,000 police officers---

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

Mr. Magara: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to the Motion.

I am surprised that most of what we heard from the Budget Speech was just rhetoric and sayings which each Minister who takes over from the same Minister within a period of less than a year repeats. There are four major issues that we are supposed to address - unemployment, poverty, insecurity and power rationing. We have a big case with this Government, because it is involved in all those cases.

One of the greatest problems that we are having in this country is the morals of the Government. The Government lacks morals, and you will agree with me that---

The Minister for Public Health (Prof. Onger): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Magara in order to talk about the morals of the Government when he does not have a thermometer, or a gauge to measure the morality of the Government?

The Temporary Deputy Speaker (Mr. Poghiso): Order! You are very right in---

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, I entirely agree with the Professor of Medicine. He is talking as a--- (inaudible), and I can substantiate that. The Government lacks the morals to identify and support competency and professional qualifications of the civil servants in the Public Service.

Mr. Temporary Deputy Speaker, Sir, you will agree with me that hon. Eng. Kiptoon, who was a very competent Minister in the Government and who was out to ensure that each mwananchi had access roads to enable him or her to transport their commodities from rural areas to the markets, was sacked simply because he could not be able to surrender his conscience to the thugs of this Government.

The Temporary Deputy Speaker (Mr. Poghiso): Order! What are you saying?

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, I am saying that he could not surrender his conscience to the looters of this Government. I am saying that---

The Temporary Deputy Speaker (Mr. Poghiso): Order! Mr. Magara, you have to withdraw the language that you are using.

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, I withdraw the use of the word "thugs" and substitute it with "lack of morals."

You can just look at what hon. Eng. Kiptoon has done within a short period he was in the Ministry of Roads and Public Works. For example, he established the Kenya Roads Board. Kenya is potentially an agricultural country, and for the farmers to benefit from whatever they produce, they must get access to the markets. When such a competent Minister is removed from that Ministry because he could not allow the Fuel Levy Fund to be misused by this Government, can we call that a "Government of morals?"

If you look at the Budget which was given to us the other day, the Kenya Farmers Association (KFA), the Agricultural Finance Corporation (AFC), the Kenya Co-operative Creameries (KCC) and the Kenya Meat Commission (KMC) did not get any mention. If this Government cannot even imagine that those are the major sectors in this country which can be assisted for the advancement of farmers, and the eradication of poverty--- They are always cheating us here that they are fighting poverty, but how can you eradicate poverty when the basic fundamental factors

which can enable our farmers and other Kenyans to come up are being killed? They are there to kill everything, and they know who killed the KFA, the Kenya National Assurance (KNAC), the KCC and the AFC, and they cheat us that they are out to fight corruption and poverty.

Mr. Mwakiringo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Member in order to use unparliamentary language like "cheating?" I know that the word "cheating" is unparliamentary language.

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, I believe that he has been bought to waste my time, but I said is that---

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

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, I withdraw the use of that word.

The Temporary Deputy Speaker (Poghisio): But what do you put in its place?

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, I withdraw the word and replace it with "liars."

The Temporary Deputy Speaker (Mr. Poghisio): That is still unparliamentary language!

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, I withdraw and replace it with "mislead."

You will find that insecurity in this country is a problem and, indeed, when we had the NSIS Bill in the House, I thought and believed that, in the same breath, the same person who motivated the NSIS Bill would go back to his or her drawing board and come up with a similar Service to assist the Kenya Police Force to be well equipped and remunerated so that they could come out of their problems. It is surprising that a married police officer has to share a room with other five police officers, and you expect him to discharge his duties effectively. Insecurity is rampant in this country. A month ago, I was carjacked and the day before yesterday, my hon. colleague who was sacked from the Government recently was also carjacked and several items taken from him. What is this Government doing to ensure that security is provided to each and every Kenyan without partiality?

Mr. Temporary Deputy Speaker, Sir, there are tribal clashes taking place in my constituency. At the moment, up to four people have been killed, two from hon. Ochilo-Ayacko's constituency and two from my constituency. Why can the Government not ensure that there is proper security within our borders? If they need more police officers, then we should employ them. Why can the Government not request for more funds to recruit more police officers? The only thing which this Government can do at this particular moment, while we are praying that the Lord should hear our prayers, is either to come back to its sense as belonging to this country or resign and come up with a Government of national unity. If they are incapable of doing all those things---

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member for South Mugirango in order to pray to God that this Government should resign?

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, the Lord is supreme. He can even turn stones into human beings. So, I am praying to the Lord to hear our prayers and help Kenyans come out of the problems facing them. These problems have been created by this Government which is devoid of morals. This is a Government which preaches against corruption and yet, the most corrupt people are serving in this Government.

Mr. Temporary Deputy Speaker, Sir, the awarding of tenders for the construction of our roads should be looked into. As we know, that is one of the reasons why Engineer Kiptoon was sacked as the Minister for Roads and Public Works. He could not award tenders to politically-correct persons, who include Indians and "State House squatters".

Mr. Temporary Deputy Speaker, Sir, we cannot talk about famine at this particular time when farmers---

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! It is now time for the interruption of business. This House is, therefore, adjourned until this afternoon, at 2.30 p.m.

The House rose at 12.30 p.m.